



STATE OF MINNESOTA  
MUNICIPAL BOARD

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

April 10, 1986

Carole A. Grimm  
City Clerk  
Room 100, City Hall  
Rochester, Minnesota 55902-3163

Docket Number A-4296

Ordinance Number 2500

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*  
Patricia D. Lundy  
Assistant Director

*O.D.*  
*36577*

PDL:sg

cc: Olmsted County Auditor  
Rochester Township Clerk  
Judy Kay Scherr, Deputy City Clerk  
Chuck Mintey, Yaggy Associates, Inc.  
Secretary of State

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
APR 14 1986

*Jean Anderson*  
Secretary of State

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 18th DAY OF MARCH, 1986.

Judy Kay Scherr  
Deputy City Clerk  
City of Rochester, Minnesota

(Seal of the City of  
Rochester, Minnesota)

ORDINANCE NO.

2500

AN ORDINANCE ANNEXING TO THE CITY OF  
ROCHESTER, MINNESOTA, CERTAIN  
UNPLATTED LAND IN THE SOUTHWEST  
QUARTER OF SECTION 3, 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 owner 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 Rochester Township, Olmsted County, Minnesota, and is described together with adjacent public road right-of-way as follows:

That part of the Southwest Quarter of Section 3, Township 106 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence easterly on a Minnesota State Plane Grid Azimuth from north of 89 degrees 10 minutes 38 seconds along the north line of said Southwest Quarter 639.04 feet; thence southerly 179 degrees 10 minutes 38 seconds azimuth 626.52 feet to the point of beginning; thence easterly 89 degrees 10 minutes 38 seconds azimuth 780.00 feet; thence northeasterly 36 degrees 45 minutes 43 seconds azimuth 56.32 feet to a point on the westerly line of Lot 4, Block 1, Folwell Heights Fifth Subdivision; thence southeasterly 123 degrees 35 minutes 10 seconds azimuth along said westerly line 130.10 feet to the southerly corner of said Lot 4; thence southerly 158 degrees 35 minutes 10 seconds azimuth along the westerly line of said subdivision 260.15 feet to the southwesterly corner of said subdivision; thence westerly 248 degrees 34 minutes 20 seconds azimuth 199.67 feet; thence westerly 274 degrees 32 minutes 38 seconds azimuth 265.00 feet; thence southerly 194 degrees 02 minutes 06 seconds azimuth 386.31 feet; thence westerly 261 degrees 10 minutes 38 seconds azimuth 380.00 feet; thence northwesterly 316 degrees 10 minutes 38 seconds azimuth 245.00 feet; thence northerly 359 degrees 10 minutes 38 seconds azimuth 370.00 feet; thence easterly 89 degrees 10 minutes 38 seconds azimuth 80.00 feet; thence northerly 359 degrees 10 minutes 38 seconds azimuth 195.00 feet to the point of beginning.

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 objections to the annexation of the above-described land.

Section 2. The quantity of land included in said petition is approximately 12.54 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 17 DAY OF March, 1986.

R. J. [Signature]  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Carole A. [Signature]  
CITY CLERK

Approved this 18 day of March, 1986.

Chuck [Signature]  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

**REQUEST FOR COUNCIL ACTION**

MEETING DATE: 3/17/86

AGENDA SECTION: REPORTS AND RECOMMENDATIONS		ORIGINATING DEPT: Consolidated Planning
ITEM NO. 4-13	ITEM DESCRIPTION: ANX #86-2, Annexation by Ordinance 12.51 acres westerly of the end of Folwell Drive	PREPARED BY: <i>[Signature]</i>

March 13, 1986

CITY PLANNING AND ZONING COMMISSION REVIEW:

On March 12, 1986, the City Planning and Zoning Commission considered this annexation for lands proposed to be subdivided for single family lots. The Commission recommends approval of the annexation, noting that the property should not be permitted to develop without water mains being brought up from the new Southwest (Baihly) high level tower. There is not adequate water supply from the Folwell system to serve this property without linking to the new high level system.

Motion by Berndt, seconded by Batchelder. All voted in favor.

Townboard Review:

The Rochester Townboard will officially review this annexation on 3/13/86. Their expected response will be no objection. Their official report will be available by 3/14/86.

Consolidated Planning Department Recommendation:

See attached staff report dated March 4, 1986.

Council Action Needed:

Should the Council wish to proceed, it should instruct the City Attorney to prepare an ordinance that can be adopted. Applicant requests the Council waive the second reading of the annexation ordinance.

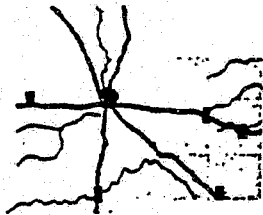
Attached:

- 1. Staff Report dated March 4, 1986

NOTE TO COUNCIL:

The applicants have requested that the Council discuss whether the street and utility improvements can be constructed as an assessment project prior to action on this annexation request. That discussion has been scheduled for the 3/17/86 Committee of the Whole meeting. *H.N.*

**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.  
Planning 285-8218  
Housing 285-8224

*serving the townships and communities of Olmsted County*

TO: City Planning and Zoning Commission

FROM: Jeffrey A. Ellerbusch, Planner II *JAE*

DATE: March 4, 1986

RE: Annexation #86-2 Petition to Annex by Ordinance 12.51 Acres of Vacant Land Westerly of the Present end of Folwell Drive SW.

General Information:

Applicants:

Younge Development Co.  
Rodney A. Younge  
214 4th Street SW  
Rochester, MN 55902

George R. Kerr, Attorney in Fact for  
Racheal Hendricks  
Charlyne Burks and  
Gladys Fager  
500 1st Avenue SE  
Rochester, MN. 555902

Existing Zoning:

A-4 (Agricultural Urban Expansion)  
Zoning District under the Olmsted County Zoning Ordinance.

