

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 2.29 ACRES OF LAND LOCATED IN ON THE WEST SIDE OF MARION ROAD SE, SOUTH OF 33RD STREET SE, 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:

That part of Lot 34, AUDITOR's PLAT "C" , according to the recorded plat thereof, on file at the County Recorder, being a part of the Southwest Quarter of the Northwest Quarter of Section 21, Township 106 North, Range 13 West, all in Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter of the Northwest Quarter, thence on an assumed bearing of South 00 degrees 38' 06" East, along the west line of said Southeast Quarter of the Northwest Quarter, 316.82 feet to the point of beginning; thence South 89 degrees 47' 38" East, parallel with the north lines of said Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter, 73.85 feet; thence South 13 degrees 52' 47" East 259.81 feet; thence North 89 degrees 47' 38" West, parallel with said north lines of the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter, 426.39 feet; thence North 00 degrees 38' 06" West, parallel with the east line of said Southwest Quarter of the Northwest Quarter, 252.03 feet; thence South 89 degrees 47' 38" East, parallel with the north line of said Southwest Quarter of the Southeast Quarter, 293.00 feet to the point of beginning

The above described parcel contains 2.29 acres and is subject to any easements, covenants, and restrictions of record.

Section 2. The total quantity of land included in the petition is approximately 2.29 acres in size.

Section 3. On March 4, 2019, 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 Marion 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 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 R-1x.

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 Marion Township Clerk, the County Auditor and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS _____6th _____ May

ATTEST: *Cristina Bleys*
CITY CLERK

Randy Haver
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS _____

Ken Norton
MAYOR OF SAID CITY

