

517-99

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 properties as described in Exhibit A:

WHEREAS, the City of Rochester desires the immediate annexation to the City of Rochester of 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, following a request for annexation by the owners/petitioners, 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 Minnesota Planning Agency or other successor to the Minnesota 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 Agency 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 the property described in Exhibit A. ✓

## EXHIBIT A

That part of the North Half of the Northeast Quarter of Section 9 Township 107 North, Range 14 West, Olmsted County, Minnesota, which lies westerly of the following described line:

Commencing at the northwest corner of said Northeast Quarter; thence North 88 degrees 41 minutes 11 seconds East, assumed bearing, along the north line thereof, 1319.97 feet for the point of beginning of the line to be described; thence South 00 degrees 51 minutes 48 seconds East, 383.11 feet; thence South 13 degrees 01 minute 32 seconds East, 939.93 feet to the south line of said North Half of the Northeast Quarter and there terminating. EXCEPTING there from the following described Parcel "A" and Parcel "B".

## PARCEL "A"

That part of the NW 1/4 NE 1/4 Section 9, Township 107, Range 14, in Cascade Township, County of Olmsted, State of Minnesota, more particularly described as follows: Commencing at the NW corner of said NW 1/4 NE 1/4 of said Section 9, Township 107, Range 14; thence east along the north line of said NW 1/4 NE 1/4 of said Section 9, a distance of 240 feet to the point of beginning for the land herein conveyed; thence on a line deflecting 90° right a distance of 343.3 feet; thence on a line deflecting 79°30' left a distance of 220 feet; thence on a line deflecting 100°30' left a distance of 383.39 feet to said north line of said NW 1/4 NE 1/4 of said Section 9; thence west along said north line on a deflection of 90° a distance of 216.32 feet to the point of beginning, less the north 33 feet thereof.

## PARCEL "B"

That part of the NE 1/4 of Section 9, Township 107, Range 14, Olmsted County, Minnesota, described as follows: Commencing at the North 1/4 corner of said Section 9; thence southerly on a Minnesota State Plane Grid Azimuth from North of 178°57'31", along the west line of said NW1/4, 711.83 feet to the point of beginning; thence easterly 88°57'31" azimuth 90.00 feet; thence southerly 178°57'31" azimuth 77.00 feet; thence easterly 88°57'31" azimuth 170.00 feet; thence southerly 178°57'31" azimuth 200.00 feet; thence westerly 268°57'31" azimuth 260.00 feet; thence northerly 358°57'31" azimuth along the west line of said NW1/4 277.00 feet to the point of beginning.

Containing 38.62 acres more or less.

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 AUGUST, 1999.

John Hunsicker  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Schwan  
CITY CLERK

APPROVED THIS 17th DAY OF AUGUST, 1999.

Ed Carlisle  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF CASCADE, MINNESOTA, THIS 9th  
DAY OF AUGUST, 1999.

DV Hedden  
CHAIRMAN OF TOWN BOARD

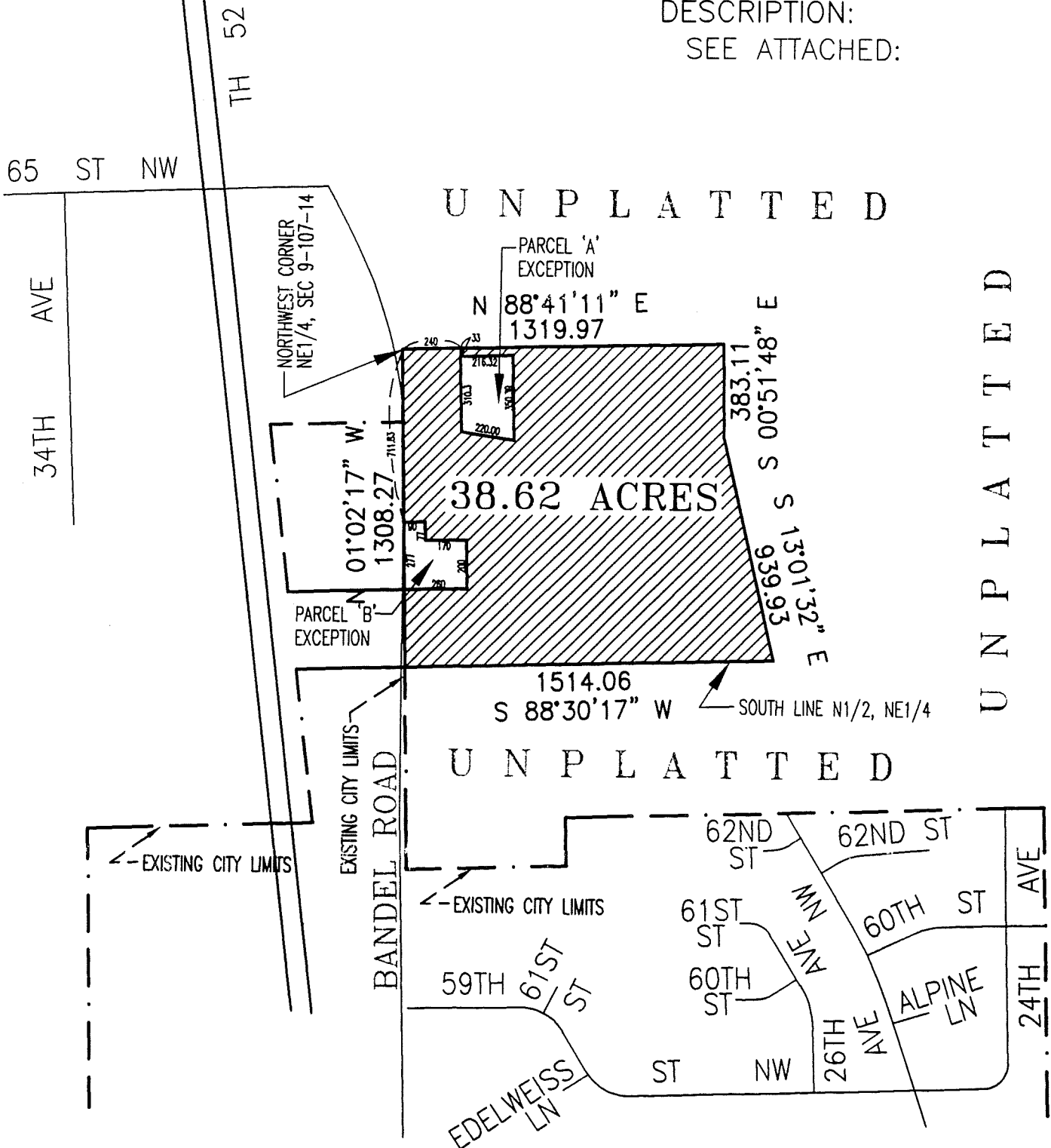
ATTEST: Joseph L. Brown  
TOWN CLERK

# ANNEXATION EXHIBIT

SCALE 1" = 600'



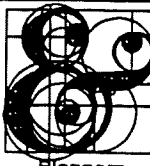
DESCRIPTION:  
SEE ATTACHED:



FDR :

BIG-DE DEVELOPMENT COMPANY  
ROCHESTER, MINNESOTA  
55901

**McGhie**  
Consulting Engineers



**Betts, Inc.**  
Land Surveyors

1648 3rd AVE. S.E. Rochester, MN. 55904 507-289-3919

SCALE: 1" = 600'

DRAWN BY: BWC

DATE : 07/15/99

ACCT. NO. : 1084C/9393

CADD NO. : 9393