

17589 E-23

REC'D. BY APR 13 1989
M M B

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:

A part of the Northwest Quarter of Section 15, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 15; thence South 00 degrees 20 minutes 20 seconds East, assumed bearing, along the east line of said Northwest Quarter 2013.00 feet for a point of beginning; thence South 89 degrees 43 minutes 03 seconds West, 65.16 feet; thence westerly 89.01 feet along a tangential curve concave northerly, central angle of 17 degrees 00 minutes 00 seconds, and radius of 300.00 feet; thence North 73 degrees 16 minutes 57 seconds West, 111.15 feet; thence westerly 87.92 feet along a tangential curve concave southerly, central angle of 16 degrees 47 minutes 29 seconds, and radius of 300.00 feet; thence South 89 degrees 55 minutes 34 seconds West, 454.28 feet; thence North 00 degrees 20 minutes 20 seconds West, 639.75 feet to the north line of the Southeast Quarter of said Northwest Quarter; thence South 89 degrees 45 minutes 35 seconds West, along said north line, 517.38 feet to the west line of the Southeast Quarter of said Northwest Quarter; thence South 00 degrees 16 minutes 15 seconds East along said west line, 1051.16 feet; thence North 89 degrees 55 minutes 34 seconds East, 148.62 feet; thence South 00 degrees 17 minutes 41 second East 270.00 feet to the northerly line of CIMARRON TWO; thence North 89 degrees 55 minutes 33 seconds East along said northerly line, 314.98 feet to the westerly line of CIMARRON THREE (The next nine courses are along the westerly and northerly line of said CIMARRON THREE); thence North 85 degrees 44 minutes 12 seconds East, 125.75 feet; thence North 26 degrees 29 minutes 14 seconds East, 281.09 feet; thence South 64 degrees 06 minutes 43 seconds East, 110.05 feet; thence southerly 80.03 feet along a nontangential curve, concave northwesterly, radius of 683.20 feet, central angle of 06 degrees 42 minutes 42 seconds, and the chord of said curve bears South 29 degrees 14 minutes 38 seconds West, 79.98 feet; thence North 89 degrees 57 minutes 46 seconds East, 224.25 feet; thence North 00 degrees 02 minutes 14 seconds West, 10.00 feet; thence North 89 degrees 57 minutes 46 seconds East, 159.37 feet; thence South 00 degrees 20 minutes 20 seconds East, 25.00 feet; thence North 89 degrees 57 minutes 46 seconds East, 160.00 feet to the east line of said Northwest Quarter; thence North 00 degrees 20 minutes 20 seconds West along said east line, 498.22 feet to the point of beginning.

Containing 24.63 acres, more or less. Together with:

That part of the Southeast Quarter of the Northwest Quarter of Section 15, Township 107 North, Range 14 West, Olmsted County, Minnesota, being described as follows:

Beginning at the southwest corner of said Southeast Quarter of the Northwest Quarter; thence North 00 degrees 16 minutes 15 seconds West, assumed bearing, along the west line of said Quarter Quarter, 258.40 feet; thence North 89 degrees 55 minutes 34 seconds East, 148.62 feet; thence South 00 degrees 17 minutes 41 seconds East, 258.40 feet to the south line of said Quarter Quarter, thence South 89 degrees 55 minutes 34 seconds West, along said south line, 148.73 feet to the point of beginning.

Containing 0.88 acres more or less. Together with:

A part of the Southeast Quarter of the Northwest Quarter of Section 15, Township 107 North, Range 14 West, Rochester, Minnesota, described as follows:

Beginning at the northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 15; then South 00 degrees 20 minutes 20 seconds East, assumed bearing, along the east line of said Northwest Quarter, 699.43 feet; thence South 89 degrees 43 minutes 03 seconds West, 65.16 feet; thence westerly 89.01 feet along a tangential curve concave northerly, central angle of 17 degrees 00 minutes 00 seconds, and radius of 300.00 feet; thence north 73 degrees 16 minutes 57 seconds West, 111.15 feet; thence westerly 87.92 feet along a tangential curve concave southerly, central angle of 16 degrees 47 minutes 29 seconds, and radius of 300.00 feet; thence South 89 degrees 55 minutes 34 seconds West, 454.28 feet; thence North 00 degrees 20 minutes 20 seconds West, 639.75 feet to the north line of said Southeast Quarter of the Northwest Quarter thence North 89 degrees 45 minutes 35 seconds East along said north line, 800.00 feet to the point of beginning.

Containing 12.04 acres more 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.

James B. Selby
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Charles A. Lerman
CITY CLERK

APPROVED THIS 21 DAY OF MARCH, 1989.

