

## RESOLUTION

WHEREAS, on May 5, 1976, the Common Council of the City of Rochester and the Town of Cascade executed an amendment to the Joint Resolution for Orderly Annexation (a copy of which is attached and incorporated herein); and

WHEREAS, the Joint Resolution allows land contained in the orderly annexation area, as described in Exhibit A thereto, to be annexed to the City; and,

WHEREAS, the parties wish to amend the 1976 Joint Resolution to include the property described as follows:

The westerly 155.00 feet of the southerly 372.30 feet of the northerly 422.30 feet of the Northeast Quarter of the Southwest Quarter of Section 28, Township 107, Range 14, Olmsted County. Containing 1.32 acres more or less.

And also, any and all right of way for 19<sup>th</sup> Street N.W., that is adjacent to the above-described property and that has not previously been annexed to the City of Rochester; and,

WHEREAS, Minnesota Statutes Section 414.0325, subd. 1(d)(1) states that any signatory to the Joint Resolution may submit a resolution seeking the annexation of the land described within the Joint Resolution; and,

WHEREAS, the City of Rochester is a signatory to the Joint Resolution and does seek the annexation of the land described within the Joint Resolution; and,

WHEREAS, the above-described property satisfies and complies with the Joint Resolution; and,

WHEREAS, the City's estimate of the population and number of households contained in the area is zero; and,

WHEREAS, the City's estimate of electrical service cost differences at the time of annexation is (a) an increase of .07133 per kilowatt-hour from January through May and October through December, and (b) an increase of .08633 per kilowatt-hour from June through September.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that the property described above is hereby annexed, added to and made a part of the City of Rochester, Minnesota, as if it had originally been a part thereof.

BE IT FURTHER RESOLVED that this resolution shall take effect and be in force from and after its filing of a certified copy hereof with the Minnesota Municipal Board, or its successor, the Town of Cascade and the Olmsted County Auditor/Treasurer.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF  
ROCHESTER, MINNESOTA, THIS 18th DAY OF FEBRUARY, 2004.

John Hunsicker  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Andy Kay Stenlund  
CITY CLERK

APPROVED THIS 19th DAY OF FEBRUARY, 2004.

Andrew F. Buehl  
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 18th DAY OF February, 2004.

  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:   
CITY CLERK

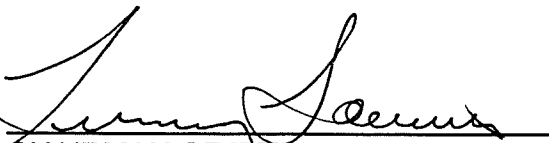
APPROVED THIS 19th DAY OF February, 2004.

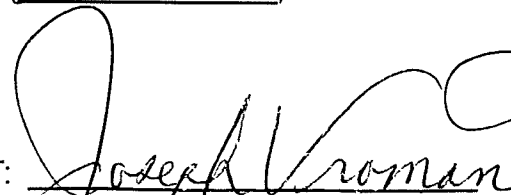
  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF CASCADE, MINNESOTA, THIS \_\_\_\_\_

DAY OF 2-2, 2004.

  
CHAIRMAN OF TOWN BOARD

ATTEST:   
TOWN CLERK

REC'D BY  
MMB

MAR 04 2004

## EXHIBIT A

The westerly 155.00 feet of the southerly 372.30 feet of the northerly 422.30 feet of the Northeast Quarter of Southwest Quarter of Section 28, Township 107, Range 14, Olmsted County. Containing 1.32 acres more or less.

