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ORDINANCE NO. 1977

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER,
MINNESOTA, CERTAIN UNPLATTED LAND NOT EXCEEDING
200 ACRES IN AREA SITUATED IN SECTION 6,
TOWNSHIP 106, RANGE 13, OLMSTED COUNTY, MINNESOTA,
AND ESTABLISHING THE ZONING THEREFOR.

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 Marion Township, Olmsted County, Minnesota, and is described as follows:

Commencing at the Northwest Corner of the South One-Quarter of the North One-Half of the Southwest One-Quarter of Section 6, Township 106, Range 13, and running thence East 544.76 feet, running thence South 19°14' East 232 feet for a place of beginning, running thence 19°14' East 242.08 feet to the centerline of T.H. 14, running thence South 70°20' West along the centerline of said highway 136 feet, running then North 11°23' West a distance of 172.7 feet, running then North 13°39' East a distance of 85.35 feet, running thence 70°20' East a distance of 64.08 feet to the place of beginning. Subject to a joint roadway agreement over the Westerly 15 feet thereof between the Covered Wagon Motel and Covered Wagon Trailer Park. Also subject to the right-of-way of the State of Minnesota in the southerly 75 feet thereof.

Said petition has also been filed with the Town Board of Marion Township, with the County Board of the County of Olmsted, and with the Minnesota Municipal Board, and the Town Board of Marion 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 1/2 acre.

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.

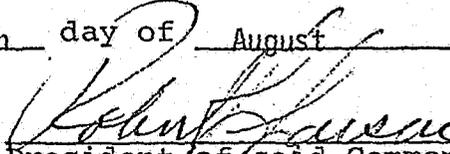
Section 4. Therefore, the land described in Section 1 above is hereby annexed, added to and made a part of the City of Rochester, Minnesota, as effectually as if it had originally been a part thereof.

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 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.

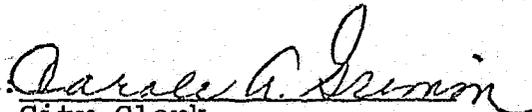
Section 6. Pursuant to Rochester Code of Ordinances, §60.506, as enacted by Ordinance No. 1659, known as the Zoning Ordinance of the City of Rochester, the land annexed to the City of Rochester as hereinabove described is zoned B-4 General Business District.

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

Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 7th day of August, 1978.

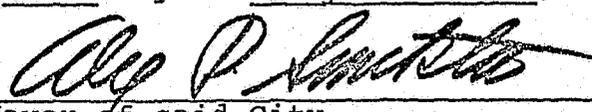


President of said Common Council
Pro-Tem

Attest: 