Chuck Taylor
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

REC'D. BY APR 13 1989
MAB

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

A part of the Northwest Quarter of Section 15, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of the Northwest Quarter of said Section 15; thence South 00 degrees 20 minutes 20 seconds East, assumed bearing, along the east line of said Northwest Quarter, 2013.00 feet for a point of beginning; thence South 89 degrees 43 minutes 03 seconds West, 65.16 feet; thence westerly 89.01 feet along a tangential curve concave northerly, central angle of 17 degrees 00 minutes 00 seconds, and radius of 300.00 feet; thence North 73 degrees 16 minutes 57 seconds West, 111.15 feet; thence westerly 87.92 feet along a tangential curve concave southerly, central angle of 16 degrees 47 minutes 29 seconds, and radius of 300.00 feet; thence South 89 degrees 55 minutes 34 seconds West, 454.28 feet; thence North 00 degrees 20 minutes 20 seconds West, 639.75 feet to the north line of the Southeast Quarter of said Northwest Quarter; thence South 89 degrees 45 minutes 35 seconds West, along said north line, 517.38 feet to the west line of the Southeast Quarter of said Northwest Quarter; thence South 00 degrees 16 minutes 15 seconds East along said west line, 1051.16 feet; thence North 89 degrees 55 minutes 34 seconds East, 148.62 feet; thence South 00 degrees 17 minutes 41 seconds East, 270.00 feet to the northerly line of CIMARRON TWO; thence North 89 degrees 55 minutes 33 seconds East along said northerly line, 314.98 feet to the westerly line of CIMARRON THREE (the next nine courses are along the westerly and northerly lines of said CIMARRON THREE); thence North 85 degrees 44 minutes 12 seconds East, 125.75 feet; thence North 26 degrees 29 minutes 14 seconds East, 281.09 feet; thence South 64 degrees 06 minutes 43 seconds East, 110.05 feet; thence southerly 80.03 feet along a nontangential curve, concave northwesterly, radius of 683.20 feet, central angle of 06 degrees 42 minutes 42 seconds, and the chord of said curve bears South 29 degrees 14 minutes 38 seconds West, 79.98 feet; thence North 89 degrees 57 minutes 46 seconds East, 224.25 feet; thence North 00 degrees 02 minutes 14 seconds West, 10.00 feet; thence North 89 degrees 57 minutes 46 seconds East, 159.37 feet; thence South 00 degrees 20 minutes 20 seconds East, 25.00 feet; thence North 89 degrees 57 minutes 46 seconds East, 160.00 feet to the east line of said Northwest Quarter; thence North 00 degrees 20 minutes 20 seconds West along said east line, 498.22 feet to the point of beginning.

Containing 24.53 acres more or less. (DeWitz Property). Together with:

That part of the Southeast Quarter of the Northwest Quarter of Section 15, Township 107 North, Range 14 West, Olmsted County, Minnesota, being described as follows:

Beginning at the southwest corner said Southeast Quarter of the Northwest Quarter; thence North 00 degrees 16 minutes 15 seconds West, assumed bearing, along the west line of said Quarter Quarter, 258.40 feet; thence North 89 degrees 55 minutes 34 seconds East, 148.62 feet; thence South 00 degrees 17 minutes 41 seconds East, 258.40 feet to the south line of said Quarter Quarter, thence South 89 degrees 55 minutes 34 seconds West, along said south line, 148.73 feet to the point of beginning.

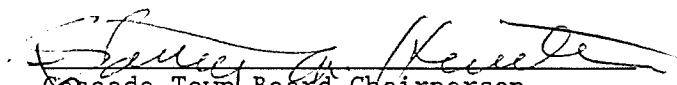
Containing 0.88 acres more or less. (Cimarron Park Property) together with

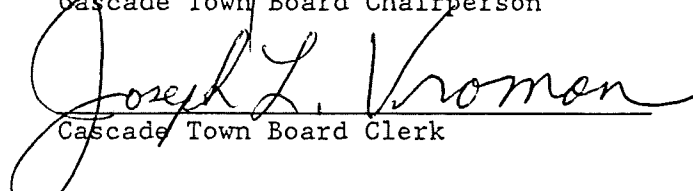
A part of the Southeast Quarter of the Northwest Quarter of Section 15, Township 107 North, Range 14 West, Rochester, Minnesota described as follows:

Beginning at the northeast corner of the Southeast Quarter of the Northwest Quarter of said Section 15; then South 00 degrees 20 minutes 20 seconds East, assumed bearing, along the east line of said Northwest Quarter, 699.43 feet; thence South 89 degrees 43 minutes 03 seconds West, 65.16 feet; thence westerly 89.01 feet along a tangential curve concave northerly, central angle of 17 degrees 00 minutes 00 seconds, and radius of 300.00 feet; thence north 73 degrees 16 minutes 57 seconds West, 111.15 feet; thence westerly 87.92 feet along a tangential curve concave southerly, central angle of 16 degrees 47 minutes 29 seconds, and radius of 300.00 feet; thence South 89 degrees 55 minutes 34 seconds West, 454.28 feet; thence North 00 degrees 20 minutes 20 seconds West, 639.75 feet to the north line of said Southeast Quarter of the Northwest Quarter thence North 89 degrees 45 minutes 35 seconds East along said north line, 800.00 feet to the point of beginning.

