

579-09

REC'D BY  
MMB

NOV 24 2004

## RESOLUTION

WHEREAS, on June 22, 1999, the Common Council of the City of Rochester and the Town of Marion executed a Joint Resolution for Orderly Annexation for Marion Area #1 (a copy of which is attached and incorporated herein); and

WHEREAS, paragraph 7(b) of the Joint Resolution allows land contained in the orderly annexation area to be annexed to the City whenever a landowner whose property abuts the City limits files a petition for annexation with the City and when the City adopts a resolution in compliance with paragraph 6 of the Joint Resolution; and,

WHEREAS, Tom Meilander and Perry and Jodi Kronebusch have filed a petition to annex approximately 10.01 acres of land located south of Pinewood Road and west of 34<sup>th</sup> Avenue S.E.; and,

WHEREAS, the legal description for the petitioned property is as follows:

Lot 58, Auditor's Plat "E", Olmsted County, Minnesota.

ALSO:

Lot 54, Auditor's Plat "E", Olmsted County, Minnesota.

EXCEPTING the following two (2) parcels of real estate described as follows:

A:

Commencing at the northwest corner of said Lot 54 for a point of beginning, running thence South a distance of 195.82 feet, running thence South 67 degrees 50 minutes East a distance of 88 feet, running thence North 195.62 feet, running thence North 67 degrees 50 minutes West a distance of 88 feet to the place of beginning.

B:

Beginning at the southeast corner of said Lot 54, thence North 02 degrees 21 minutes 00 seconds West, assumed bearing, along the east line of said Lot 54 a distance of 190.16 feet; thence North 89 degrees 36 minutes 00 seconds West, 30.00 feet; thence South 02 degrees 21 minutes 00 seconds East, 190.16 feet to the south line of said Lot 54; thence South 89 degrees 36 minutes 00 second East along said south line 30.00 feet to the point of beginning.

Containing 10.01 acres more or less.

WHEREAS, the petitioned property abuts the City limits; and,

WHEREAS, the Council wishes to invoke the procedure described in paragraph 7(b) of

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the Joint Resolution and annex the petitioned property and the petitioned property satisfies paragraph 7 (b) of the Joint Resolution; and,

WHEREAS, the orderly annexation agreement allows for annexation by resolution and provides that the Minnesota Municipal Board may review and comment but shall, within 30 days or receipt of said resolution, order the annexation of the area described in the resolution; and,

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

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

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that the petitioned 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 Department of Administration – Municipal Boundary Adjustments, or its successor, the Town of Marion and the Olmsted County Auditor/Treasurer.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF  
ROCHESTER, MINNESOTA, THIS 15TH DAY OF NOVEMBER, 2004.

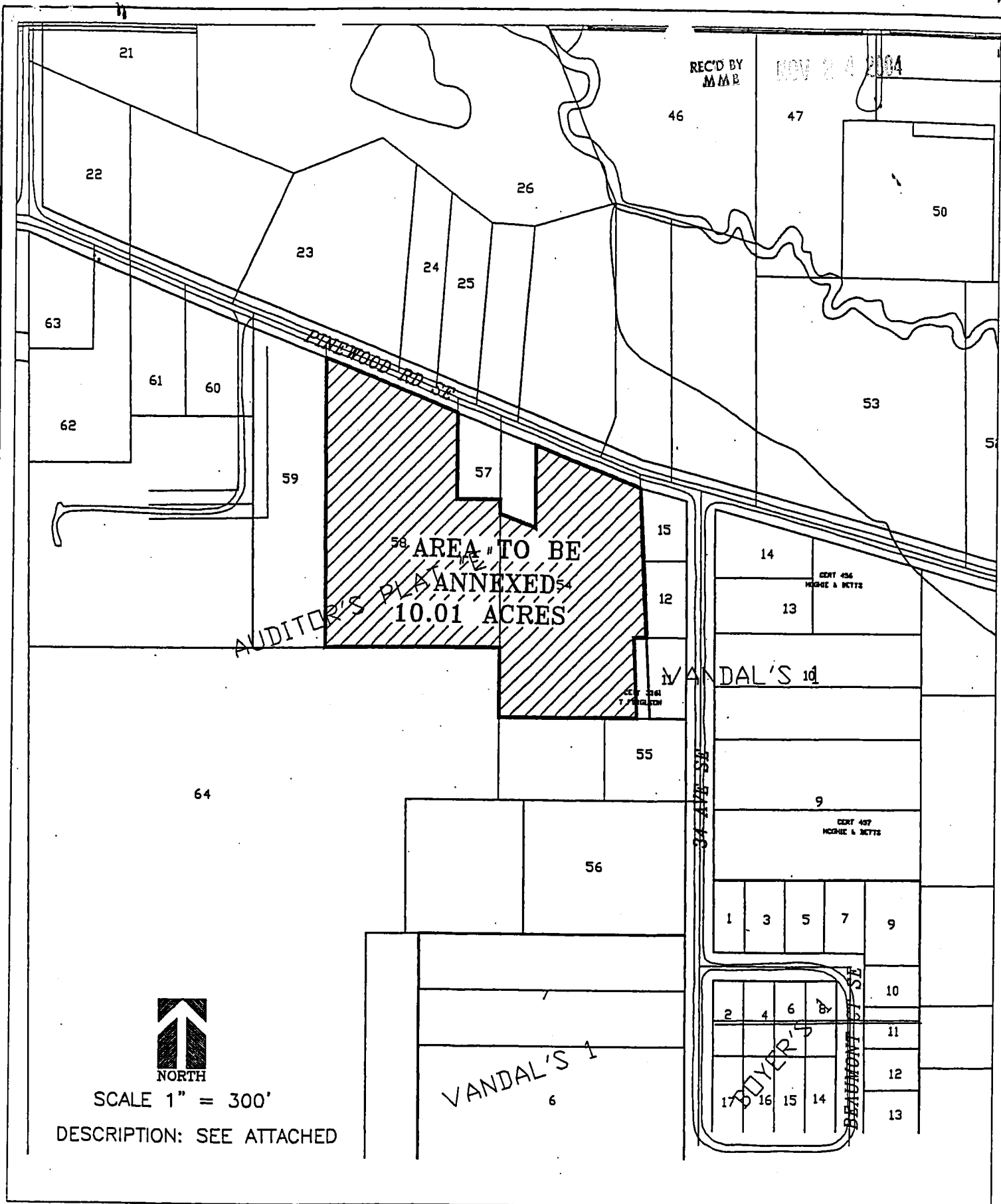
John Hunziker  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Mary Kay Snow  
CITY CLERK

APPROVED THIS 16TH DAY OF NOVEMBER, 2004.

Grace F. Buea  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)



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MEILANDER/KRÖNEBUSCH  
3210 PINEWOOD RD SE  
ROCHESTER, MN

Designed By: JJJ  
Drawn By: JJJ  
Checked By: JJJ  
Scale: 1" = 300' Case No. 6608/4033  
Date: 10/11/04 File No. 4033ANNE

**ANNEXATION EXHIBIT**  
**LOT 58, AND PART OF LOT 54,**  
**AUDITORS PLAT "E"**  
**ROCHESTER, MN**