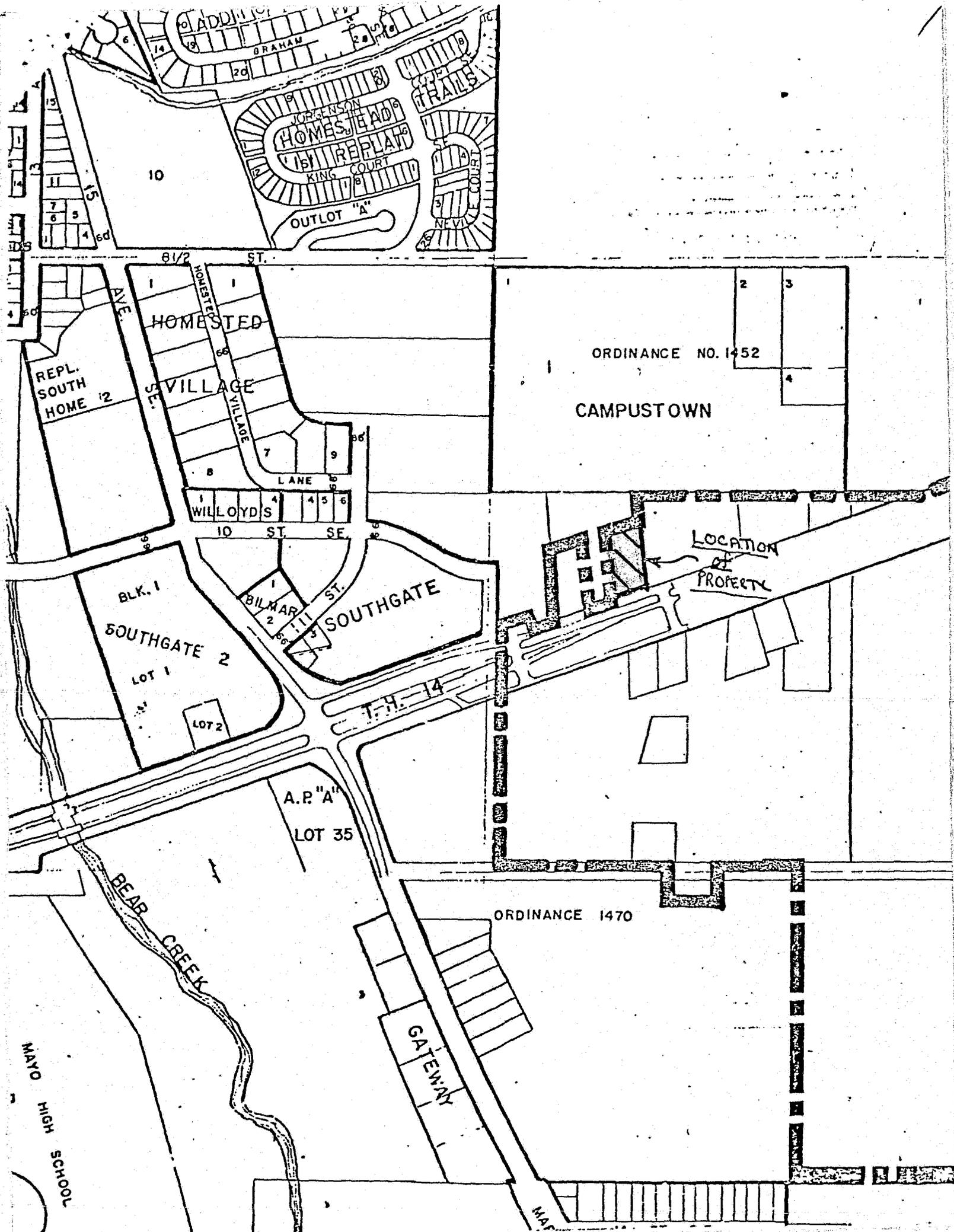
City Clerk

Approved this 8th day of August, 1978.



Mayor of said City

(Seal of the City of
Rochester, Minnesota)



ROCHESTER

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 24th DAY OF August, 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
SEP 25 1978
James Andrew Howe
Secretary of State

PRINTER'S AFFIDAVIT

State of Minnesota, }
County of Olmsted } SS

Paul McCue being duly

sworn says that he now is and during all the times hereinafter stated has been General Manager

of the Post-Bulletin Company, publisher and printer of the Rochester Post-Bulletin, a daily newspaper, printed and published in the City of Rochester, in said Olmsted County, State of Minnesota, daily except Sunday of each week;

That he has knowledge of the facts and knows personally that the printed notice hereto attached, cut from the columns of said newspaper, was inserted, printed and published in said newspaper once in each week for weeks, and that all of said publications were made in the English language, and was printed and published in said newspaper on

Saturday, August 12, 1978

Saturday, August 19, 1978

That during all said time, said newspaper was, and for more than two years immediately prior thereto had been, qualified as a medium of official and legal publications as required by the laws of the State of Minnesota, and that it has complied with all the requirements of said laws, and for more than two years prior thereto had been, and ever since said time has been and still is:

- (1) Printed from the place at which it purports to be issued, as above stated, in the English language and in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches.
(2) Distributed six days in each week from a known office, established in said place for such publication and employing skilled workmen and the necessary material for preparing and printing the same.
(3) A newspaper containing general and local news, comment and miscellany, not wholly duplicating any other publication, and not entirely made up of patents, plate matter and advertisements, or any or either of them, and that in its make-up not less than twenty-five per cent of its news columns have been devoted to news of local interest to the community it purports to serve.
(4) Circulated in and near the municipality which it purports to serve, and has at least 500 copies regularly delivered to paying subscribers, and has an average of at least 75 percent of its total circulation currently paid or no more than three months in arrears, and has entry as second class mail in its local Post Office.
(5) Has its known office of issue established in Olmsted County, Minnesota, in which lies the municipality which the newspaper purports to serve.
(6) Has filed a copy of each issue immediately with the State Historical Society.
(7) Has complied with all the foregoing conditions for at least two years last past.
(8) Has filed with the Secretary of State, prior to January 1 of each year, an affidavit in the form prescribed by the Secretary of State, and signed by the publisher or managing officer and sworn to before a notary public stating that the newspaper is a legal newspaper.

That the following is a printed copy of the lower case alphabet from a to z, both inclusive, of the size and kind of type used in the composition, printing and publication of said legal advertisement hereunto attached, viz:

abcdefghijklmnopqrstuvwxyz

Further affiant saith not, save that this affidavit is made pursuant to the laws of the State of Minnesota, and is intended to accompany the bill for the publication in said newspaper of the aforesaid legal advertisement.

Handwritten signature of Paul McCue

Subscribed and sworn to before me this August 21, 1978

Printer's Fee \$50.59

ORDINANCE NO. 1977
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Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 7th day of August, 1978.

1/Robert L. Larson
President of said
Common Council
Pro-Tem
Attest: 1/Carole A. Grimm
City Clerk

Approved this 8th day of August, 1978,
1/Alex P. Smetko,
Mayor of said City
(Seal of the City of Rochester, Minnesota)
(8/12, 8/19)

