



STATE OF MINNESOTA  
MUNICIPAL BOARD

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

October 11, 1985

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

Docket Number A-4232

Ordinance Number 2468

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

A handwritten signature in cursive script, appearing to read "Patricia D. Lundy".

Patricia D. Lundy  
Assistant Director

PDL:sg

cc: Olmsted County Auditor  
Rochester Township Clerk  
Judy Kay Scherr, Deputy City Clerk  
John A. Klopp, Jr.  
Secretary of State

#36308  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
OCT 15 1985

*Grant Anderson Howe*  
Secretary of State

*Rochester*

*City of* **ROCHESTER**  
— *Minnesota* —

CAROLE A. GRIMM  
City Clerk  
Room 100, City Hall  
Rochester, MN 55902  
(507) 285-8086

September 25, 1985

Please replace the second page of Ordinance 2468 recently sent to you annexing 110.64 acres in Sections 3 and 4, Rochester Township. There was an error in the land description. (MMB Docket No. A-4232)

Thank you.

Judy Kay Scherr  
Deputy City Clerk

thence East parallel with North line of NW 1/4 of the NE 1/4, Section 9, 67.8 feet; running thence along a 6 degree curve to the right 539.4 feet; running thence Southeasterly 166 feet to a point which is 211.6 feet South of the North line of the NW 1/4 of the NE 1/4, Section 9.

The above described property is more particularly described by metes and bounds as follows:

Beginning at the southeast corner of the Southwest Quarter of Section 4, Township 106 North, Range 14 West; thence South 89 degrees 11 minutes 20 seconds West, assumed bearing, along the South line of said Southwest Quarter, 0.32 feet to the centerline of C.S.A.H. No. 122; thence North 01 degrees 10 minutes 41 seconds West, along said centerline, 205.56 feet; thence Northwesterly 2081.74 feet along said centerline and along a tangential curve concave to the southwest, central angle 62 degrees 27 minutes 08 seconds, radius 1909.86 feet, and the chord of said curve bears North 32 degrees 24 minutes 15 seconds west, 1980.21 feet; thence North 63 degrees 37 minutes 49 seconds West along said centerline, 322.86 feet to the West line of the East One Half of the Southwest Quarter of said Section 4; thence North 01 degree 03 minutes 25 seconds West along said West line, 573.86 feet to the Northwest corner of said East One Half; thence North 89 degrees 34 minutes 02 seconds East along the North line of said Southwest Quarter, 1312.82 feet to the Northeast corner of said Southwest Quarter; thence North 89 degrees 53 minutes 53 seconds East along the North line of the Southeast Quarter of said Section 4 a distance of 1298.82 feet to the Northeast corner of the West One Half of said Southeast Quarter; thence South 01 degree 17 minutes 46 seconds East along the East line of said West One Half, 1875.22 feet to a point 744.60 feet North of the Southeast corner of said East One Half; thence South 28 degrees 06 minutes 40 seconds West, 315.67 feet; thence North 01 degrees 17 minutes 46 seconds West, 0.83 feet; thence North 89 degrees 27 minutes 24 seconds West, parallel with the South line of said Southeast Quarter, 200.00 feet to a point which is 355.0 feet West of, measured at right angles to, the East line of the West One Half of the Southeast Quarter; thence South 01 degrees 17 minutes 46 seconds East, parallel with said East line, 465.45 feet to the South line of said southeast Quarter thence North 89 degrees 27 minutes 24

#36308

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 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 SEPTEMBER, 1985.

Judy Kay Scherr  
Deputy City Clerk  
City of Rochester, Minnesota

# 36308

(Seal of the City of  
Rochester, Minnesota)

ORDINANCE NO. 2468

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER, MINNESOTA, CERTAIN PLATTED AND UNPLATTED LANDS IN ROCHESTER TOWNSHIP, 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 the owners of land described herein, requesting the Common Council to annex said land to the City of Rochester. The various parcels of land described in said petition for annexation are located in Rochester Township, Olmsted County, Minnesota, and is described as follows:

PARCEL A

The E 1/2 of the SW 1/4, Section 4, Township 106, Range 14, Olmsted County, Minnesota, except that part of the E 1/2 of the SW 1/4 of said Section 4, lying westerly of the centerline of County Road No. 122; also

