

RECEIVED JUL 19 1993
MMB

BEFORE THE
MINNESOTA MUNICIPAL BOARD

IN THE MATTER OF THE DESCRIPTION OF)	
AN UNINCORPORATED AREA IN MARION)	
TOWNSHIP AS IN NEED OF ORDERLY)	JOINT RESOLUTION FOR
ANNEXATION AND CONFERRING JURISDICTION)	ORDERLY ANNEXATION
OVER SAID AREA IN THE MINNESOTA)	
MUNICIPAL BOARD PURSUANT TO MINNESOTA)	
STATUTES §414.0325.)	

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 Marion, County of Olmsted, State of Minnesota; and

WHEREAS, the City of Rochester and the Town of Marion, 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 Marion:

1. The property which is situated in the Town of Marion, 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. The Town of Marion hereby withdraws any objections filed and agrees to not file any objections with the Minnesota Municipal Board concerning the City of Rochester's desire or request to annex any of the property described on the attached Exhibit A and hereby consents to the immediate annexation by ordinance to the City of Rochester of all said property, subject to the terms and conditions of this resolution. The annexation of said property may be accomplished by more than one ordinance adopted in sequence at the discretion of the City. The Town of Marion further agrees that if it has filed any objections with the Minnesota Municipal Board to the annexation to the City of any of the property described in attached Exhibit A, the filing of this Joint Resolution with the Minnesota Municipal Board shall constitute sufficient notice of the withdrawal of the objections.

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.

4. Pursuant to the provisions of Minnesota Statutes §414.036, the City of Rochester agrees to pay the Town of Marion a sum of money in 1994, 1995, and 1996. The sum to be paid shall equal the amount of taxes levied by the Town of Marion in 1993 (pursuant to its 1993 tax rate) upon the property annexed as part of this Joint Resolution.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 21 DAY OF June, 1993.

Nancy B. Selby
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Carole A. Dromm
CITY CLERK

APPROVED THIS 22 DAY OF June, 1993.

Chuck Thompson
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF MARION, MINNESOTA, THIS

22nd DAY OF June, 1993.

David L. Campbell
CHAIRMAN OF TOWN BOARD

ATTEST:

Janet Hoffmann
TOWN CLERK

Exhibit A

REC'D BY JUL 19 1901
MAY 19 1901

Parcel 1

All of the Northwest Quarter of Section 5, Township 106 North, Range 13 West, Olmsted County, Minnesota, less the west 330.00 feet of the south 1180.00 feet.

That part of the North Half of the Southwest Quarter of Section 5, Township 106 North, Range 13 West, Olmsted County, Minnesota, lying north of the center line of U.S. Highway 14, less the westerly 330.00 feet thereof.

That part of the Northwest Quarter of the Southeast Quarter of Section 5, Township 106 North, Range 13 West, Olmsted County, Minnesota, lying north of the center line of U.S. Highway 14, less the north 10.00 acres thereof.

All the Northeast Quarter of Section 6, Township 106 North, Range 14 West, Olmsted County, Minnesota, except the south 1180.00 feet thereof.

Said tracts contain 287 acres more or less.

