

## RESOLUTION

WHEREAS, the Planning and Zoning Commission at the request of the owner of the property located in the Town of Cascade, County of Olmsted, State of Minnesota, described as:

The Southwest Quarter of the Southwest Quarter of Section 10, Township 107 North, Range 14 West, Olmsted County, Minnesota, less the South 410 feet of the West 600 feet of the Southwest Quarter of the Southwest Quarter of said Section 10.

Containing 30.0 acres more or less.

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, on the 6th day of March, 1989, the Town Board of the Town of Cascade executed a written stipulation that said orderly annexation agreement may be amended, in this instance, to provide, in relevant part, as follows:

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;

and,

WHEREAS such an amendment of the orderly agreement in this instance is agreeable to the City.

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 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 20 DAY OF MARCH, 1989.

Deecee B. Selby  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Cathy A. Seamon  
CITY CLERK

APPROVED THIS 21 DAY OF MARCH, 1989.

Chuck H. Hark  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

APR 13 1989

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

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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 designated 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:

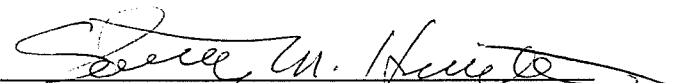
Both the Town and the City agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no consideration by the Board is necessary. Upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order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

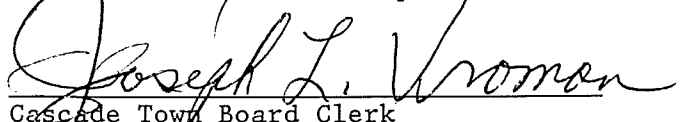
ANNEXATION DESCRIPTION

The Southwest Quarter of the Southwest Quarter of Section 10, Township 107 North, Range 14 West, Olmsted County, Minnesota, less the South 410 feet of the West 600 feet of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of said Section 10.

Containing <sup>30.0</sup>~~36.5~~ acres more or less.

<sup>R.D.</sup>  
Approved by the Town of CASCADE this 10 day of MARCH, 1989.