The West 1/2 of the SE 1/4 of Section 4, Township 106, Range 14, Olmsted County, Minnesota, excepting therefrom about 4 acres, bounded and described as follows, viz: Beginning at the Southeast corner of said subdivision and running thence West along the South line thereof a distance of 355 feet; running thence North 465.45 feet; running thence East 200 feet; running thence Northeasterly to a point on the East line of said Subdivision which is 744.6 feet north from the Southeast corner thereof; and thence South 744.6 feet along said East line to the point of beginning, except an undivided 1/2 interest in a strip of land 50 feet in width lying in the NW 1/4 of the NE 1/4, Section 9 and the SW 1/4 of the SE 1/4, Section 4, Town 106, Range 14, said strip being 25 feet in width on each side of the following described centerline: Beginning at a point 50 feet South of the NW corner of the NE 1/4, Section 9; running thence Northeasterly along a curve of a 75 foot radius 117.8 feet to a point which is 25 feet North and 75 feet East of said NW corner of NE 1/4, Section 9; running

thence East parallel with North line of NW 1/4 of the NE 1/4, Section 9, 67.8 feet; running thence along a 6 degree curve to the right 539.4 feet; running thence Southeasterly 166 feet to a point which is 211.6 feet South of the North line of the NW 1/4 of the NE 1/4, Section 9.

The above described property is more particularly described by metes and bounds as follows:

Beginning at the southeast corner of the Southwest Quarter of Section 4, Township 106 North, Range 14 West; thence South 89 degrees 11 minutes 20 seconds West, assumed bearing, along the South line of said Southwest Quarter, 0.32 feet to the centerline of C.S.A.H. No. 122; thence North 01 degrees 10 minutes 41 seconds West, along said centerline, 205.56 feet; thence Northwesterly 2081.74 feet along said centerline and along a tangential curve concave to the southwest, central angle 62 degrees 27 minutes 08 seconds, radius 1909.86 feet, and the chord of said curve bears North 32 degrees 24 minutes 15 seconds west, 1980.21 feet; thence North 63 degrees 37 minutes 49 seconds West along said centerline, 322.86 feet to the West line of the East One Half of the Southwest Quarter of said Section 4; thence North 01 degree 03 minutes 25 seconds West along said West line, 573.86 feet to the Northwest corner of said East One Half; thence North 89 degrees 34 minutes 02 seconds East along the North line of said Southwest Quarter, 1312.82 feet to the Northeast corner of said Southwest Quarter; thence North 89 degrees 53 minutes 53 seconds East along the North line of the Southeast Quarter of said Section 4 a distance of 1298.82 feet to the Northeast corner of the West One Half of said Southeast Quarter; thence South 01 degree 17 minutes 46 seconds East along the West line of said East One Half, 1875.22 feet to a point 744.60 feet North of the Southeast corner of said East One Half; thence South 28 degrees 06 minutes 40 seconds West, 315.67 feet; thence North 01 degrees 17 minutes 46 seconds West, 0.83 feet; thence North 89 degrees 27 minutes 24 seconds West, parallel with the South line of said Southeast Quarter, 200.00 feet to a point which is 355.0 feet West of, measured at right angles to, the East line of the West One Half of the Southeast Quarter; thence South 01 degrees 17 minutes 46 seconds East, parallel with said East line, 465.45 feet to the South line of said southeast Quarter thence North 89 degrees 27 minutes 24

seconds West along said South line 950.30 feet to the point of beginning, except an undivided one half interest in a strip of land 50 feet in width, along a portion of the Southerly line of the herein described property, and being subject to an easement for C.S.A.H. No. 122 right of way across the Westerly boundary thereof.

Containing 106.30 acres in all.

PARCEL B

The south 10.00 feet of Lot 47 and the south 10.00 feet of the east 148.00 feet of Lot 36 all of Hillcrest Subdivision, according to the plat thereof on file in the County Recorder's Office, Olmsted County, Minnesota.

Said tract contains 0.11 acres more or less.

PARCEL C

The south 10.00 feet of Lot 36 less the east 148.00 feet thereof and the south 10.00 feet of Lot 37 all of Hillcrest Subdivision, according to the plat thereof on file in the County Recorder's Office, Olmsted County, Minnesota.

Together with the south 10.00 feet of the Southeast Quarter of the Northeast Quarter of Section 4, Township 106 North, Range 14 West, Olmsted County, Minnesota, except Lots 36 and 37 of said Hillcrest Subdivision.

Together with the south 10.00 feet of the Southeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 4, Township 106 North, Range 14 West, Olmsted County, Minnesota, less the west 575.00 feet thereof.

