

RESOLUTION

558850

WHEREAS, the City of Rochester has requested that certain lands adjacent to the City and situated in the Town of Cascade, said lands being described as:

That part of the East Half of the East Half (E1/2, E1/2) of Section 23, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of the Southeast Quarter of said Section; thence due North (assumed bearing) along the east line of said Section for a distance of 302.37 feet to the point of beginning, said point being hereinafter referred to as "Point A"; thence North 90 Degrees West 33.00 feet; thence Southwesterly on a curve concave to the northwest having a Central Angle of 52 Degrees 54 Minutes and a Radius of 227.44 feet, for a distance of 85.27 feet, said point being the intersection of the extension of the easterly line of Lot 1, Block 2, RIVERVIEW SUBDIVISION with the centerline of Riverside Drive; thence South 89 Degrees 26 Minutes East to the east line of said Section; thence due North to the point of beginning.

Also beginning at "Point A" for a 33.00 feet Wide strip of land measured perpendicular to, lying westerly of, and parallel with the following described line: thence due North (assumed bearing) along the east line of said Section 23 and terminating at the centerline of CSAH No. 22, the westerly sideline being prolonged to the point of intersection with said centerline; LESS the easterly 33.00 feet of the north 619.20 feet of the Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4); ALSO LESS Beginning at a point on the east line of said Section 23 which is 840.00 feet South of the northeast corner of the Southeast Quarter of said Section; thence due South along said east line 329.53 feet; thence North 85 Degrees 54 Minutes West, 33.08 feet; thence due North parallel with said east line for a distance of 327.15 feet; thence North 90 Degrees East, 33.00 feet to the point of beginning; ALSO LESS a 33.00 feet wide strip of land lying easterly of Lot 18, Block 2, RIVERSIDE SUBDIVISION described as follows: Beginning at the southeast corner of said Lot 18; thence running North along the easterly line of said Lot extended for a distance of 173.00 feet; thence East 33.00 feet to the east line of Section 23; thence South along said east line 173.00 feet; thence West 33.00 feet to the point of beginning.

Said Annexation containing 1.67 acres, more or less.

be annexed to the City of Rochester; and,

WHEREAS, Planning and Zoning Commission has recommended that the Common Council of the City of Rochester initiate proceedings for annexation of said property to the City of Rochester; and,

WHEREAS, said property is subject to a joint resolution for orderly annexation adopted by the Common Council on May 17, 1976, and approved by the Board of the Town of Cascade on May 5, 1976, which resolution was subsequently amended by a resolution approved by the Common Council on February 23, 1977 and the Board of the Town of Cascade on April 4, 1977; and,

WHEREAS, information has been presented to the Common Council which indicated that said property is urban or suburban in nature and that the City of Rochester is fully capable of providing municipal sewer and water and other services required by said property within reasonable time.

WHEREAS, the Town Board of the Town of Cascade is hereby requested to execute a written stipulation that said orderly annexation agreement be amended for purposes of this proceeding only, to provide in relevant part that:

Both the Town and City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the Board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the following described property in accordance with the terms of the joint resolution.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that the Minnesota Municipal Board is hereby requested to process the annexation of the lands hereinbefore described pursuant to the orderly annexation agreement, as it may be amended, between the City of Rochester and the Town of Cascade.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a certified copy of this resolution, along with the stipulation of the Town Board or filing as the case may be with the Secretary of the Minnesota Municipal Board, the Cascade Town Clerk, the Olmsted County Planning and Zoning Commission, and the Consolidated Planning and Zoning Departments of Olmsted County..

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 4 DAY OF January, 1989.

Nancy B. Selby
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Charles A. Gumm
CITY CLERK

APPROVED THIS 5 DAY OF January, 1989.

