

167-98

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RESOLUTION

BE IT RESOLVED by the Common Council of the City of Rochester that the City enter into an amendment of the Cascade Township Orderly Annexation Agreement so as to annex to the City the 6.31 acres of land owned by Richard Badger located north of Valley High Drive N.W. and east of West Circle Drive in part of the northeast quarter of Section 20, Cascade Township if the Cascade Township Board is also willing to execute the document.

The Mayor and the City Clerk are authorized and directed to execute said amendment on behalf of the City.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 16TH DAY OF MARCH, 1998.

John Wenzel
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Rudolph Kay
CITY CLERK

APPROVED THIS 17th DAY OF MARCH, 1998.

Ed Buford
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

APR 23 1998

IN THE 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, Minnesota 55101

The Town of Cascade and the City of Rochester hereby jointly agree that the Joint Resolution Between the Town of Cascade and the City of Rochester Designating an Area for Orderly Annexation dated May 5, 1976, be amended to include the following:

WHEREAS, the City of Rochester desires the immediate annexation to the City of Rochester that property described in the attached Exhibit A situated in the Town of Cascade, County of Olmsted, State of Minnesota; and

WHEREAS, the City of Rochester and the Town of Cascade, for the purpose of avoiding a dispute over the annexation of the property described in said petition, desire to enter into a joint resolution approving the immediate annexation of said property.

NOW, THEREFORE, BE IT RESOLVED by the City of Rochester and the Town of Cascade:

1. The property which is situated in the Town of Cascade, County of Olmsted, State of Minnesota and which is described on the attached Exhibit A is designated as in need of orderly annexation pursuant to Minnesota Statutes §414.0325, as it may be amended from time to time.

2. Both the Town and the City agree that upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the property described in Exhibit A, attached hereto and made a part hereof. Both the Town and the City also agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no reconsideration by the Board is necessary.

3. Pursuant to the provisions of Minnesota Statutes §414.0325, subd. 5, the parties agree that the City of Rochester may extend its planning and land use controls to all property designated for orderly annexation.

APR 23 1998

4. Pursuant to the provisions of Minnesota Statutes §414.036, the City of Rochester agrees to pay the Town of Cascade the property taxes payable on the annexed land for the year in which the annexation becomes effective. Thereafter, property taxes on the annexed land shall be paid to the City of Rochester. In the first year following the year the land was annexed, the City shall make a cash payment to the Town of Cascade in an amount equal to 90% of the property taxes paid in the year the land was annexed; in the second year, an amount equal to 70% of the property taxes paid in the year the land was annexed; in the third year, an amount equal to 50% of the property taxes paid in the year the land was annexed; in the fourth year, an amount equal to 30% of the property taxes paid in the year the land was annexed; and in the fifth year, an amount equal to 10% of the property taxes paid in the year the land was annexed.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 16TH DAY OF MARCH, 1998.

John Hunter
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Judy King
CITY CLERK

APPROVED THIS 17th DAY OF MARCH, 1998.

T. Bonfield
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF CASCADE, MINNESOTA, THIS 2 DAY OF March, 1998.

D. V. Hedden
CHAIRMAN OF TOWN BOARD

ATTEST:

Joseph L. Roman
TOWN CLERK

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EXHIBIT A

That part of the Southeast Quarter of the Northeast Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of said Southeast Quarter; thence northerly on a Minnesota State Plane Grid Azimuth from north of 358 degrees 51 minutes 01 second along the east line of said Southeast Quarter 66.02 feet to the northerly right-of-way line of C.S.A.H. No. 4; thence westerly 267 degrees 32 minutes 45 seconds azimuth along said northerly right-of-way line 640.48 feet to the point of beginning; thence northerly 357 degrees 31 minutes 16 seconds azimuth 1247.07 feet to the north line of said Southeast Quarter of the Northeast Quarter; thence easterly 87 degrees 25 minutes 38 seconds azimuth along said north line 414.34 feet to the westerly right-of-way line of the Douglas Trail, formerly the Chicago and Northwestern Railroad; thence southerly 174 degrees 22 minutes 03 seconds azimuth along said westerly right-of-way line 121.96 feet; thence southerly 505.56 feet along said westerly right-of-way line on a non-tangential curve concave easterly having a radius of 3014.93 feet, a central angle of 09 degrees 36 minutes 27 seconds, and a chord azimuth of 169 degrees 49 minutes 25 seconds; thence westerly 267 degrees 32 minutes 45 seconds azimuth 488.42 feet; thence southerly 177 degrees 32 minutes 45 seconds azimuth 625.77 feet to the point of beginning.

Said tract contains 6.31 acres more or less.



**YAGGY
COLBY
ASSOCIATES**

ENGINEERS • ARCHITECTS
SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS

717 THIRD AVENUE SOUTHEAST
ROCHESTER, MINNESOTA 55904
507-288-6464
FAX 507-288-5058

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

NUMBER	DATE
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**NORTHVIEW
ROCHESTER, MINNESOTA**

EXHIBIT A

PROJECT NUMBER	5171-98
COMPUTER FILE	5171C01.DWG
DATE	09/15/97
DRAWN BY	WCD
CHECKED BY	DRB
REVISIONS	

SHEET NUMBER

1

OF ONE SHEET