ORDINANCE NO. 1172

AN ORDINANCE Annexing to the City of Rochester, Minnesota, Certain Unplatted Lands Not Exceeding Two Hundred Acres in Area, All Being in the Southeast One-quarter of Section Thirty-four, Township One Hundred Seven North, Range Fourteen West, Olmsted County, Minnesota.

Section 1. A Petition has been filed with the Common Council of the City of Rochester, signed by all the owners of the land described therein, requesting the Common Council to annex said land to the City of Rochester. The land described in said petition for annexation is located in Olmsted County, Minnesota, and is described as follows:

The part of the southeast one-quarter (SE¼) of Section Thirty-four (34), Township One Hundred Seven North, Range Fourteen West, Olmsted County, Minnesota, lying southerly of the center line of the right of way of 4th Street Northwest, westerly of the center line of the right of way of 16th Avenue Northwest and easterly of a line connecting the following points: point one being 1849.5 feet west and 330.0 feet south of the northeast corner of SE¼ of said Section 34; point two being 569.0 feet north and 33.0 feet west of the northwest corner of Lot 23, Block 3, Kutzky's 2nd Addition in the City of Rochester, Olmsted County, Minnesota.

Section 2. The quantity of unplatted land included in said petition is, 56 acres more or less.

Section 3. The common Council of the City of Rochester does hereby determine that the lands described in Section 1 abut upon the present territorial limits of the City of Rochester, are so conditioned as to be properly subjected to Municipal Government, and the annexation of said lands will be in the best interests of the City of Rochester and of the lands affected.

Section 4. Therefore, the lands described in Section 1 above are hereby annexed, added, to and made a part of the City of Rochester, Minnesota, as effectually as if they had originally been a part thereof.

Section 5. Present and future owners of the area annexed by this Ordinance are hereby notified that in addition to the usual assessments, it is the intention of the Common Council to assesses against benefited property all or a portion of the cost of any storm sewer, water tower and trunk line sanitary sewer construction, heretofore or hereafter, undertaken to serve the area annexed.

Section 6. Present and future owners of the area annexed by this Ordinance are hereby notified that by such annexation, the City of Rochester does not commit itself to extend its services and make local improvements in the area annexed on an assessment basis; and that the City of Rochester, through its Common Council, specifically reserves the right to annex additional areas to the City of Rochester and extend City services and make local improvements to such other later annexed areas in advance of improvements to the area hereby annexed if the same appears more reasonable and economical.

Section 7. That 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 Municipal Commission, the County Auditor and the Secretary of State.

Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 17th day of September, 1962.

ALBERT J. TINGLEY
President of said Common Council

Attest: ELFREDA REITER
City Clerk

Approved this 18th day of September, 1962.

ALEX P. SMEKTA
Mayor of said City

(Seal of the City of Rochester, Minnesota)
(9/22 - 9/29)

#16069

Ord # 1172

STATE OF MINNESOTA

COUNTY OF OLMSTED

CITY OF ROCHESTER, SS

I, Elfreda Reiter, City Clerk of the City of Rochester, Minnesota do hereby certify that I have compared the foregoing copy of an ordinance with the original ordinance on file in my office, and that the foregoing is a true and correct copy of said ordinance and of the whole thereof.

Witness my hand this 5th day of December, A.D. 1962.

Elfreda Reiter
City Clerk of the City of
Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)