



STATE OF MINNESOTA
MUNICIPAL BOARD

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

August 23, 1985

Carole A. Grimm
City Clerk
Room 100, City Hall
Rochester, Minnesota 55902

Docket Number A-4240

Ordinance Number 2449

City of Rochester

Dear Ms. Grimm:

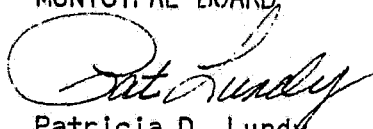
The Minnesota Municipal Board has now processed and approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

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
Assistant Director

430190
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 28 1985


Joan Anderson Howe
Secretary of State

PDL:sg

cc: Olmsted County Auditor
Rochester Township Clerk
Judy Kay Scherr, Deputy City Clerk
Secretary of State

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 10TH DAY OF July, 1985.

Judy Kay Scherr
Deputy City Clerk
City of Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

ORDINANCE NO. 2449

AN ORDINANCE ANNEXING CERTAIN
UNPLATTED LANDS SITUATED IN
CASCADE TOWNSHIP AND SURROUNDED
BY THE MUNICIPAL LIMITS TO THE
CITY OF ROCHESTER

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. The Common Council finds that the lands described in this section are completely surrounded by the municipal limits of the City of Rochester and are urban or suburban in character. The lands are located in the Town of Cascade, are unplatted, and are alternately described as follows:

A tract of land in that part of the East Half of the Southeast Quarter of Section No. twenty Five (25) in Township No. one hundred seven (107) North of Range No. fourteen (14) West, lying south of State Aid Road No. 2 described by metes and bounds as follows:

Beginning at a point on the south line of Section No. twenty five (25) which is three hundred sixty nine and 62/100 (369.62) feet west of the southeast corner of said section, running thence north at right angles to the south line of the section a distance of four hundred seventy one and 4/10 (471.4) feet, running thence southwesterly at a deflection angel of one hundred twenty seven (127) degrees and two (2) minutes to the left a distance of three hundred eighty four and 4/10 (384.4) feet, running thence southeasterly at a deflection angel of sixty seven (67) degrees and twenty (20) minutes to the left a distance of two hundred forty seven and 8/10 (247.8) feet to the south line of Section No. twnety five (25), running thence east along the section line a distance of two hundred forty five and 7/10 (245.7) feet to the place of beginning; and

That part of the south four hundred seventy one and 4/10 (471.4) feet of the Southeast quarter of the Southeast quarter of Section No. twenty five (25) in Township No. one hundred seven (107) North of Range No. fourteen (14) West, lying south and east

of State Aid Road No. 2, as it runs across said land, and lying west of a line which runs north at right angles to the south line of said section from a point three hundred sixty nine and 82/100 (369.82) feet west of the southeast corner of said section; saving and excepting therefrom all of Larson's First Subdivision as platted and shown upon the recorded plat thereof on file in the office of the County Recorder in and for said county.

Section 2. The lands described in Section 1 herein are hereby annexed to the City of Rochester.

Section 3. This Ordinance shall be effective from and after its publication, and its filing with the Minnesota Municipal Board, the Town of Cascade, the Olmsted County Auditor, and the Minnesota Secretary of State, and the annexation of said lands shall be final on the date of this ordinance is approved by the Minnesota Municipal Board.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 3rd DAY OF June, 1985.

R. J. Postin
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Carol A. Dunning
CITY CLERK

Approved this 4th day of June, 1985.

Chuck Hill
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

Rochester

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 A RESOLUTION WITH THE ORIGINAL RESOLUTION ON FILE IN MY
OFFICE AND THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE
SAID RESOLUTION AND OF THE WHOLE THEREOF.

WITNESS MY HAND THIS 9TH DAY OF July, 1985.

Judy Kay Scherr
Deputy City Clerk
City of Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

288-85

RESOLUTION

WHEREAS, the Planning and Zoning Commission at the request of the owner of property located in the Town of Cascade, County of Olmsted, State of Minnesota, described as:

The west 60 feet of the east 433.5 feet of the south 307 feet of the West one half of the Southwest quarter of Section 30, Township 107 North Range 14 West. Subject to right of way on the south 50 feet thereof for C.S.A.H.

has recommended that the Common Council of the City of Rochester initiate proceedings for annexation of said property to the City of Rochester; and

WHEREAS, said property is subject to a joint resolution for orderly annexation adopted by the Common Council on May 17, 1976 and approved by the Board of the Town of Cascade on May 5, 1976, which resolution was subsequently amended by a resolution approved by the Common Council on February 23, 1977 and the Board of the Town of Cascade on April 4, 1977; and

WHEREAS, information has been presented to the Common Council which indicated that said property is urban or suburban in nature and that the City of Rochester is fully capable of providing municipal sewer and water and other services required by said property within a reasonable time.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Rochester that pursuant to said joint resolution, as amended, the Common Council hereby requests that the Minnesota Municipal Board undertake proceedings pursuant to Minnesota Statutes, §414.0325, for the annexation to the City of Rochester of the property described herefore which comprises approximately 0.35 acres and which is located in Cascade Township, County of Olmsted, State of Minnesota.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a certified copy of this resolution by certified mail for service or filing as the case may be with the Secretary of the Minnesota Municipal Board, the Cascade Town Clerk, the Olmsted County Planning and Zoning Commission, and the Rochester Planning and Zoning Department.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 3rd DAY OF June, 1985.

