

An Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

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

September 21, 1978

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

Re: Docket Number A-3362 Ordinance Number 1978
A-3363, Ordinance Number 1977
City of Rochester, Cappelle, Nelson
petitioners (A-3362)
Ladies and Gentlemen: A-3363 - Finseth Petition

The Minnesota Municipal Board has now processed and approved the above ordinance and filing fee in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

According to law, this annexation must be filed with the Township 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.)

The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

Patricia D. Lundy
Patricia D. Lundy
Assistant Executive Director

PDL:dsm

cc: Secretary of State
County Auditor
Township
Attorney
Municipality

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 25 1978

John Anderson Howe
Secretary of State

#31697
O.D.

(REVISED 7/78)

ORDINANCE NO. 1978

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER, MINNESOTA, CERTAIN UNPLATTED LAND NOT EXCEEDING 200 ACRES IN AREA SITUATED IN SECTION 7, TOWNSHIP 106 NORTH, RANGE 13 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 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 Center Section, thence North 660 feet, thence East 365.37 feet to the Center of the Township Road for a place of beginning, thence East 424.63 feet, thence South 220 feet, thence West 424.63 feet, thence North to the beginning, Section 7, Township 106 North, Range 13 West.

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 2 acres.

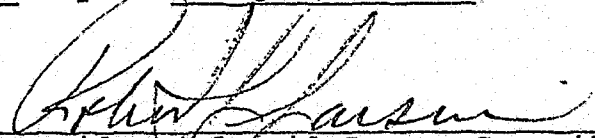
Section 3. The Common Council of the City of Rochester does hereby determine that the land described in Section 1 abuts upon the present territorial limits of the City of Rochester, is so conditioned as to be properly subjected to municipal government, and the annexation of said land will be in the best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

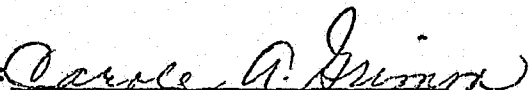
Section 5. Present and future owners of the area annexed by this ordinance are hereby notified that in addition to the usual assessments, it is the intention of the Common Council to assess against benefited property all or a portion of the cost of any storm sewer, water tower, and trunk line sanitary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

Section 6. 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.

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)

PRINTER'S AFFIDAVIT

State of Minnesota, } SS
County of Olmsted }

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 matter 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.

Paul McCue

Subscribed and sworn to before me this August 21, 1978

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AN ORDINANCE ANNEXING
TO THE CITY OF
ROCHESTER, MINNESOTA,
CERTAIN UNPLATTED LAND
NOT EXCEEDING 200 ACRES
IN AREA SITUATED IN SEC-
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NORTH, RANGE 13 WEST,
OLMSTED COUNTY, MINNE-
SOTA.

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Commencing at the Center Section, thence North 450 feet, thence East 365.37 feet to the Center of the Township Road for a place of beginning, thence East 474.63 feet, thence South 270 feet, thence West 424.63 feet, thence North to the beginning, Section 7, Township 106 North, Range 13 West.

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 2 acres.

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Section 6. 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. Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 7th day of August, 1978.

/s/Robert L. Larson
President of said
Common Council
Pro-Tem

Attest: /s/Carole A. Grimm
City Clerk

Approved this 8th
day of August, 1978.

/s/Alex P. Smehta
Mayor of said City
(Seal of the City of
Rochester, Minnesota)
(8/12, 1978)

Marlene Nelson
MARLENE NELSON
NOTARY PUBLIC - MINNESOTA
OLMSTED COUNTY
My Commission Expires Mar. 10, 1982