Together with the east 265.00 feet of the west 575.00 feet of the Southeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 4, Township 106 North, Range 14 West, Olmsted County, Minnesota.

Said tracts contain 4.34 acres more or less,

Said petition has also been filed with the Town Board of Rochester Township, with the County Board of the County of Olmsted, and with the Minnesota Municipal Commission, and the Town Board of Rochester Township has notified the City that it has no objection to the annexation of the above-described land.



Section 2. The quantity of land included in said petition is approximately 110.65 acres in size.

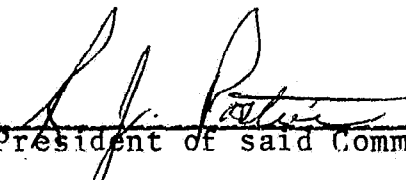
Section 3. The Common Council of the City of Rochester does hereby determine that the land described in Section 1 abuts upon the present territorial limits of the City of Rochester, is so conditioned as to be properly subjected to municipal government, and the annexation of said land will be in the best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

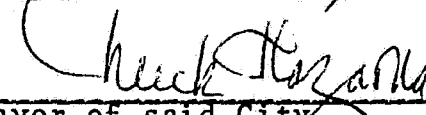
Section 6. This ordinance shall take effect and be in force from and after its official publication and from and after the filing of a certified copy hereof with the Minnesota Municipal Board, the Rochester Town Clerk, the County Auditor, and the Secretary of State.

Passed and adopted by the Common Council of the City of Rochester, Minnesota, this 16 day of September, 1985.

  
\_\_\_\_\_  
President of said Common Council

Attest:   
\_\_\_\_\_  
City Clerk

Approved this 17 day of September, 1985.

  
\_\_\_\_\_  
Mayor of said City

(Seal of the City of  
Rochester, Minnesota)

# REQUEST FOR COUNCIL ACTION

MEETING DATE: 8/19/85

AGENDA SECTION: REPORTS & RECOMMENDATIONS		ORIGINATING DEPT: Consolidated Planning
ITEM: NO. <u>E12</u>	ITEM DESCRIPTION: Annexation by Ordinance of 110.64 acres of Land in Sections 3 and 4 of Rochester Township.	PREPARED BY: Jeffrey Ellerbusch <i>JEE</i>

August 15, 1985

### City Planning & Zoning Commission Review :

At their meeting of August 14, 1985, the Commission considered this annexation and recommended it for approval. This same property with a slightly different configuration to gain adjacency to the City limits was petitioned for annexation in 1983 and at that time also recommended for approval by the Commission.

The Commission sees this annexation as a positive step that may spur on other annexation requests in the area and provide for the extension of water mains to other properties to the north already in the City limits that need water service from the high level tower.

Fogarty made a motion for approval, seconded by Kearns. All voted in favor. (8-0)

Mr. Don Borcharding of Yaggy and Associates presented the Commission a composite general development plan for the Klopp property and the vacant lands lying easterly. Also he provided two alternative development plans for the Klopp property. Mr. Borcharding said copies of the plans have been submitted to the Public Services Department for their review.

### Consolidated Planning Department Recommendation:

See attached staff report dated August 9, 1985. The Rochester Townboard voted to not object to this petition.

### Council Action Needed:

Should the Council wish to proceed, it should instruct the City Attorney to prepare an ordinance that can be adopted.

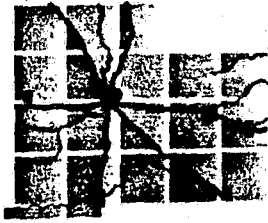
### Attached:

1. Staff report dated August 9, 1985.
2. Copy of Townboard Action letter dated July 9, 1985.

### DISTRIBUTION:

1. City Clerk: Copy of Petition is enclosed
2. City Attorney
3. Consolidated Planning
4. Yaggy and Associates
5. Applicants: This item will be considered sometime after 7:30 p.m. in the Council Chambers in the City Hall on August 19, 1985. The Council review is not a public hearing so no testimony will be taken.