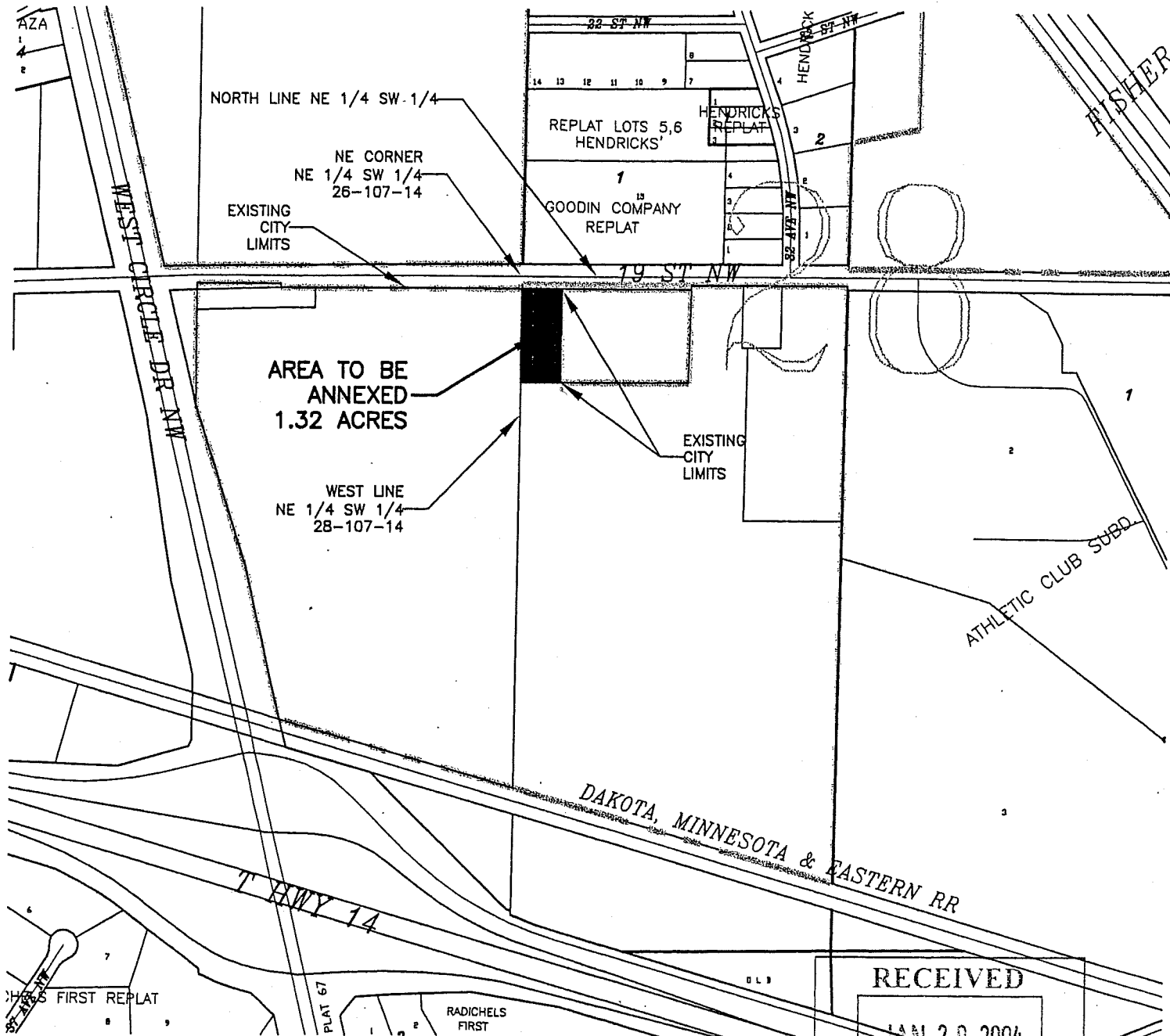
And also, any and all right of way for 19<sup>th</sup> Street NW that is adjacent to the above-described property and that has not previously been annexed to the City of Rochester.

# ANNEXATION EXHIBIT

DESCRIPTION:  
SEE ATTACHED



SCALE 1" = 600'

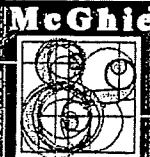


FOR :

KEVIN TAYLOR  
1415 3RD AVE. NW  
ROCHESTER, MN  
55901

Land Surveying  
Urban-Land  
Planning  
Consulting - Civil  
Engineering

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McGhie  
Betts, Inc.

Geotechnical  
Engineering  
Construction Material  
Testing  
Landscape  
Architecture

email: mbi@mcghiebetts.com

RECEIVED

JAN 29 2004

SCALE: 1" = 600'

ROCHESTER, MINNESOTA  
DRAWN BY LAND SURVEY DEPARTMENT

DATE: 1/19/04

ACCT. NO.: 7358/4007 Cadol No. 4007ANNE

FILE NO.: BK. PG.