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**STATE OF MINNESOTA
MUNICIPAL BOARD**

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

September 16, 1983

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

Re: Docket Number A-4003

Ordinance Number 2309

City of Rochester

Dear City Clerk:

The Minnesota Municipal Board has now processed and approved the above ordinance 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 Director

PDL:sg

cc: Secretary of State
County Auditor
Township Clerk
Attorney
Municipality

STATE OF MINNESOTA
DEPARTMENT OF STATE

FILED
OCT 3 1983

John Andrew Sauer
Secretary of State

34805

STATE OF MINNESOTA)
COUNTY OF OLMSTED)

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 27TH DAY OF SEPT, 1983.

Judy Kay Scherr
Deputy City Clerk
City of Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

ORDINANCE NO. 2309

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER, MINNESOTA, CERTAIN LAND SITUATED IN SECTION 7, TOWNSHIP 106 NORTH, RANGE 13 WEST, OLMSTED COUNTY, MINNESOTA, AND ESTABLISHING THE ZONING THEREFORE.

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 the owner of the land described herein, requesting the Common Council to annex said land to the City of Rochester. The land described in said petition is located in Marion Township, Olmsted County, Minnesota, and is described as follows:

That part of the Southeast Quarter, Section 7, Township 106 North, Range 13 West, described as:

Commencing at the Southeast corner of the Quarter Section; thence North along the east line thereof a distance of 1656.97 feet; thence West parallel with the south line of the Quarter Section a distance of 1736.55 feet to the intersection of the west line of Marvale Subdivision and the center line of Third Street for a point of beginning; thence continuing West on the same course a distance of 22.09 feet; thence deflecting to the right along a 12 degree curve with a radius of 477.46 feet and a delta angle of 13 degrees 57 minutes a distance of 115.28 feet; thence westerly tangent to the last curve a distance of 3.2 feet; thence deflecting to the left along a 12 degree curve with a radius of 477.46 feet and a delta angle of 14 degrees 13 minutes a distance of 118.47 feet; thence westerly tangent to the last curve a distance of 262.00 feet; thence South at a deflection angle of 89 degrees 57 minutes to the left a distance of 168.21 feet; thence southeasterly at a deflection angle of 31 degrees 28 minutes to the left a distance of 290 feet; thence southeasterly at a deflection angle of 7 degrees 59 minutes to the right a distance of 282.20 feet to the northeasterly right-of-way line of old T.H. No. 52; thence southeasterly along the right-of-way line at a deflection angle of 26

degrees 34 minutes to the left a distance of 336.20 feet to a point in the west line of Marvale Subdivision; thence North at a deflection angle of 130 degrees 9 minutes to the left along the west line of Marvale Subdivision a distance of 860.66 feet to the point of beginning.

Together with the public right-of-way and roadway easements for Melody Street SE, 24th Avenue SE and County Road No. 36 (Old T.H. 52) lying easterly of the centerline of 24th Avenue extended to the South right-of-way line of County Road 36 and adjacent to the North, West and South of the above described tract.

Said petition has been filed with the Town Board of Marion Township, with the County Board of the County of Olmsted, and with the Minnesota Municipal Commission. The Marion Township Town Board has notified the Consolidated Planning Department that it has no objection to the annexation of the above-described land.

Section 2. The quantity of land, excluding street right-of-way, included in said petition is approximately 6.53 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. 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 R-1, Low Density Residential 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.

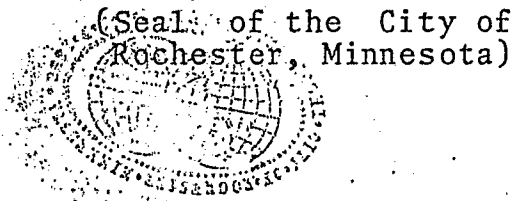
Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 20 day of June, 1983.

Ray Fisher
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: *Carol A. Jensen*
CITY CLERK

Approved this 21 day of June, 1983.

Chuck Thorne
MAYOR OF SAID CITY



X 458413

ABSTRACT
GRANTOR ✓
GRANTEE ✓
TRACKED ✓
PAID ✓
CHG/Amc

COUNTY RECORDER OFFICE } ss.
Olmsted County, Minn.
I hereby certify that the within instrument
was filed in this office for record on

AUG 23 1983

at 1:14 o'clock P. M
Book 4 of misc on page 244
LOIS FINSTUEN County Recorder
BY Carol A. Jensen Deputy

City Clerk