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STATE OF MINNESOTA
MUNICIPAL BOARD

Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101

May 10, 1978

Ms. Carole Grimm
City Clerk
Room 100, City Hall
Rochester, MN 55901

Re: Docket Number A-3303 Ordinance Number 1946
City of Rochester

Ladies and Gentlemen:

The Minnesota Municipal Board acknowledges receipt and filing of the above Ordinance and filing fee in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

According to law, this annexation is final upon filing a copy of the ordinance with the Town Clerk, County Auditor, Secretary of State and the Municipal Board. (Since the ordinance has already been filed with the Municipal Board, no additional copies are required.)

Please refer to the above docket and ordinance numbers in any future reference to this annexation.

Sincerely yours,

MUNICIPAL BOARD

Patricia D. Lundy
Patricia D. Lundy
Assistant Executive Secretary

PDL:es

c.c. Secretary of State
County Auditor
Township
Attorney
Municipality

31466

Rochester

ORDINANCE NO. 1946

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER, MINNESOTA, CERTAIN PLATTED AND UNPLATTED LANDS SITUATED IN THE TOWN OF ROCHESTER, OLMSTED COUNTY, MINNESOTA, AND AMENDING ORDINANCE NO. 1466, AS AMENDED, TO DESIGNATE A PORTION OF THE ANNEXED PROPERTY AS RURAL SERVICE DISTRICT.

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 a majority of the owners of 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 Rochester Township, Olmsted County, Minnesota, and is described as follows:

The West half of the Southeast Quarter of the Northwest Quarter of Section 3, Township 106, Range 14, Olmsted County, Minnesota.

The Southwest Quarter of the Northwest Quarter of said Section 3 except the West 20 Acres thereof.

Outlots 41, 42, 44, 45, and 48 of HILLCREST SUBDIVISION, Olmsted County, Minnesota.

All that part of Outlots Nos. One (1) and Two (2) lying East of a line drawn in a Northwesterly direction from a point in the South line of Outlot No. One (1), Five Hundred Thirty (530) feet East of the Southwest corner thereof to a point fourteen and six-tenths (14.6) feet South of the North line of said Outlot and Three Hundred Fourteen and Five one-hundredths (314.05) feet East of the West line thereof and thence North parallel with the West line of said Outlots Nos. One (1) and Two (2), to a point in the North line thereof Three Hundred Fourteen and Five one-hundredths (134.05) feet East of the West line thereof, if extended reserving and excepting the Westerly twenty five and one-half (25 1/2) feet thereof for a public highway.

All in Highland Addition in the Northwest Quarter (NW1/4) of Section No. Three (3), in Township No. One Hundred Six (106) North of Range No. Fourteen (14) West.

Plus the West Twenty (20) feet of Lots Twelve (12) Thirteen (13) Fourteen (14) Fifteen (15) and Sixteen (16), Block Five (5), Highland Addition, Rochester, Minnesota.

Commencing at the Northwest corner of the East half (E1/2) of the Southeast quarter (SE1/4) of the Northwest quarter (NW1/4) of section No. three (3) in Township No. one hundred six (106) North of Range No. fourteen (14) West; running thence South along the West line of said East half (E1/2) of the Southeast quarter (SE1/4) of the Northwest quarter (NW1/4) a distance of one hundred eighty one and 3/10 (181.3) feet for a place of beginning, running thence South sixty two (62) degrees thirty one (31) minutes East a distance of two hundred twenty five and 98/100 (225.98) feet; running thence South nineteen (19) minutes East a distance of one thousand thirty four (1034) feet to the South line of said Northwest quarter (NW1/4); running thence West on said South line a distance of two hundred and 44/100 (200.44) feet to the West line of the East half (E1/2) of the Southeast quarter (SE1/4) of said Northwest quarter (NW1/4); running thence North nineteen (19) minutes West a distance of eleven hundred thirty nine and 22/100 (1139.22) feet to the place of beginning;

except

A part of the East One-Half (E1/2) of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 106 North, Range 14 West, described by metes and bounds as follows:

Commencing at the Northwest corner of said East One-Half (E1/2) of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4), thence South along the West line of said East One-Half (E1/2) of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) a distance of 446.05 feet, thence east at right angles to the previous course a distance of 126.74 feet for a place of beginning, thence South at right angles to the previous course a distance of 88.1 feet, thence West at right angles to the previous course a distance of 9.65 feet, thence Southwesterly at a deflection angle of 64 degrees, 30 minutes to the left from the previous course a distance of 28.05 feet, thence Southerly at a deflection angle of 43 degrees, 47 minutes to the left from the previous course a distance of 39.0 feet, thence Southeasterly at a deflection angle of 15 degrees, 25 minutes to the left from the previous course a distance of 60.9 feet, thence East at a deflection angle of 56 degrees, 18 minutes to the left from the previous course a distance of 49.65 feet to the West line of Folwell Heights Addition to the City of Rochester, thence North along said West line a distance of 201.4 feet, thence West at right angles to the previous course a distance of 73.7 feet to the place of beginning.