**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

DIVISIONS

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

*-serving the townships and communities of Olmsted County*

TO: City Planning and Zoning Commission  
FROM: Jeffrey A. Ellerbusch, Planner II *JA*  
DATE: August 9, 1985  
RE: Request to Annex by Ordinance 110.64 acres of land in Sections 3 and 4  
of Rochester Township

Applicants:

John A. & Dorothy W. Klopp, Jr.  
607 2nd Street SW  
Rochester, MN 55902

Benjamin H. & Gene Y. Bacon  
103 Kings Crown Drive  
Sanibel, FL 33957

Dorothy Wood  
P. O. Box 1234  
Litchfield Park, AZ 85340

Michael & Kay Cooper Younge  
2410 Gates Drive SW  
Rochester, MN 55902

Eline V. & Dolores L. Knutson  
802 23rd Avenue SW  
Rochester, MN 55902

Report Attachments:

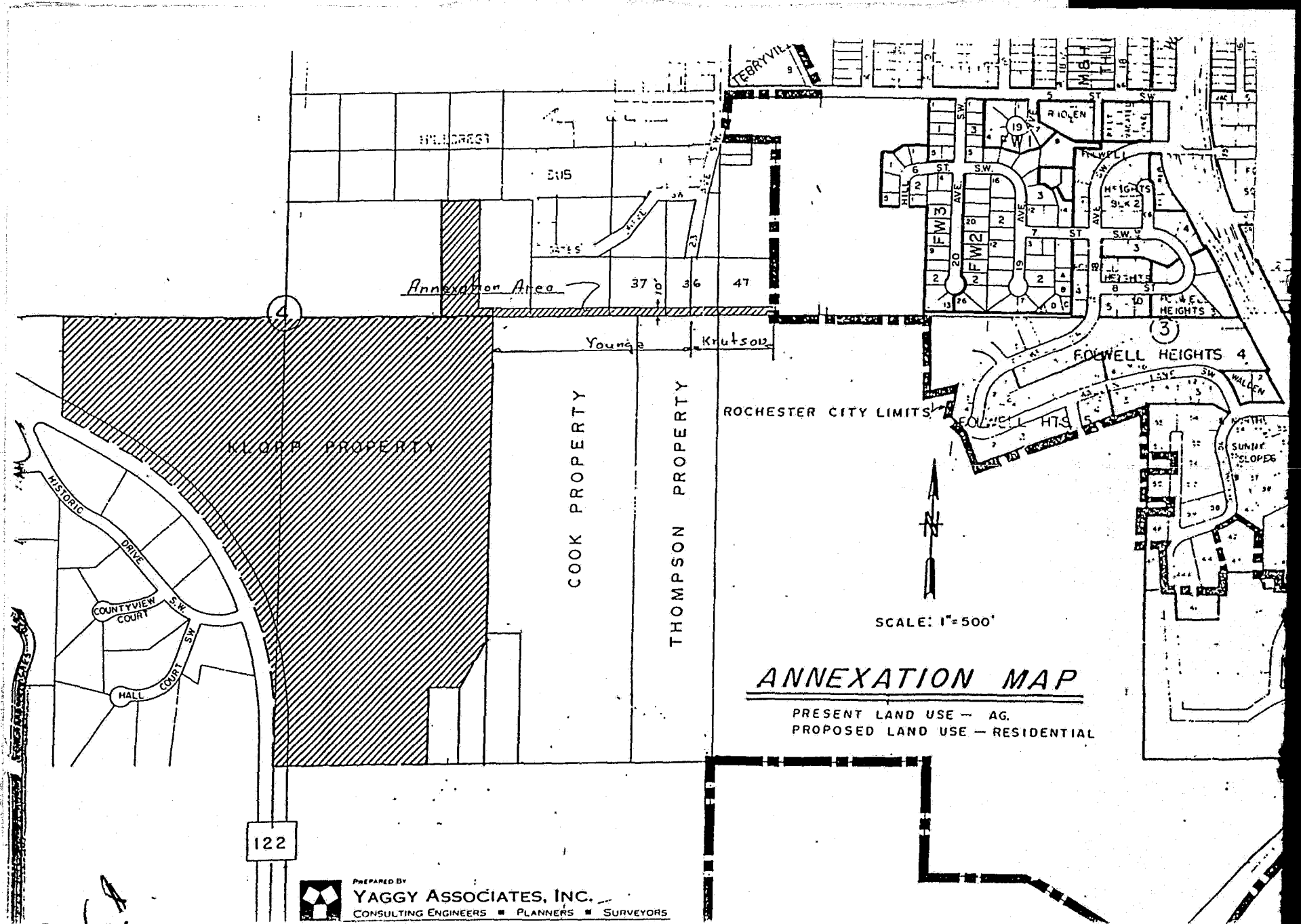
1. Applicant's Map
2. Location Map
3. Aerial Photo
4. Topographic Map
5. Excerpt of State Law Concerning Annexation

Referral Agency Comments:

Public Services, Water Dept., Park and Rec.,  
County Public Works: see attached. Other  
agencies responding had no objections or  
comments.

