

, City of Rochester
 , Cascade Township Clerk/ Treasurer

BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE DESCRIPTION OF)	
AN UNINCORPORATED AREA IN <u>CASCADE</u>)	
TOWNSHIP AS IN NEED OF ORDERLY)	JOINT RESOLUTION FOR
ANNEXATION AND CONFERRING JURISDICTION)	ORDERLY
ON THE OFFICE OF ADMINISTRATIVE HEARINGS)	
PURSUANT TO MINNESOTA STATUTES)	
SECTION 414.0325, Subd. 1)	

JOINT RESOLUTION/ ORDERLY ANNEXATION AGREEMENT

THIS ORDERLY ANNEXATION AGREEMENT is entered into this 8th day of August, 2022 by and between the CITY OF ROCHESTER, MINNESOTA (the “City) and CASCADE TOWNSHIP (the “Township”)

WHEREAS, on July 26th 2022, a Notice of Intent to include property in an orderly annexation area was published pursuant to the requirements of Minnesota Statutes § 414.0325 Subd. 1b; and

WHEREAS, the City of Rochester and Cascade Township jointly agree to designate and request the immediate annexation of the following described land located within Cascade Township to the City of Rochester, County of Olmsted, Minnesota.

THE FOLLOWING LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED IS IDENTIFIED AS DESCRIBED BELOW. THE ATTACHED DRAWING SHOWS THEIR RELATIONSHIP TO THE PROPERTIES ALONG 50TH AVENUE NW.

LEGAL DESCRIPTION:

The East 60.00 feet of the North 659.11 feet of the North Half of the Northeast Quarter of Section 7, Township 107 North, Range 14 West, Olmsted County, Minnesota.

CONTAINING: 0.91 ACRE (39547.42 SQ. FT.)

and

WHEREAS, The City of Rochester is expected to experience population growth with the addition of a new middle school near the intersection of 55th Avenue NW and 65th Street NW, leading to an increase in traffic volumes, including pedestrian and bicycle traffic; and

WHEREAS, the City of Rochester is completing an urban reconstruction project of 65th Street NW from 37th Avenue NW to 60th Avenue NW to safely carry the vehicular and pedestrian traffic along this corridor; and

WHEREAS, the reconstruction project of 65th Street NW includes improvements at the intersection with 50th Avenue NW; and

WHEREAS, a portion of the existing 50th Avenue NW right-of-way lies outside of the City limits; and

WHEREAS, the City of Rochester will become responsible for all ongoing maintenance and repairs of the annexed roadway right-of-way upon the City of Rochester and Cascade Township approval of this Agreement; and

WHEREAS, upon annexation of the property described herein, and in so far as the property is already under City ownership with no taxes payable, the provision for tax reimbursement to Cascade Township to compensate for loss of revenue from said property in accordance with MN Statutes § 414.0325 will be waived; and

WHEREAS, the City of Rochester and Cascade Township are in agreement as to the orderly annexation of the unincorporated land described; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Rochester and Cascade Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, the City of Rochester and Cascade Township have agreed to all the terms and conditions for the annexation of the above-described lands; and the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Rochester and the Township Board of Cascade Township as follows:

1. **(Property.)** That the following described land is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed:

LEGAL DESCRIPTION:

The East 60.00 feet of the North 659.11 feet of the North Half of the Northeast Quarter of Section 7, Township 107 North, Range 14 West, Olmsted County, Minnesota.

CONTAINING: 0.91 ACRE (39547.42 SQ. FT.)

2. **(Acreage/Population/Usage.)** That the orderly annexation area consists of approximately 0.91 acres, the population in the area is zero (0), and the land use type is A-3 Agricultural District.

3. **(Jurisdiction.)** That Cascade Township and the City of Rochester, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. **(Municipal Reimbursement).** Minnesota Statutes § 414.036.


Assessments and Debt.

That pursuant to Minnesota Statutes § 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described (herein or attached exhibit) there are no special assessments or debt.

5. **(Review and Comment).** The City of Rochester and Cascade Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Cascade Township Board of Supervisors this 8th day of August 2022.

CASCADE TOWNSHIP

By: 
Chairperson
Board of Supervisor

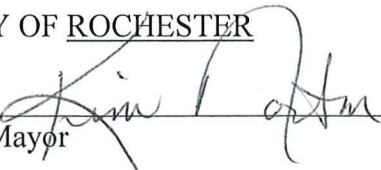
ATTEST:

By: 
Township Clerk

SARA RUDQUIST
Clerk, Cascade Twnshp., Olmsted Co., MN
Notarial Officer (ex-officio notary public)
My term is Indeterminate

Adopted by affirmative vote of the City Council of Rochester this 9th day of SEPTEMBER 2022

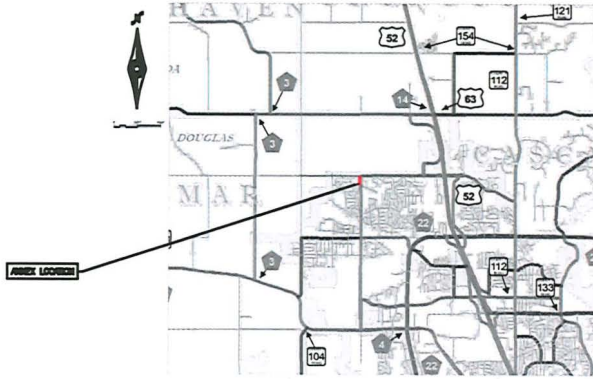
CITY OF ROCHESTER

By: 
Mayor

ATTEST:

By: 
City Clerk

Approved this 8 day of Sept 2022



LEGEND	
	POTENTIAL STORMWATER BMP LOCATION
	EXISTING RIGHT OF WAY
	EXISTING EASEMENT
	PROPOSED RIGHT OF WAY
	PROPOSED PERMANENT EASEMENT
	PROPOSED TEMPORARY EASEMENT
	WETLAND BOUNDARY
	EXISTING CITY OF ROCHESTER BOUNDARY
	PROPOSED CITY OF ROCHESTER BOUNDARY
	ANNEX AREA

SOUTH LINE OF THE
NORTH 659.11 FT OF
SEC 7, T107N, R14W

50TH AVENUE

JARETT AND KARI RUUD
PIN: 74.07.11.064817

CITY OF ROCHESTER
PIN: 74.07.11.064818

EAST LINE OF THE WEST 60.00 FT OF
SEC 7, T107N, R14W

EAST LINE OF
SEC 7, T107N, R14W

LARRY E. KINSEY
PIN: 74.07.11.086757

CITY OF ROCHESTER
PIN: 74.07.11.064849

CITY OF ROCHESTER
PIN: 74.07.11.086758

NORTH LINE OF
SEC 7, T107N, R14W