

576-07

RESOLUTION

REC'D BY  
MMB

DEC 27 2007

WHEREAS, on September 20, 1999, the Common Council of the City of Rochester and the Town of Marion executed a Joint Resolution for Orderly Annexation for Marion Area #2 (a copy of which is attached and incorporated herein); and

WHEREAS, paragraph 4 of the Joint Resolution states as follows: "Any part or all of the lands described in Exhibit A may, except as otherwise provided, be annexed to the City no earlier than January 1 of the year five years after the substantial completion of a water or sewer project providing water or sewer service to the area. The determination of substantial completion shall be made by the City's Department of Public Works who shall provide written notice of its determination to the Town Board;" and,

WHEREAS, sanitary sewer and water projects designed to serve the lands described in Exhibit A were substantially completed in 2002; and,

WHEREAS, on May 19, 2005, the City informed the Marion Town Board that a sanitary sewer and water project to serve Marion Area #2 was substantially completed in 2002 and that annexation of Marion Area #2 would occur on January 1, 2008.

WHEREAS, the legal description for the lands described in Exhibit A attached to the 1999 Joint Resolution for Orderly Annexation for Marion Area #2 ("Exhibit A") is as follows:

That part of the Southwestern Quarter of Section 6 Marion Twp described as follows: Commencing at the southeastern corner of the southwestern quarter thence westerly 269 degrees 48 minutes 9 seconds 1044.37ft to the point of beginning, thence westerly 270 degrees 1 minute 31 seconds 902.22ft, thence northerly 359 degrees 28 minutes 38 seconds 149.99ft, thence westerly 269 degrees 47 minutes 32 seconds 160.06ft, thence northerly 359 degrees 31 minutes 1 second 10.07ft, thence northwesterly 323 degrees 28 minutes 48 seconds 142.0ft, thence northwesterly 355 degrees 28 minutes 43 seconds 160.01ft, thence northeasterly 14 degrees 23 minutes 41 seconds 331.24, thence northeasterly 70 degrees 25 minutes 3 seconds 155.86ft, thence northeasterly 78 degrees 01 minute 25 seconds 92.41ft, thence northeasterly 86 degrees 47 minutes 2 seconds 147.46ft, thence northeasterly 69 degrees 52 minutes 14 seconds 385.06ft, thence northerly 359 degrees 17 minutes 34 seconds 55.8ft, thence northeasterly 69 degrees 56 minutes 32 seconds 81.81ft, thence northwesterly 339 degrees 44 minutes 16 seconds 181.51ft to the southerly right-of-way of Hwy 14 SE, thence northeasterly 70 degrees 8 minutes 47 seconds 171.85ft, thence southeasterly 103 degrees 18 minutes 38 seconds 115.57ft, thence northeasterly 65 degrees 14 minutes 16 seconds 35.23ft, thence southerly 179 degrees 22 minutes 55 seconds 1263.68ft to the point of beginning.

Northeast Quarter Section 7 Marion Twp

That part of said Northeast Quarter described as follows: Commencing at the NW Corner of the Northeast Quarter thence south 179 degrees 33 minutes 16 seconds 1751.6ft to the point of beginning, thence easterly 89 degrees 37 minutes 30 seconds 987.93ft, thence northerly 359 degrees 36 minutes 18 seconds 441.48ft, thence easterly 89 degrees 36 minutes 6 seconds 332.06ft, thence southerly 179 degrees 30 minutes 35 seconds 675.57ft, thence westerly 269 degrees 44 minutes 4 seconds 146.33ft, thence southerly 179 degrees 45 minutes 21 seconds 97.17ft, thence westerly 269 degrees 28 minutes 39 seconds 186.76ft, thence southerly 179 degrees 26 minutes 5 seconds 105.72ft, thence westerly 269 degrees 43 minutes 54 seconds 202.89ft, thence northerly 359 degrees 45 minutes 36 seconds 222.5ft, thence westerly 269 degrees 44 minutes 36 seconds 791.59ft, thence northerly 359 degrees 33 minutes 15 seconds 201.89 ft to the point of beginning.

Also

That part of the northeast quarter described as follows: Commencing at the NE Corner of the Northeast Quarter section 7 thence westerly 269 degrees 21 minutes 45 seconds 300.0ft to the point of beginning, thence southerly 179 degrees 23 minutes 29 seconds 182.86ft, thence easterly 89 degrees 23 minutes 27 seconds 299ft, thence southerly 179 degrees 41 minutes 48 seconds 414.01ft to the northerly right-of-way line of Knollwood Dr SE, thence southwesterly 247 degrees 47 minutes 29 seconds 388.76ft, thence northwesterly 337 degrees 2 minutes 37 seconds 150.05ft to the most northerly corner of lot 9 block 1 Rose Harbor Estates 2<sup>nd</sup> Sub, thence southwesterly along the north line of said subdivision 255 degrees 14 minutes 16 seconds 242.7ft, thence west 270 degrees 0 minutes 0 seconds 389.99 ft, thence southwesterly 244 degrees 34 minutes 7 seconds 299.94ft, thence northerly 359 degrees 30 minutes 39 seconds 780.06ft, thence easterly 89 degrees 21 minutes 38 seconds 1019.39ft to the point of beginning.