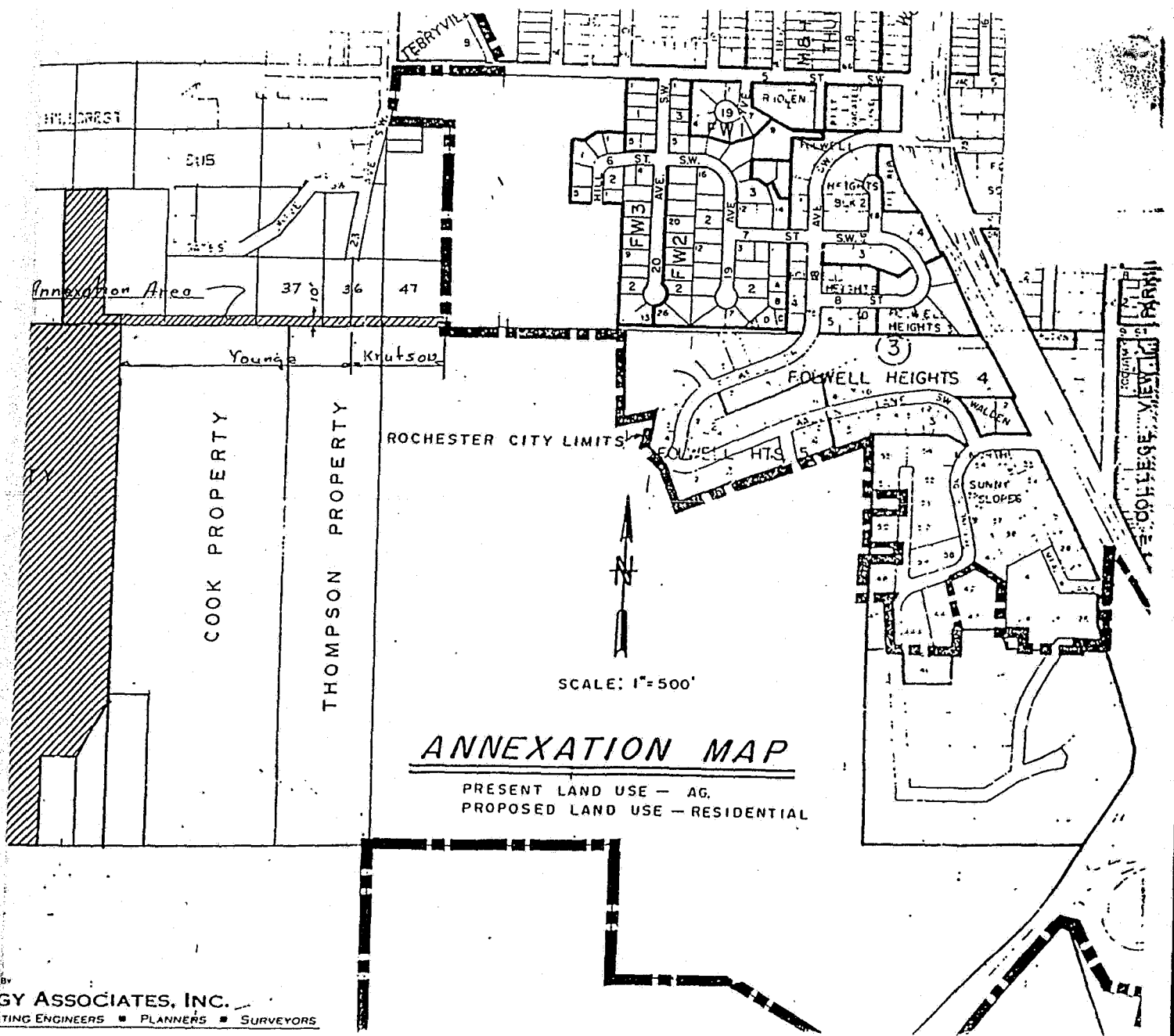
Location:

Southeasterly of the Rochester Golf and Country  
Club, along the east side of County Road 122.



36308  
O.D.

PREPARED BY  
**YAGGY ASSOCIATES, INC.**  
 CONSULTING ENGINEERS ■ PLANNERS ■ SURVEYORS



BY  
**GY ASSOCIATES, INC.**  
 ENGINEERING ENGINEERS • PLANNERS • SURVEYORS

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