R. J. Post
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Carole A. Simon
CITY CLERK

Approved this 4th day of June, 1985.

Chuck Hoza
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 28 1985

Jean Anderson Skov
Secretary of State

REQUEST FOR COUNCIL ACTION

MEETING DATE: 6/3/85

AGENDA SECTION:		ORIGINATING DEPT:
REPORTS AND RECOMMENDATIONS		Consolidated Planning
ITEM: NO. <u>E-16</u>	ITEM DESCRIPTION: Orderly Annexation of property at 2101 2nd St. SW	PREPARED BY: Jeffrey Ellerbusch

May 28, 1985

City Planning and Zoning Commission Recommendation:

On May 22, 1985, the City Planning and Zoning Commission reviewed this request by the Albert Angelici family to annex a duplex at 2101 2nd Street SW.

The Commission finds the property abuts the municipal limits along its southern and eastern boundaries and can be serviced by sewer and water mains in front of the property. The Commission recommends the City initiate orderly annexation proceedings. Motion by Daube, seconded by Colby. All in favor, approved 5-0.

Consolidated Planning Department Recommendation:

See attached staff report dated May 16, 1985.

Council Action Needed:

If the Council wishes to proceed, it should instruct the City Attorney to prepare a resolution initiating the proceedings in accordance with the Orderly Annexation Agreement with Cascade Township.

Attached:

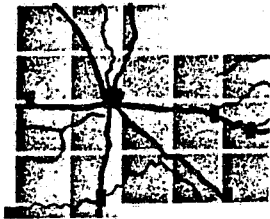
1. Consolidated Planning Department Staff Report.

DISTRIBUTION:

1. City Clerk -
2. City Attorney: Legal Description is attached for your use.
3. Consolidated Planning
4. Applicant: This matter will be considered sometime after 2:00 p.m. in the Council Chambers in City Hall on Monday, June 3, 1985.

JAE/rmj

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____



County of Olmsted

CONSOLIDATED PLANNING DEPARTMENT

1421 3rd Avenue S.E.
ROCHESTER, MN 55904-7996
Phone (507) 285-8232

Tom O. Moore
Planning Director

serving the townships and communities of Olmsted County

DIVISIONS

Administrative 285-8232
Housing 285-8224
Planning 285-8218 or 285-8215

TO: City Planning and Zoning Commission
FROM: Jeffrey A. Ellerbusch, Planner II *JAE*
Planning Division
DATE: May 16, 1985
RE: #85-5 Orderly Annexation of Property at 2101 2nd Street SW

Consolidated Planning Department Review:

Owner: Albert Angelici Estate
1139 2nd Street SW
Rochester, MN

Existing Land Use: Two story, concrete block duplex on a
60' x 257' lot.

Existing Zoning: HC "Highway Commercial" under the Olmsted County
Zoning Ordinance.

Future Land Use Plan: This property is designated for "low density
residential" use on the Future Land Use Map.

Future Zoning: If annexed to the City, this property would
be automatically zoned R-1 (Single Family
Residential). Under Paragraph 62.103
"Transitional Uses" of the Rochester Zoning
Code the continued use of this property as a
duplex will conform to the ordinance since
the lot lies adjacent to existing commercial
zoning on the east.

Referral Agency Comments: Public Services: see attached
All other agencies responding had no objections.

Staff Recommendations:

The staff recommends the City initiate orderly annexation as requested. The property lies adjacent on the east and south sides to the City limits. The needed sewer and water service can be easily provided by connection to the existing mains in front of the property.

Page 2
CP&ZC Hearing: May 22, 1985
#85-5 Annexation - Angelici Estate

Upon annexation this rental property will have to be registered with the Rochester Building and Safety Department under the City's Housing Code.

Attached:

1. 200 Scale Map
2. Applicant's letter

JAE/tg

Reviewed by: [Signature] 5/23/85
Supervisor-Planning Division Date

Reviewed by: [Signature] 5/16/85
Planning Director Date

TO: Consolidated Planning Dept. of
1621 - 3rd Street S.E.
Rochester, Minnesota 55901

FROM: Department of Public Services
1602 - 4th Street S.E.
Rochester, Minnesota 55901

DATE: 5/13/85

RE: Petition to Annex by the Orderly Annexation Agreement with Cascade
Township the Albert Angelici Estate property at 2101 2nd St. SW
85-5

In reply to your request for our review and comments on the above matter,
we submit the following:

1. Sanitary sewer and watermain is in place and located in the north
boulevard of 2nd Street S.W.

H0401

NORTH
1 1/2" = 200'

