

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 1.60 ACRES OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 107 NORTH, RANGE 14 WEST, OLMSTED COUNTY, MINNESOTA.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. A petition has been filed with the Common Council of the City of Rochester, signed by the applicant requesting the Common Council to annex said land to the City of Rochester. The land described in the petition for annexation is described as follows:

The South one acre of that part of the Northwest Quarter of the Northwest Quarter, Section 24, Township 107 North, Range 14 West, Olmsted County, Minnesota, which lies west of Trunk Highway No. 63 (now C.S.A.H. No 33).

Also: The Easterly 40 feet of that part of the Northwest Quarter of the Northwest Quarter of said Section 24, Township 107 North, RANGE 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the Southeast corner of the Northwest Quarter of said Section 24; thence North 66.42 feet (formerly described as 66.00 feet) along the East line of said Quarter-Quarter Section to the point of beginning; thence deflecting to the left 90 degrees 5 minutes a distance of 367.80 feet; thence deflecting to the right 90 degrees 55 minutes for a distance of 355.30 feet; thence deflecting to the right 89 degrees 05 minutes a distance of 367.80 feet to the Easterly line of said Quarter-Quarter Section; thence deflecting to the right 90 degrees 55 minutes a distance of 355.30 feet to the point of beginning. The West line of the Easterly 40 feet measured parallel with the East time of said Quarter-Quarter Section.

According to the map or plat thereof on file in the Office of the County Recorder in and for Olmsted County, Minnesota.

AND Right of Way described as follows:

That part of the North Half of the Northwest Quarter of Section 24, Township 107 North,

Range 14 West, Olmsted County, Minnesota, shown as Right of Way Parcels 4 and 5 on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 201, according to the recorded plat thereof.

Containing 0.41 acres, more or less.

Section 2. The total quantity of land included in the petition is approximately 1.60 acres in size.

Section 3. On November 19, 2018, the Common Council held a public hearing to consider this annexation petition after providing written notice of the hearing, by certified mail, to the property owners, the Rochester Township officers, and the adjacent property owners.

Section 4. The City provided notification to the petitioners pursuant to Minn. Stat. §414.033, subd. 2b, 11, 12 and 13 if applicable to this petitioned annexation.

Section 5. Following the public hearing, the Common Council of the City of Rochester determined that the land to be annexed is unincorporated, abuts the municipality, consists of 120 acres or less, is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available, and the municipality has received a petition for annexation from all the property owners of the land and, as such, the land is or will soon become urban or suburban in character.

Section 6. As provided in Minn. Stat. §414.036, the City shall pay the Township the equivalent of three years' taxes in two years.

Section 7. As provided in Minn. Stat. §414.033, subd. 13, the City has provided notice to the petitioner as to the potential electric utility service rate changes.

Section 8. Therefore, pursuant to Minn. Stat. §414.033, subd. 2(3), the land described in Section 1 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.

Section 9. Present and future owners of the lands annexed by this ordinance are hereby notified that in addition to the usual assessments, it is the intention of the Common Council to assess against benefited property all or a portion of the cost of any storm sewer, water tower, pumping station, and trunk line sanitary sewer construction, heretofore or hereafter undertaken to serve the area annexed.

Section 10. Upon annexation the land described in Section 1 above will be zoned B-4.

Section 11. This ordinance shall take effect and be in force from and after its official publication and from and after the filing of a certified copy hereof with the Minnesota Office of Administrative Hearings – Municipal Boundary Adjustments, the Cascade Township Clerk, the County Auditor and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS _____7th _____ January

ATTEST: *Cristina Bleasdale*
CITY CLERK

Randy Staver
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS _____

Kim Norton
MAYOR OF SAID CITY

