

#16730
A.D.

February 3, 1964

Mrs. Elfreda Reiter
City Clerk
Rochester, Minnesota

Dear Mrs. Reiter:

The Municipal Commission acknowledges receipt of your Ordinance No. 1238 and filing fee in accordance with Minnesota Statutes 1961, Section 414.03 Subdivision 2 as amended by Laws 1963, Chapter 807 Section 8 and the Rules of Procedure of the Municipal Commission to annex unincorporated property.

The Commission finds that all the requirements of the Commission Act have been met and accepted the Ordinance for filing on February 3, 1964.

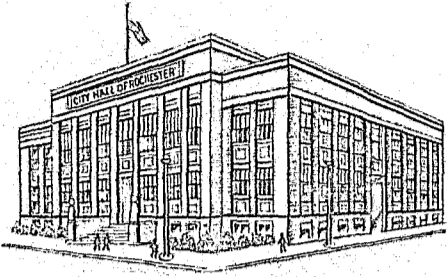
If there is any future correspondence or reference to this ordinance, please refer to Docket Number A-568.

Cordially,

MUNICIPAL COMMISSION

Irving R. Keldson
Secretary

cc: Secretary of State
Rochester Twp.
Olmsted County



City of Rochester
Minnesota

ELFREDA REITER
City Clerk

January 29, 1964

Mr. Joseph Donovan
Secretary of State
St. Paul 1, Minnesota

Dear Sir:

Enclosed find a certified copy of Ordinance No. 1238
which annexes Folwell Heights Third Addition to the City of
Rochester.

This ordinance is filed in accordance with Section 3,
Laws 1959, Chapter 686.

Very truly yours,

Elfreda Reiter

Elfreda Reiter
City Clerk

/gb
encl.

#16730
STATE OF MINNESOTA
DEPARTMENT OF STATE
RECEIVED
FEB - 5 1964

Joseph L. Donovan
Secretary of State

ORDINANCE NO. 1238

AN ORDINANCE Annexing to the City of Rochester, Minnesota, Certain Unplatted Land Not Exceeding Two Hundred Acres in Area and Certain Platted Land in Highland Addition, All Being in the Northeast Quarter of Section Three, Township One Hundred Six North, Range Fourteen 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 all the owners of the land described herein, 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:

A part of the SW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 3, Township 106 North, Range 14 West, described by metes and bounds as follows:

Commencing at the Center of said Section 3, thence East along the South Line of said Northeast quarter section a distance of 31.34 feet for a place of beginning; Thence East along the South line of said Northeast quarter section a distance of 554.10 feet to the West Right-of-way line of Trunk Highway No. 52, thence Northwesterly along said Right-of-way at a deflection angle of 117 degrees 59 minutes to the left for a distance of 459.2 feet to a point on the South line of Lot 4, Block 4, Folwell Heights Addition, thence Southwesterly along the South line of said Lot at deflection angle of 90 degrees 06 minutes to the left for a distance of 99.65 feet, thence Southwesterly at a deflection angle of 16 degrees 31 $\frac{1}{2}$ minutes to the right for a distance of 69.70, thence Southwesterly at a deflection angle of 21 degrees 33 $\frac{1}{2}$ minutes to the left for a distance of 102.9 feet, thence Northwesterly at a deflection angle of 45 degrees 38 minutes to the Right for a distance of 101.45 feet to a point on the South line of Lot 4, Block 3, Folwell Heights Addition, thence South along the East line of Folwell Heights Second Addition for a distance of 310.21 feet to the place of beginning.

Said petition has also been filed with the Town Board of the Township of Rochester, with the County Board of the County of Olmsted and with the Municipal Commission of the State of Minnesota and more than thirty (30) days have elapsed since said petition was filed with said Town Board and County Board and no objections to annexation of the above described land have been filed by said Town Board or County Board.

Section 2. The quantity of unplatted land included in said petition is approximately 3.6 acres.

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 assess 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. 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 6th day of January, 1964.

ALBERT J. TINGLEY
President of said Common Council

Attest: ELFREDA REITER
City Clerk

Approved this 8 day of January, 1964.

(Seal of the City of Rochester, Minnesota)
ALEX P. SMEKTA
Mayor of said City

(1/11 - 1/18)

#16730

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB - 5 1964

Joseph L. Anderson
Secretary of State

STATE OF MINNESOTA

COUNTY OF OLUSTEAD

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 29th day of January, A.D. 1964.

Elfreda Reiter

City Clerk of the City of
Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

#16730
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB - 5 1964
Joseph L. Olson
Secretary of State