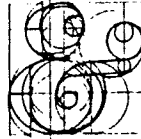
  
Cascade Town Board Chairperson

  
Cascade Town Board Clerk

REC'D. BY  
MMB

APR 13 1989

**McGhie**  
Consulting Engineers



**Betts, Inc.**  
Land Surveyors

Planners

1648 Third Avenue S.E., Rochester, MN 55904 507-289-3919

#### ANNEXATION DESCRIPTION

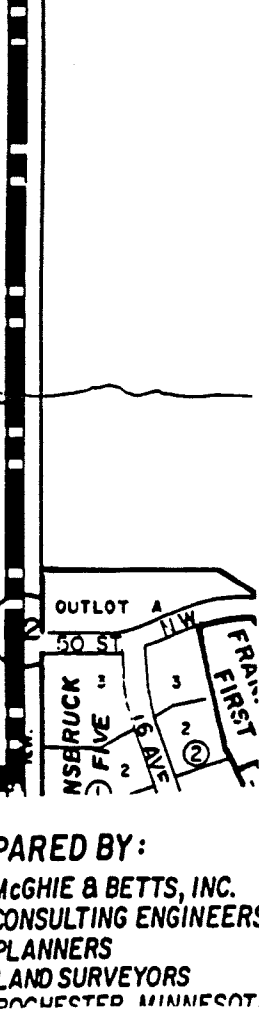
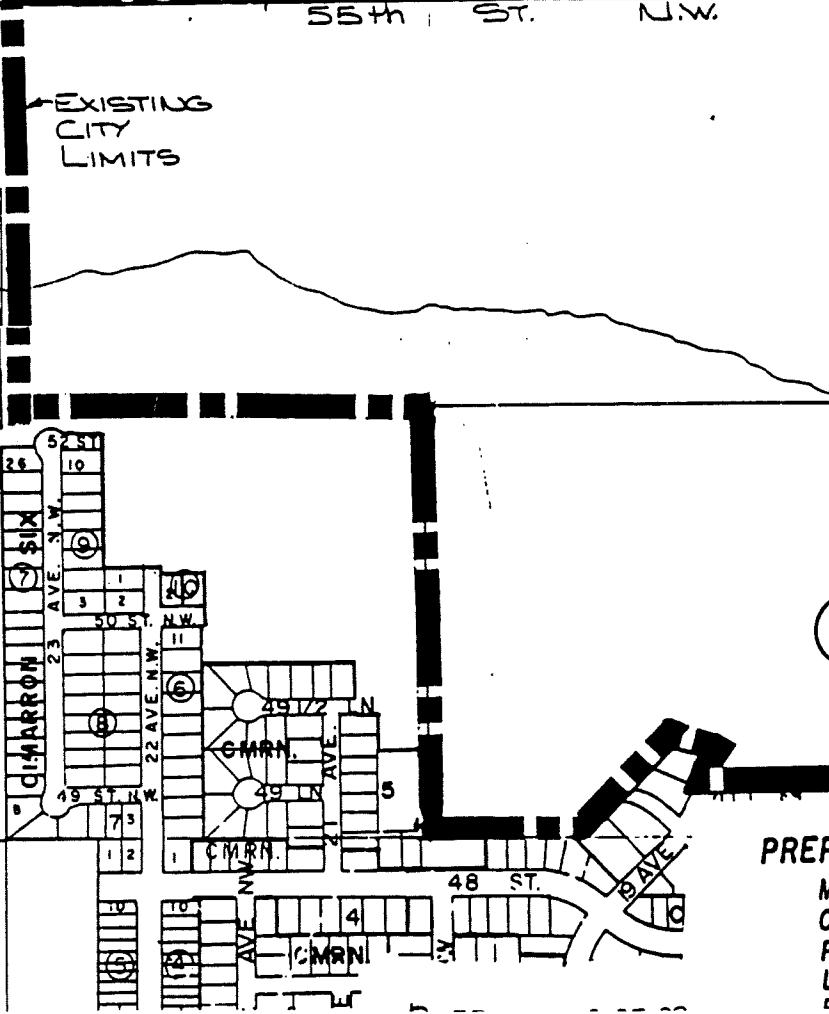
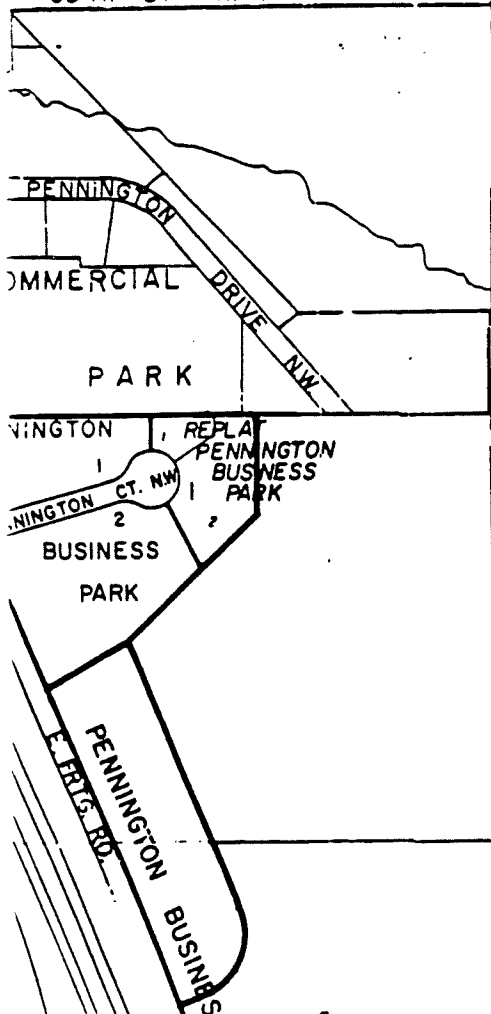
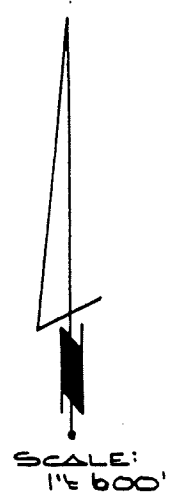
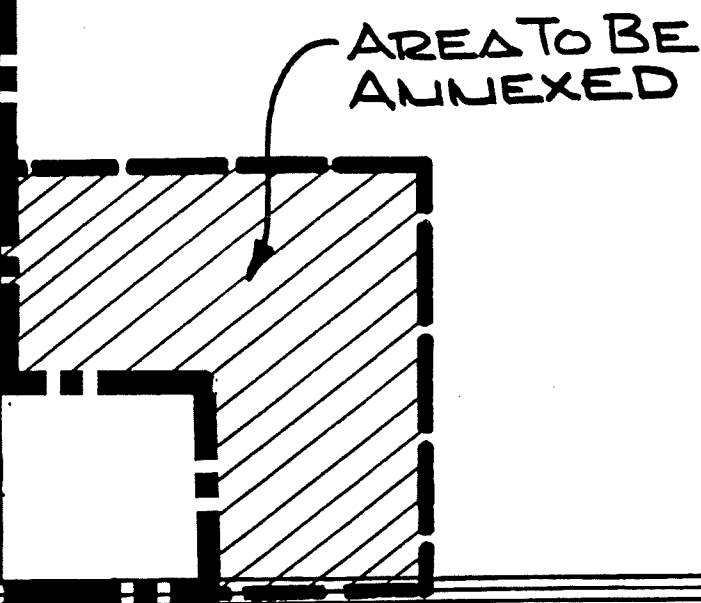
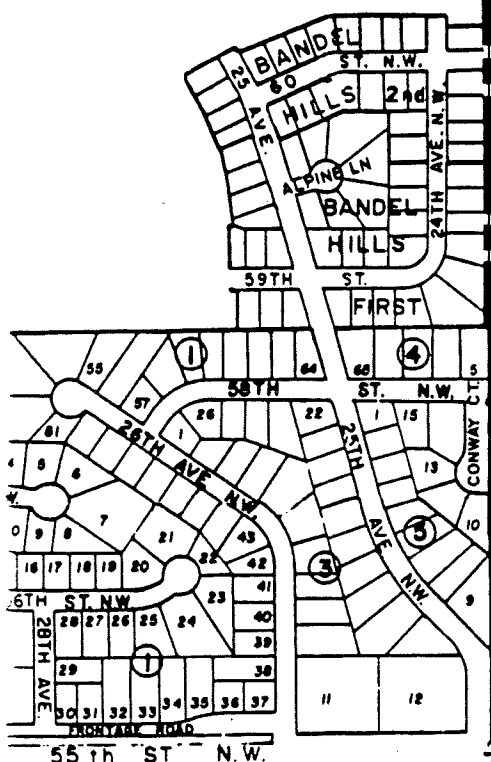
FOR: Western Walls, Inc.

DATE: February 23, 1989

The Southwest Quarter of the Southwest Quarter of Section 10,  
Township 107 North, Range 14 West, Olmsted County, Minnesota, less  
the South 410 feet of the West 600 feet of the Southwest Quarter  
of the Southwest Quarter of the Southwest Quarter of said Section  
10.

Containing ~~34.5~~ acres more or less.

30.0



PREPARED BY:  
 MCGHIE & BETTS, INC.  
 CONSULTING ENGINEERS  
 PLANNERS  
 LAND SURVEYORS  
 BOQUEST MINNESOTA