Containing 12.04 acres more or less. (City owned land).

Approved by the Town of CASCADE this 16 day of MARCH, 1989.


Joyce A. Kewett
Cascade Town Board Chairperson


Joseph L. Vroman
Cascade Town Board Clerk

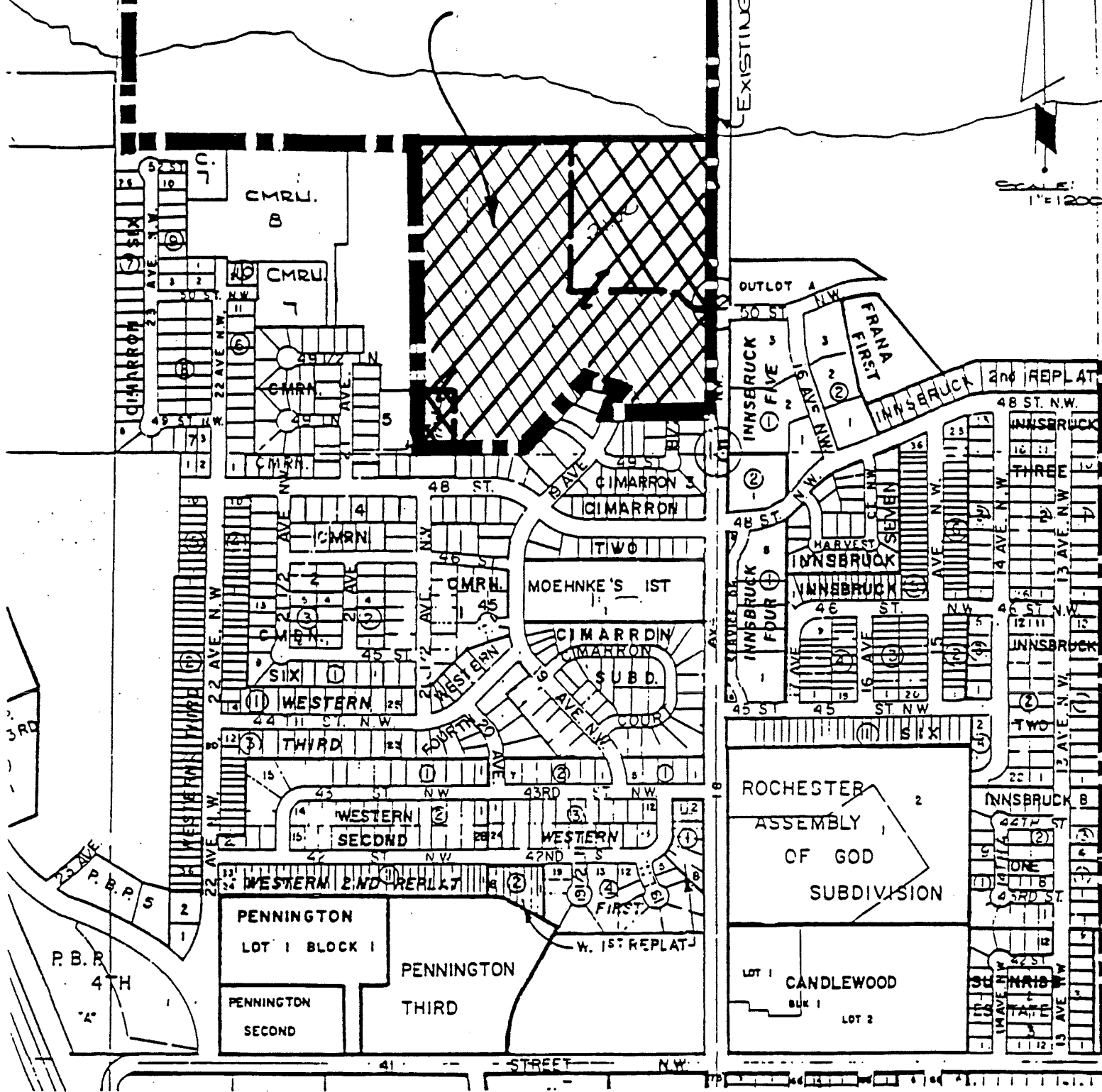
**TOTAL OF 37.45 AC.
RECOMMENDED FOR
ANNEXATION BY STAFF**

LIMITS

REC'D. BY APR 13 1989
MMB

EXISTING CITY

SCALE:
1"=1200'



PREPARED BY:

McGHIE & BETTS, INC.
CONSULTING ENGINEERS
LAND SURVEYORS
ROCHESTER, MINNESOTA

PREPARED:
2-16-89