

REC'D BY MMB MAY 13 2003

RESOLUTION

BE IT RESOLVED by the Common Council of the City of Rochester that the City execute the Amendment to the Joint Resolution for Orderly Annexation Between the Town of Cascade and the City of Rochester for land located east of Bandel North Subdivision and north of Boulder Ridge Lane N.W.

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

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 21ST DAY OF APRIL, 2003.

John H. Hartzler  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Judy Kay Schmal  
CITY CLERK

APPROVED THIS 27th DAY OF APRIL, 2003.

Russell F. Brade  
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

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 Planning Agency  
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 property described in the attached 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.

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 21st DAY OF April, 2003.

John Henzler  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Tidy Kay Schano  
CITY CLERK

APPROVED THIS 22nd DAY OF April, 2003.

Terence F. Breda  
MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF CASCADE, MINNESOTA, THIS 7<sup>th</sup> DAY OF April, 2003.

James L. ...  
CHAIRMAN OF TOWN BOARD

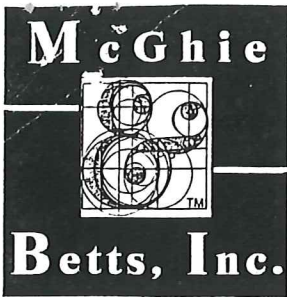
ATTEST: Joseph Vroman  
TOWN CLERK



EXHIBIT A

REC'D BY  
MMB

MAY 13 2003



Rochester  
Minnesota

ANNEXATION DESCRIPTION

FOR: BIG DE DEVELOPMENT

DATE: FEBRUARY 11, 2003

Land Surveying

Urban - Land Planning

Consulting - Civil Engineering

Geotechnical Engineering

Construction Material Testing

Landscape Architecture

That part of the Northeast Quarter of the Northeast Quarter of Section 9, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Quarter Quarter Section; thence South 01 degree 12 minutes 30 seconds East, assumed bearing, along the east line thereof, 185.67 feet for the point of beginning; thence continue South 01 degree 12 minutes 30 seconds East, along said east line 314.33 feet to the most southerly corner of Lot 15, Block 1, HIDDEN OAKS VALLEY; thence continue South 01 degree 12 minutes 30 seconds East, along said east line, 799.94 feet to the southeast corner of said Quarter Quarter Section; thence South 88 degrees 30 minutes 17 seconds West, along the south line of said Quarter Quarter Section, 1109.80 feet to the southeast corner of BANDEL NORTH FIRST; thence North 13 degrees 01 minute 32 seconds West, along the east line thereof, 987.39 feet; thence North 00 degrees 51 minutes 48 seconds West, along said east line, 253.03 feet to the most southerly corner of OUTLOT "B" in said BANDEL NORTH FIRST; thence South 70 degrees 00 minutes 00 seconds East, 368.36 feet; thence southeasterly 203.08 feet, along a tangential curve, concave southerly, radius of 760.00 feet and a central angle of 15 degrees 18 minutes 35 seconds; thence North 23 degrees 29 minutes 52 seconds East, not tangent to said curve, 182.39 feet; thence North 01 degree 18 minutes 49 seconds West, 150.00 feet to the north line of the Northeast Quarter of the Northeast Quarter of said Section 9; thence North 88 degrees 41 minutes 11 seconds East, along said north line, 330.00 feet to the southwesterly line of Lot 14, Block 1, HIDDEN OAKS VALLEY; thence South 21 degrees 36 minutes 32 seconds East, along said southwesterly line, 197.35 feet to the most southerly corner of said Lot 14; thence North 88 degrees 47 minutes 30 seconds East, 315.00 feet to the point of beginning.

Containing 32.82 acres more or less.