PROPERTY PROPOSED
FOR ANNEXATION

IN CITY
LIMITS

OUT OF
CITY

2ND ST SW

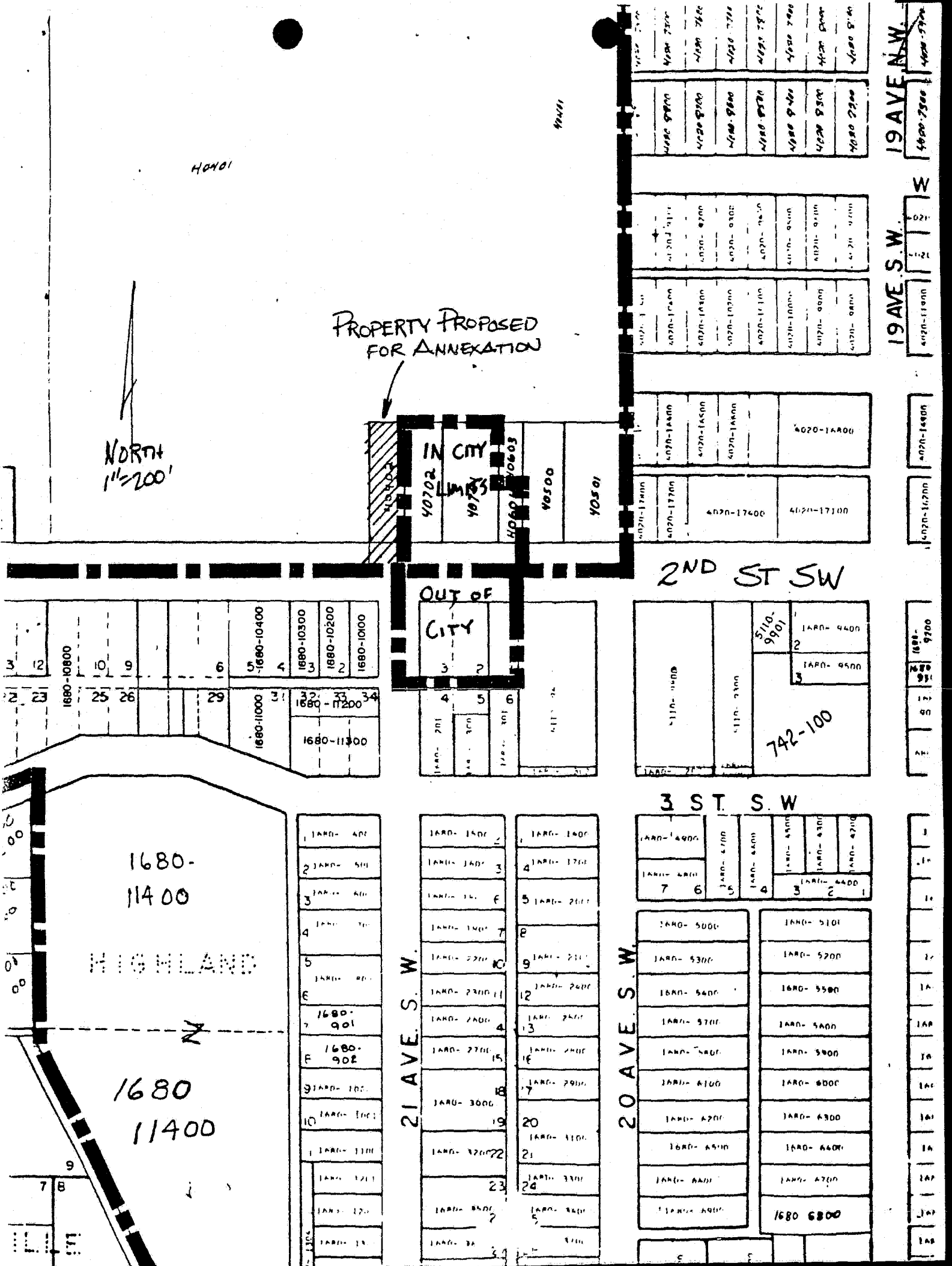
3 ST S.W

21 AVE. S.W.

20 AVE. S.W.

19 AVE. N.W.

19 AVE. S.W.



Dear Doc,

I request to the city council that they begin orderly annexation on my property located at 2101 2nd St. S.W. Enclosed is the description of the property.

I am also requesting that I may begin work on hooking up to the city of Rochester, as I have been advised by a few people that my septic system should be replaced to city as soon as possible. I have spoken to Mr. Jeff Ellenthal at the Planning and Zoning Committee, and he has informed me that annexation could take a few months. I will be waiting for your reply so that I may begin this work.

J.D. I have sent the land description to Mr. Ellenthal enclosed with the \$80.00 filing fee.

Sincerely,

Albert Anderson

Legal Description for:

2101 2nd St. S.W.

CASCADE Township 30 40402
W60 FT E433.5 FT
S307 FT W1/2 SW1/4
LESS 550 FT FOR ROAD
SEC 34 107 14

#36190