Parcel 2

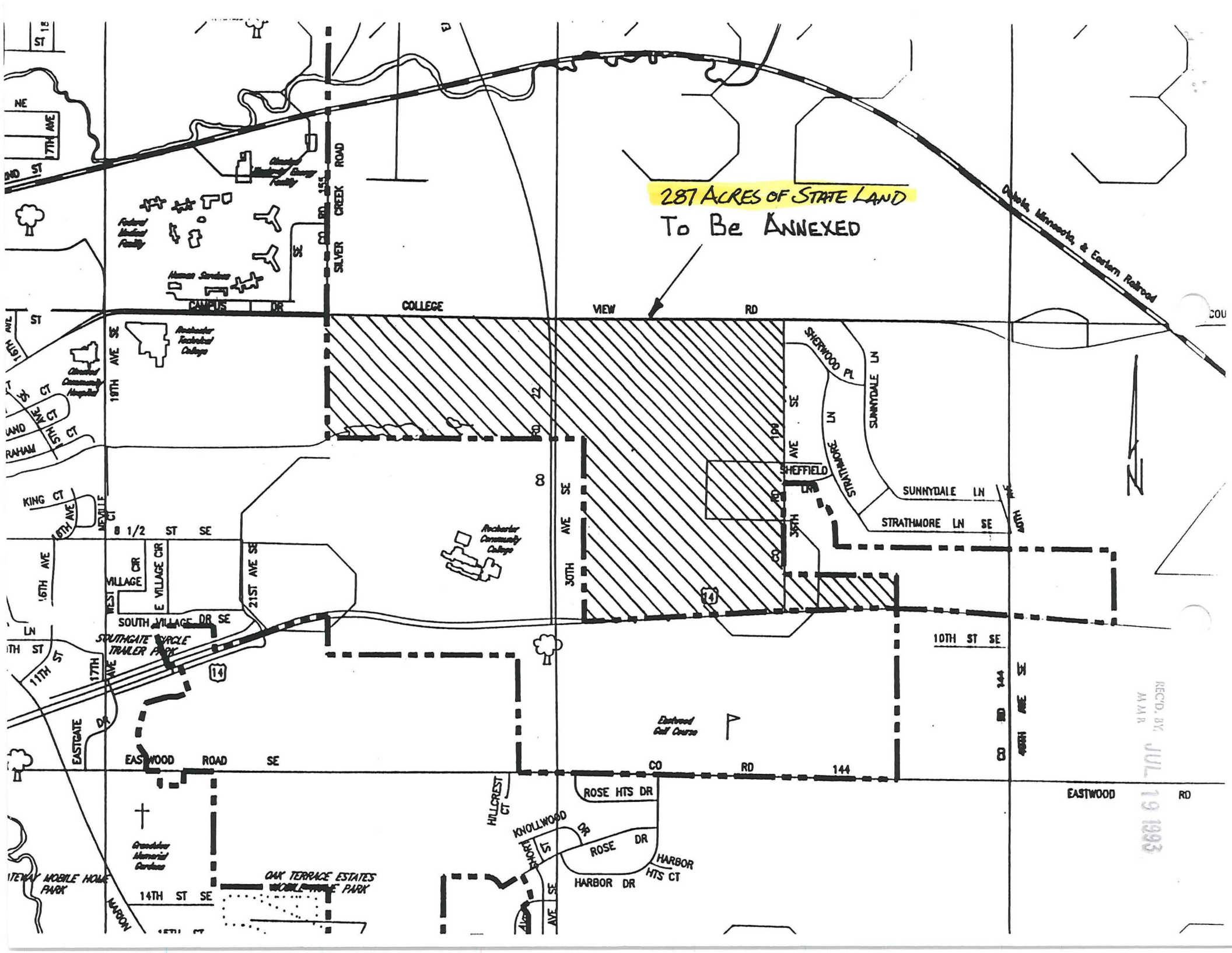
That part of the Southwest Quarter of Section 6, Township 106 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence northerly on an assumed azimuth from north of 359 degrees 40 minutes 22 seconds along the west line of said Southwest Quarter 1646.02 feet to the southwest corner of Campus Village Subdivision III, according to the plat thereof on file at the County Recorder's Office, Olmsted County, Minnesota; thence easterly 89 degrees 50 minutes 40 seconds azimuth along the south line of said Campus Village Subdivision III, a distance of 544.76 feet to the point of beginning; thence southerly 160 degrees 26 minutes 11 seconds azimuth 424.08 feet to the northerly right-of-way line of T.H. 14; thence easterly 70 degrees 26 minutes 11 seconds azimuth along said northerly right-of-way line 589.91 feet; thence northerly 359 degrees 40 minutes 22 seconds azimuth 203.96 feet to said south line of said Campus Village Subdivision III; thence westerly 269 degrees 50 minutes 40 seconds azimuth along said south line 696.70 feet to the point of beginning.

Said tract contains 4.50 acres more or less.

FBI LABORATORY
CENTER SECTION
APR 19 1968

1



287 ACRES OF STATE LAND
To Be ANNEXED

REC'D. BY
M.A.R.
JUL 19 1993

Plan
ps

1304-93

B4

REC'D BY
MAY 79 1993

RESOLUTION

WHEREAS, the City of Rochester has initiated an orderly annexation agreement for portions of Sections 5 and 6 in the Marion Township.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that the City enter into a joint resolution with the Marion Township for the orderly annexation of portions of Sections 5 and 6 in the Marion Township.

BE IT FURTHER RESOLVED, that pursuant to said joint resolution the Common Council hereby requests that the Minnesota Municipal Board undertake proceedings pursuant to Minn. Stat. §414.0325 for the annexation to the City of Rochester of the lands described in the joint resolution which are located in Marion Township, County of Olmsted, State of Minnesota.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to forward a certified copy of the joint resolution to the Secretary of the Minnesota Municipal Board, the Marion Town Clerk, the Olmsted County Planning and Zoning Commission, and the Rochester Planning and Zoning Department.

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

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 21 DAY OF June, 1993.

Nancy B. Selby
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Charles A. Duran
CITY CLERK

APPROVED THIS 22 DAY OF June, 1993.

Charles A. Duran
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)