1648 Third Avenue S.E.  
Rochester, MN 55904

Tel. 507.289.3919  
Fax. 507.289.7333

e-mail. mcghiebetts.com

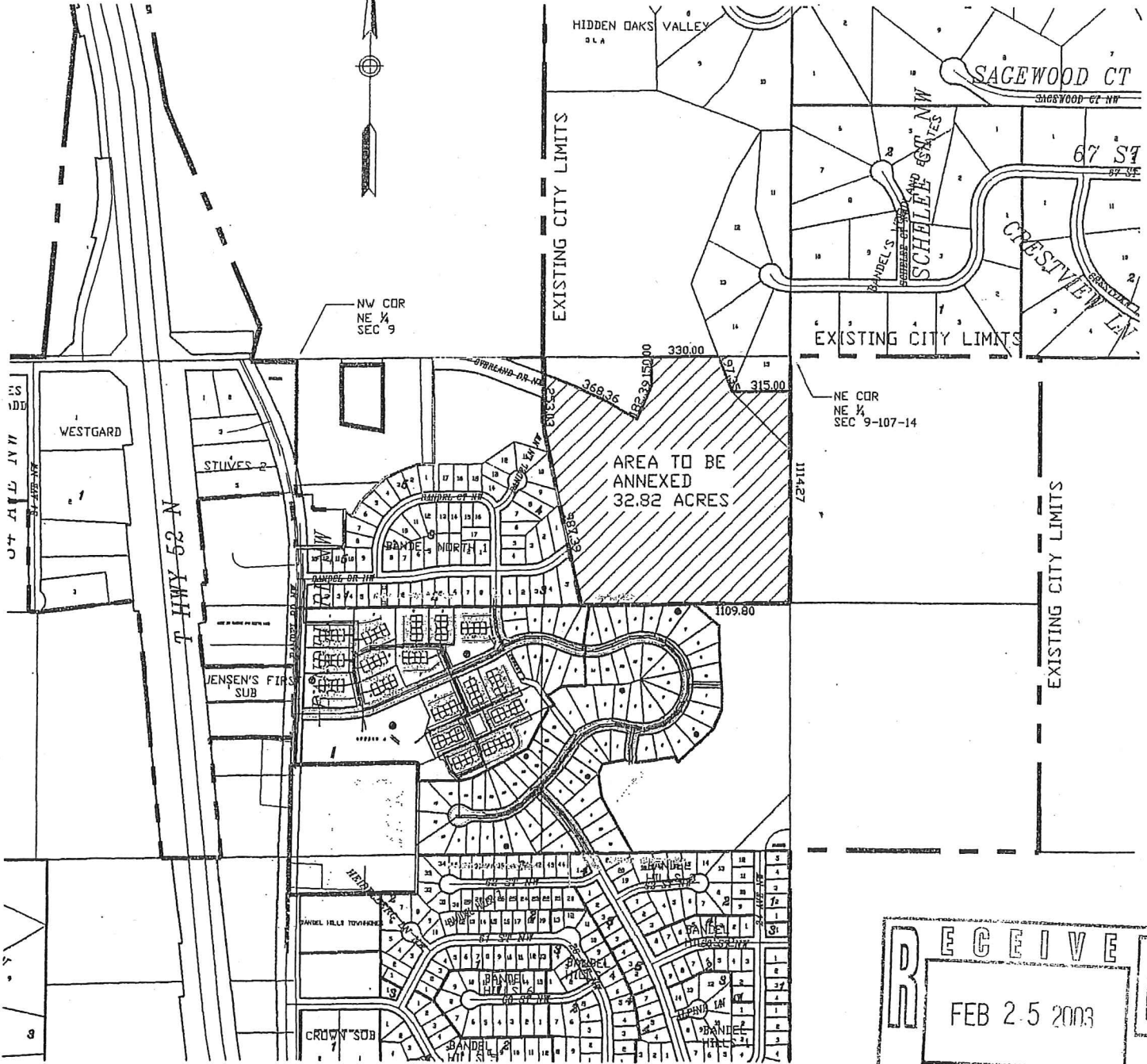
Established 1946



REC'D BY  
MMB MAY 13 2003

# ANNEXATION EXHIBIT

DESCRIPTION:  
SEE ATTACHED:



RECEIVED  
FEB 25 2003  
ROCHESTER DISTRICT  
PLANNING DEPARTMENT

FDR BIG DE DEVELOPMENT CO.  
706 CO. RD. 3 N.W.  
BYRON, MN 55920  
JOB NO. 1084C/2345

McGhie Consulting Engineers  
  
 Betts, Inc. Land Surveyors  
 Planners  
 1648 3rd AVE. S.E. Rochester, MN. 55904 507-289-3919

SCALE:	1" = 800'
DRAWN BY:	K.S.
DATE:	2/14/03
ACCT. NO.:	1084C/2345
CADD NO.:	ANNEX-EXHIBIT