Also

Platted areas in Sections 7 and 8 described as follows: In Rose Harbor 1<sup>st</sup> Subdivision Lots 1, 2, and 3 Block 1. Lot 6 Block 2. Lot 1 Block 3. Lot 3 block 4.

In Rose Harbor 2<sup>nd</sup> Subdivision Lots 4, 5, 6, 7, 8, 9, and 15 Block 1. Lots 2, 3, 4, 11, 12, 13, 14, 18, 19, 20, 21, 22, and 23 Block 2. Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, and 21 Block 3. Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 Block 4. Lots 1, 2, 3, 4, 14, 15, 16, and 17 Block 5.

Lots 1 and 2 Block 6. Lots 1, 2, 3, 4, 5, and 6 Block 7. Lots 1, 2, and 3 Block 8. In Rose Harbor 4<sup>th</sup> Subdivision Lots 8, 9, 10, 11, 12, and 13 Block 2. Lots 3, 4, 6, and 7 Block 3. Lot 1 Block 5. Lot 1 Block 6, including all adjacent platted right-of-way.

Also

The southern half of the southwestern quarter Section 7 Marion Twp.

Also

All that part of the southeastern quarter Section 7 Marion Twp south and west of the northeasterly Marion Rd SE right-of-way.

Also

All that part of the southeast quarter section 7 platted as Marvale Addition, Marvale No 3, Marvale No 4, Marvale No 5, Marvale No 6 less Outlot 1, Marvale No 7 less Outlot 1, Replat Block 6 Marvale No 4, and Whynaughts Sub.

Also

That part of the northwestern quarter of section 8 Marion Twp described as follows: the southern half of the southwest quarter of the northwest quarter section. And the northwest quarter of the southwestern quarter of the northwest quarter. The southern half of section 8.

Also

All that part of the northwest quarter of section 17 Marion Twp north of the southwesterly right-of-way of Marion Rd SE and northerly and westerly right-of-way of Marion Ln SE less that part of the northwestern quarter platted as Cedar Park First Subdivision, also less the Marion Rd SE right-of-way south of Cedar Park First Subdivision, also less Lot 44 of Auditors Plat E.

Also

The northern half of the northeast quarter section 17 less commencing at the northeast corner section 8 thence southerly 179 degrees 12 minutes 31 seconds 289.58ft to the point of beginning, thence continue southerly 179 degrees 11 minutes 6 seconds 180.37ft, thence northwesterly 301 degrees 10 minutes 31 seconds 180.37ft, thence northeasterly 31 degrees 10 minutes 32 seconds 100.0ft, thence easterly 89 degrees 11 minutes 6 seconds 100ft to the point of beginning.

Also

The northeastern quarter of the northwest quarter of section 18.

DEC 27 2007

Containing 810.18 acres more or less.

WHEREAS, the lands described in Exhibit A abut the City limits; and,

WHEREAS, the Council wishes to invoke the procedure described in paragraph 4 of the Joint Resolution and annex the lands described in Exhibit A as the property satisfies paragraph 4 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 372; and,

WHEREAS, the City's estimate of residential electrical service cost at the time of annexation is (a) .10493 per kilowatt-hour from June through September; and (b) .08671 per kilowatt-hour from October through May; and,

WHEREAS, the City's estimate of commercial electrical service cost at the time of annexation is (a) .10455 per kilowatt-hour from June through September; and (b) .08498 per kilowatt-hour from October through May. There is a \$23 monthly charge for commercial users; and,

WHEREAS, the township taxes on this property for 2008 are estimated to be \$640,193; and,

WHEREAS, in compliance with Minnesota Statutes Section 414.036, the City states that there is no township special assessment assigned or portion of township debt attributable to the lands described in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that the lands described in Exhibit A described above are 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 Marion and the Olmsted County Auditor/Treasurer.

REC'D BY  
AMB

DEC 27 2007

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF  
ROCHESTER, MINNESOTA, THIS 3RD DAY OF DECEMBER, 2007.

  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:   
CITY CLERK

APPROVED THIS 4th DAY OF DECEMBER, 2007.

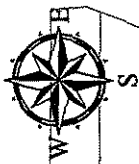
  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

Zone05\OAA\Res2008(Marion2)

DEC 27 2007

REMAINING UNANNEXED IN OA660 AREA #2



PREPARED BY: NOV 2007  
ROCHESTER OLMSTED COUNTY PLANNING DEPT  
GEOGRAPHIC INFORMATION SYSTEMS DIVISION

