

An Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

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

August 5, 1981

Ms. Judy Kay Scherr
Deputy City Clerk
Room 100
City Hall
Rochester, Minnesota 55901

Re: Docket Number A-3794

Ordinance Number 2189

City of Rochester

Dear City Clerk:

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 ordinance 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.) We also recommend that you file the ordinance with the County Recorder.

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:mem

cc: Secretary of State
County Auditor
Township Clerk
Attorney
Municipality

(REVISED 1/81)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 17 1981
John Anderson
Secretary of State

433552

Rochester

STATE OF MINNESOTA)
COUNTY OF OLMTED)

I, JUDY KAY SCHERR, 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 13TH DAY OF AUGUST, 1981.

Judy Kay Scherr
Deputy City Clerk
City of Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

ORDINANCE NO. 2489

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER, MINNESOTA, CERTAIN LAND SITUATED IN SECTION 6, TOWNSHIP 106 NORTH, RANGE 13 WEST, OLMSTED COUNTY, MINNESOTA, AND ESTABLISHING THE ZONING THEREFOR.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. The property described below is hereby annexed to the City of Rochester under the authority of Minn. Stat. §414.033, subd. 5, as amended. The property annexed by this Ordinance is located in Marion Township, Olmsted County, Minnesota, and is described as follows:

Commencing at the Southwest corner of the tract of land hereinafter described and thence running Easterly along the Southerly line thereof a distance of 120 feet, thence running Northerly parallel with the Westerly line of said tract a distance of 285 feet and thence running Westerly parallel with the Southerly line of said land a distance of 120 feet, thence running Southerly over the Westerly line of said tract a distance of 285 feet to the place of beginning, the same being a part of the following described land:

Commencing at the Northwest corner of the South Quarter of the North one-half of the Southwest Quarter of Section No. 6 in Township No. 106 N. R. 13 W. and running thence east along the North line of said South Quarter of said North one-half 149.07 feet for a place of beginning, running thence East along said North line 395.69 feet, thence deflect to the right at an angle of 70 degrees 20 minutes with said North line a distance of 232 feet, thence deflect to the right 90 degrees a distance of 64.08 feet, thence deflecting to the left 56 degrees 41 minutes a distance of 85.65 feet, thence deflecting to the left 25 degrees 2 minutes a distance of 172.70 feet to the center line of Trunk Highway No. 14, thence Southwesterly along the center line of said Trunk Highway a distance of 236.63 feet, and running thence Northwesterly in a straight line 607.10 feet to a place of beginning; subject to the rights of the State of Minnesota in the Southeasterly 50 feet thereof, and excepting and

reserving the Northerly 15 feet thereof to E. L. Van Atta and Minnie M. Van Atta, his wife, also reserving to E. L. Van Atta and Minnie M. Van Atta, his wife, and assigns, the right to enter for the purpose of constructing, repairing or maintaining a sanitary sewer in the Easterly 10 feet of the Northerly 232 feet of the above described real estate. And also including a joint right of way, to-wit: A strip of land 15 feet in width on each side of the following described line, commencing for a place of beginning at a point in the center line of Trunk Highway No. 14 which is 603.63 feet Northeasterly of the intersection of said trunk highway with the West line of Section No. 6 in Township No. 106 North of Range No. 13 West, thence deflect to the left 81 degrees 43 minutes a distance of 172.70 feet, thence deflecting to the right 25 degrees 2 minutes for a distance of 85.65 feet and there terminating. All of the above tracts subject to Minnesota State Highway easements.

Section 2. The quantity of land described in Section 1 is approximately .78 acres of unplatted land.

Section 3. 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 4. 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 as follows:

B-4 General Business District:

Commencing at the Southwest corner of the tract of land hereinafter described and thence running Easterly along the Southerly line thereof a distance of 120 feet, thence running Northerly parallel with the Westerly line of said tract a distance of 285 feet and thence running Westerly parallel with the Southerly line of said land a distance of 120 feet, thence running Southerly over the Westerly line of said tract a distance of 285 feet to the place of beginning, the same being a part of the following described land:

Commencing at the Northwest corner of the South Quarter of the North one-half of the Southwest Quarter of Section No. 6 in Township No. 106 N. R. 13 W. and running thence east along the North line of said South Quarter of said North one-half 149.07 feet for a place of beginning, running thence East along said North line 395.69 feet, thence deflect to the right at an angle of 70 degrees 20 minutes with said North line a distance of 232 feet, thence deflect to the right 90 degrees a distance of 64.08 feet, thence deflecting to the left 56 degrees 41 minutes a distance of 85.65 feet, thence deflecting to the left 25 degrees 2 minutes a distance of 172.70 feet to the center line of Trunk Highway No. 14, thence Southwesterly along the center line of said Trunk Highway a distance of 236.63 feet, and running thence Northwesterly in a straight line 607.10 feet to a place of beginning; subject to the rights of the State of Minnesota, in the Southeasterly 50 feet thereof, and excepting and reserving the Northerly 15 feet thereof to E. L. Van Atta and Minnie M. Van Atta, his wife, also reserving to E. L. Van Atta and Minnie M. Van Atta, his wife, and assigns, the right to enter for the purpose of constructing, repairing or maintaining a sanitary sewer in the Easterly 10 feet of the Northerly 232 feet of the above described real estate. And also including a joint right of way, to-wit: A strip of land 15 feet in width on each side of the following described line, commencing for a place of beginning at a point in the center line of Trunk Highway No. 14 which is 603.63 feet Northeasterly of the intersection of said trunk highway with the West line of Section No. 6 in Township No. 106 North of Range No. 13 West, thence deflect to the left 81 degrees 43 minutes a distance of 172.70 feet, thence deflecting to the right 25 degrees 2 minutes for a distance of 85.64 feet and there terminating. All of the above tracts subject to Minnesota State Highway easements.

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 4 day of MAY, 1981.

R. J. Pether
President of said Common Council

Attest: Carole A. Drumm
City Clerk

Approved this 5 day of MAY, 1981.

Chuck Grazia
Mayor of said City

(Seal of the City of
Rochester, Minnesota)