Printer's Fee \$38.99

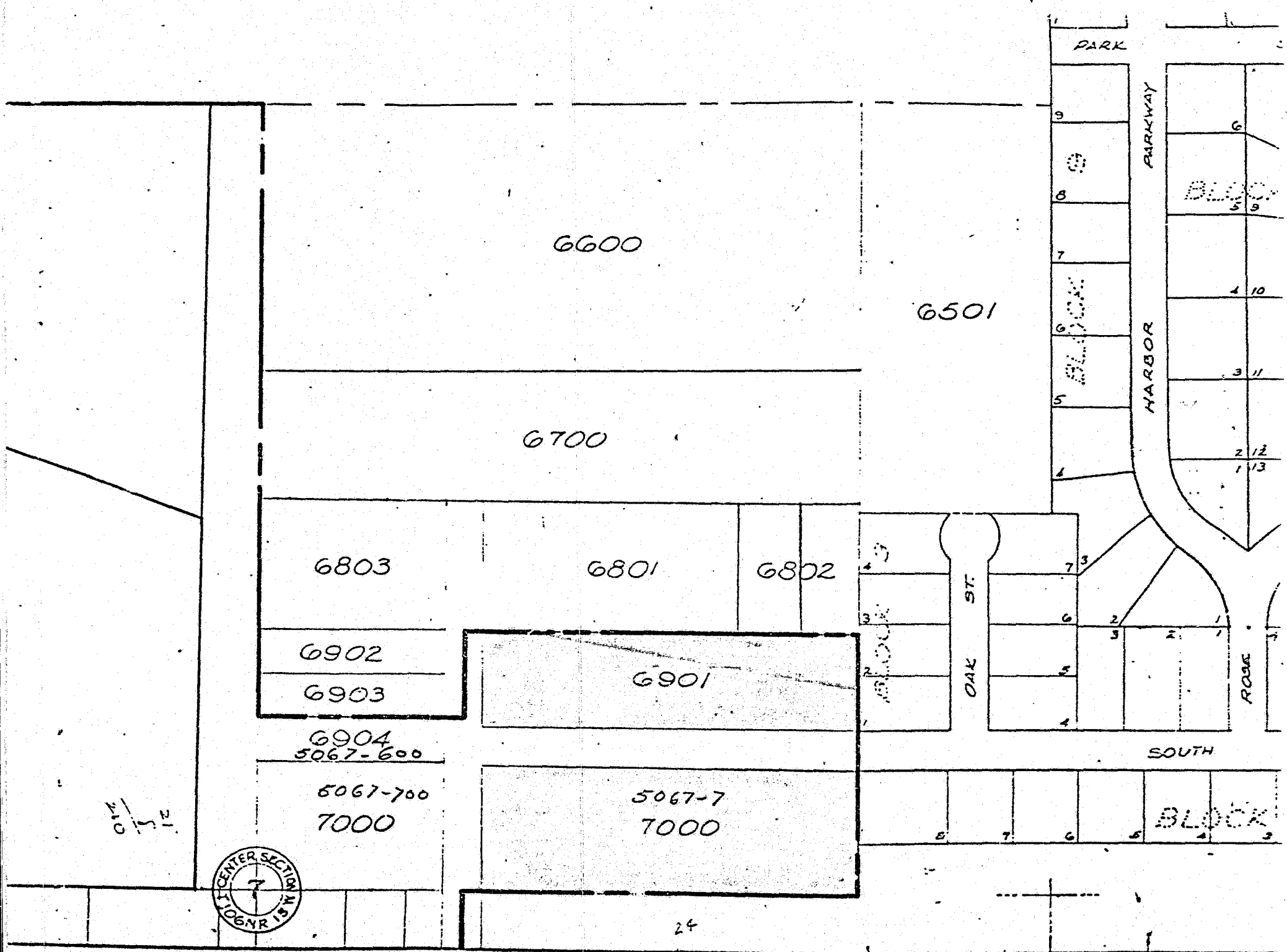
STATE OF MINNESOTA)
)
COUNTY OF OLMSTED)

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)



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6501

6700

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6901

5067-7
7000



24

ONE 1/2

PARK

HARBOR
PARKWAY

HARBOR

OAK ST.

ROSE

SOUTH

BLOCK