further except

A part of the East One-half (E1/2) of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section 3, Township 106 North, Range 14 West, described by metes and bounds, as follows:

Ordinance No. 1466, as amended, entitled "An Ordinance Establishing Within the City of Rochester an Urban Service District and a Rural Service District as Separate Taxing Districts" is hereby further amended by adding to said Exhibit A paragraph 39 to read as follows:

39. Land in Section 3-106-14

That part of the following described tract lying within the Southwest Quarter of the Northwest Quarter of Section 3, Township 106, Range 14, Olmsted County, Minnesota; Commencing at a point 679.60 feet west of the northeast corner of the west half of the southeast quarter of the northwest quarter of Section 3, Township 106, Range 14, Olmsted County, Minnesota; running thence south 525.3 feet, running thence east 200 feet, running thence south $4^{\circ}53'$ west, 827 feet, running thence 826.9 feet, running thence north 1314.3 feet, running thence east 686.9 feet to the place of beginning; except a tract of land lying in the southwest quarter of the northwest quarter of Section 3, Township 106, Range 14, Olmsted County, Minnesota and more particularly described as: Commencing at the northeast corner of said southwest quarter; thence on a Minnesota Coordinate System, South Zone bearing of south $01^{\circ}04'47''$ east, along the east line of said southwest quarter a distance of 329.21 feet to the point of beginning of the tract to be described; thence continuing along said east line south $01^{\circ}04'47''$ east a distance of 378.00 feet; thence on a bearing of west a distance of 295.00 feet; thence on a bearing of north a distance of 324.00 feet; thence on a bearing east a distance of 60.00 feet; thence north $53^{\circ}45'18''$ east a distance of 90.00 feet; thence easterly to the point of beginning.

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 Board, the Rochester Town Clerk, the County Auditor, and the Secretary of State.

Beginning at a point on the West line of said East One-half (E1/2) of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4), 446.05 feet South of the Northwest corner of said East One-half (E1/2), Southeast Quarter (SE1/4), Northwest Quarter (NW1/4); thence East at right angles to the previous course a distance of 126.74 feet, thence South at right angles to the previous course a distance of 88.10 feet; thence West at right angles to the previous course a distance of 9.65 feet, thence Southwesterly at a deflection angle of 64 degrees 30 minutes to the left from the previous course a distance of 28.05 feet, thence Southwesterly at a deflection angle of 21 degrees to the right from the previous course a distance of 38.0 feet, thence Northwesterly at a deflection angle of 79 degrees, 30 minutes to the right from the previous course a distance of 58.7 feet, thence west at a deflection angle of 36 degrees to the left from the previous course a distance of 30.0 feet to the west line of said East One-half (E1/2) of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4), thence North along said West line a distance of 105.0 feet to the place of beginning.

Said petition has also been filed with the Town Board of Rochester Township, with the County Board of the County of Olmsted, and with the Minnesota Municipal Commission, and the Town Board of Rochester Township has notified the City that it has no objections to the annexation of the above-described land.

Section 2. The quantity of land included in said petition is approximately 65 acres.

Section 3. The Common Council of the City of Rochester does hereby determine that the land described in Section 1 abuts upon the present territorial limits of the City of Rochester, is so conditioned as to be properly subjected to municipal government, and the annexation of said land will be in the best interest of the City of Rochester and the land described.

Section 4. Therefore, the land described in Section 1 above is hereby annexed, added to and made a part of the City of Rochester, Minnesota, as effectually as if it 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 benefitted 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. Exhibit A entitled "Lands Within the City of Rochester, Minnesota Included in the Rural Service District" which is attached to and by section 3 thereof made a part of

Passed and adopted by the Common Council of the City of
Rochester, Minnesota, this 3rd day of APRIL, 1978.

R. J. Fisher
President of said Common Council

Attest: Carol A. Grimm
City Clerk

Approved this 4th day of APRIL, 1978.

Alvin P. Smith
Mayor of said City

(Seal of the City of
Rochester, Minnesota)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 1 1978
James Anderson
Secretary of State

31466
o.d.

STATE OF MINNESOTA)
)
COUNTY OF OLMSTED)

I, DOLORES K. LANIER, DEPUTY CITY CLERK OF THE CITY OF ROCHESTER,
MINNESOTA, DO HEREBY CERTIFY THAT I HAVE COMPARED THE ATTACHED
COPY OF AN ORDINANCE WITH THE ORIGINAL ORDINANCE ON FILE IN MY
OFFICE AND THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE
SAID ORDINANCE AND OF THE WHOLE THEREOF.

WITNESS MY HAND THIS 27th DAY OF April, 1978.

Dolores K. Lanier
Deputy City Clerk
City of Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 12 1978

James Anderson Howe
Secretary of State

31466

O.D.