Charles A. Gumm
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

IN MATTER OF THE AMENDMENT TO THE JOINT RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF CASCADE
AND THE CITY OF ROCHESTER, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.0325, SUBD. 1

TO: Minnesota Municipal Board
165 Metro Square Building
St. Paul, MN 55101

The Township of Cascade and the City of Rochester hereby jointly agree that the area designed for orderly annexation in the Joint Resolution Between the Town of Cascade and the City of Rochester Designating an Area for Orderly Annexation by joint resolution passed and adopted by the Rochester Common Council on May 17, 1976, and by its Mayor on May 20, 1976, and the Town of Cascade, Olmsted County, Minnesota by its Townboard on May 5, 1976, be amended to include the following:

Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the Board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the following-described property in accordance with the terms of the joint resolution.

ANNEXATION DESCRIPTION

That part of the East Half of the East Half (E1/2, E1/2) of Section 23, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

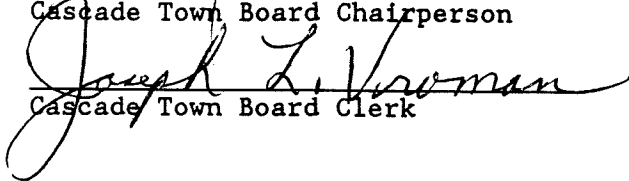
Commencing at the southeast corner of the Southeast Quarter of said Section; thence due North (assumed bearing) along the east line of said Section for a distance of 302.37 feet to the point of beginning, said point being hereinafter referred to as "Point A"; thence North 90 Degrees West, 33.00 feet; thence Southwesterly on a curve concave to the northwest having a Central Angle of 52 Degrees 54 Minutes and a Radius of 227.44 feet, for a distance of 85.27 feet, said point being the intersection of the extension of the easterly line of Lot 1, Block 2, RIVERVIEW SUBDIVISION with the centerline of Riverside Drive; thence South 89 Degrees 26 Minutes East to the east line of said Section; thence due North to the point of beginning.

Also beginning at "Point A" for a 33.00 feet wide strip of land measured perpendicular to, lying westerly of, and parallel with the following described line: thence due North (assumed bearing) along the east line of said Section 23 and terminating at the centerline of CSAH No. 22, the easterly sideline being prolonged to the point of intersection with said centerline; LESS the easterly 33.00 feet of the north 619.20 feet of the Northeast Quarter of the Southeast Quarter (NE1/4, SE1/4); ALSO LESS Beginning at a point on the east line of said Section 23 which is 840.00 feet South of the northeast corner of the Southeast Quarter of said Section thence due South along said east line 329.53 feet; thence North 85 degrees 54 minutes West, 33.08 feet; thence due North parallel

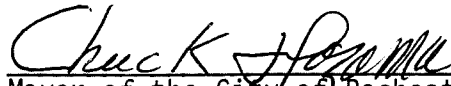
with said east line for a distance of 327.15 feet; thence North 90 Degrees East, 33.00 feet to the point of beginning; ALSO LESS A 33.00 feet wide strip of land lying easterly of Lot 18, Block 2, RIVERSIDE SUBDIVISION, described as follows: Beginning at the southeast corner of said Lot 18; thence running North along the easterly line of said Lot extended for a distance of 173.00 feet; thence East 33.00 feet to the east line of Section 23, thence South along said east line 173.00 feet; thence West 33.00 feet to the point of beginning.

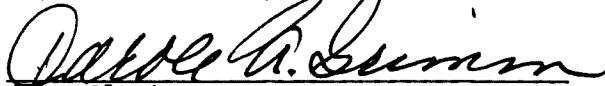
Approved by the Town of CASCADE this 3rd day of JANUARY, 1989.


Cascade Town Board Chairperson


Cascade Town Board Clerk

Approved by the City of Rochester, Minnesota this 4th day
of JANUARY, 1989.


Mayor of the City of Rochester


City Clerk

REC'D. BY
MMB

JAN 24 1989

ORDERLY ANNEXATION
OF THE R.O.W. FOR EAST
RIVER ROAD BETWEEN 37TH ST.
AND RIVERSIDE LANE

NORTH