

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER
APPROXIMATELY 42.2 ACRES OF ROW ALONG WEST CIRCLE
DRIVE NW AND VALLEYHIGH ROAD NW

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 Olmsted County 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:

Parcel 1 and Parcel 2 of Olmsted County Highway Right of Way Plat No. 75, lying within the Northeast Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, EXCEPTING therefrom the following described parcel:
Beginning at the northwest corner of the Northeast Quarter of the Northeast Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota; thence on an assumed bearing of South 01°09'29" East, along the west line of said Northeast Quarter of the Northeast Quarter, 800.11 feet; thence North 88°40'14" East, 64.16 feet to the east line of said Right of Way Plat No. 75; thence North 01°09'29" West, along said east line, 656.16 feet; thence northerly 145.40 feet, along said east line and along a tangential curve, concave easterly, central angle of 00°29'15" and radius of 17088.73 feet to the north line of said Northeast Quarter of the Northeast Quarter; thence South 87°19'50" West, along said north line and not tangent to said curve, 62.34 feet to the point of beginning.

ALSO:

Parcel 1, Parcel 2 and Parcel 3 of Olmsted County Highway Right of Way Plat No. 79, lying within the Southeast Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, EXCEPT that part thereof lying within CIRCLE DRIVE BUSINESS CENTER SIXTH, according to the recorded plat thereof.

ALSO:

That part of the East 330.86 feet of the Northeast Quarter of the Southeast Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, including those parts of Outlot A and Lots 1 through 6 of VALLEYHIGH INDUSTRIAL PARK, all lying westerly of the East Quarter of the Northeast Quarter of the Southeast Quarter of said Section 20.

ALSO:

Parcel 1 and Parcel 3 of Olmsted County Highway Right of Way Plat No. 80, lying within the Northeast Quarter of Section 29, Township 107 North, Range 14 West, Olmsted County, Minnesota, EXCEPT that part thereof lying within the South 60.00 feet of the Northeast Quarter of said Section 29.

The above described parcel contains 42.2 acres and is subject to any easements, covenants, and restrictions of record.

Section 2. On July 8, 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 Cascade Township officers, and the adjacent property owners.

Section 3. 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 4. Following the public hearing, the Common Council of the City of Rochester determined that the land is completely surrounded by land within the municipal limit.

Section 5. As provided in Minn. Stat. §414.036, the City shall pay the Township the equivalent of three years' taxes in two years.

Section 6. 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 7. Therefore, pursuant to Minn. Stat. §414.033, subd. 2(2), 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 8. 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 9. 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 _____ DAY OF _____, 2019.

PRESIDENT OF SAID COMMON COUNCIL

ATTEST: _____
CITY CLERK

APPROVED THIS _____ DAY OF _____, 2019.

MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)