Future Zoning:

Upon annexation, the property will be automatically zoned R-1 (Single Family Residential), under the City Zoning Code. The R-1 zone requires a minimum of 6,000 square feet per lot and every lot must be at least 60' wide. The area is planned for "Low Density Residential" use on the Future Land Use Map.

Transportation:

Folwell Drive SW leading into this property is a classified "collector" street on the Currently Held Valid Thoroughfare Plan. The existing right-of-way for Folwell Drive is 75' wide and would be extended into this property and is planned to turn northerly further to the west and connect with the existing 23rd Avenue SW.

Sewer and Water

The developers have already petitioned the City for the sanitary sewer, watermain and storm sewer public improvements. Trunk watermain would be extended into the area from the new high level southwest water tower through this property and into mains in Folwell Drive. Sewer comes into the property from Folwell Drive.

Page 2  
Annexation #85-2  
CP&ZC Meeting: March 12, 1986

Townboard Petition: See attached letter from the Townboard.

Report Attachments: 1. Location Map  
2. Letter from Townboard  
3. Referral letter from the Park & Rec Dept.

Staff Recommendation:

The boundaries of this area proposed for annexation are assumed to follow the boundaries of the future preliminary plat which will be presented to the City for review in April.

As noted by the Public Services Department there is a need for a general development plan for this area proposed for annexation and the land lying further to the west and south. The staff would expect such a plan to be submitted at the time a preliminary plat is filed. The plan should include a site for a future park for this neighborhood.

The staff recommends the property be annexed as proposed.

JAE/tg

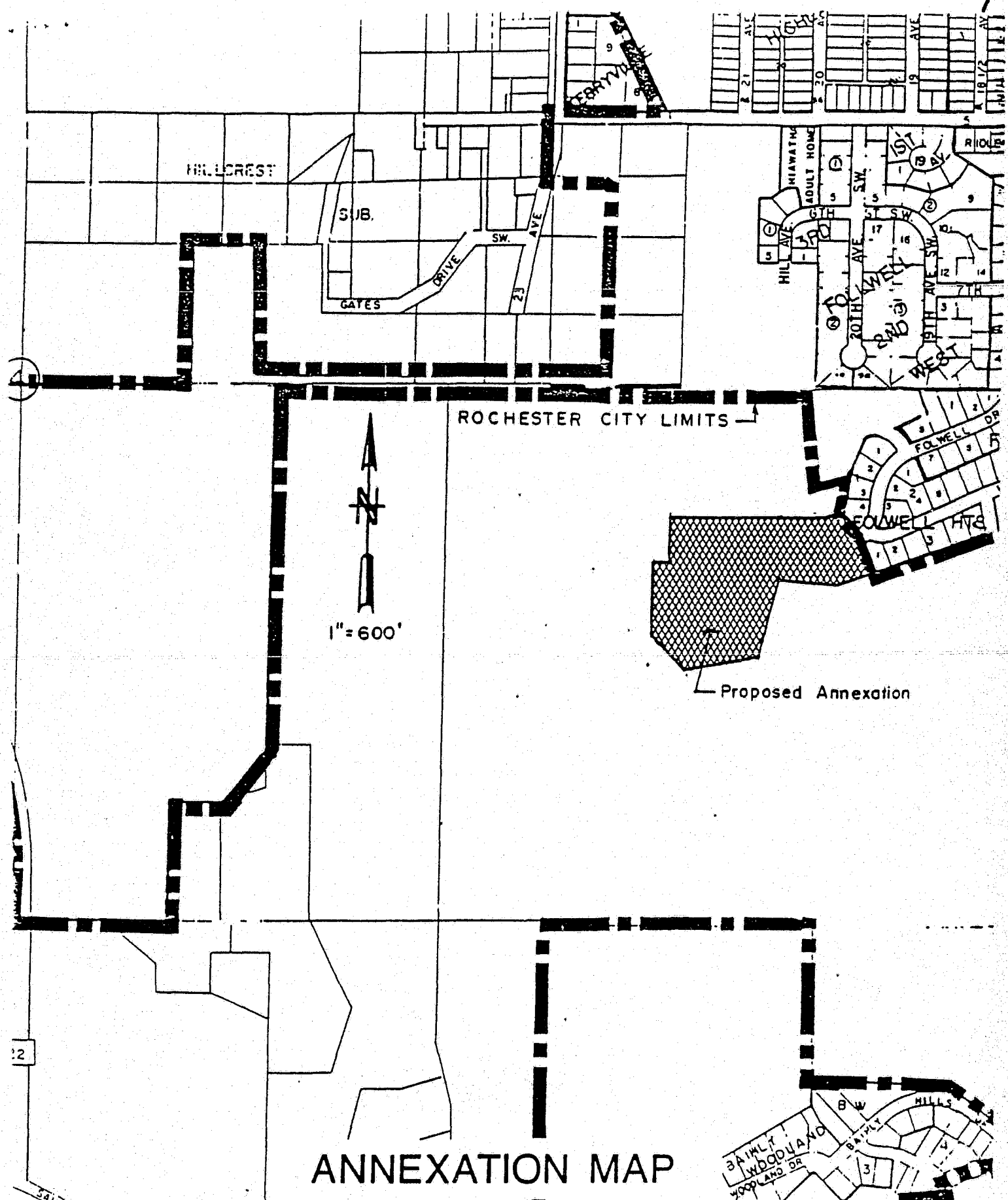
Reviewed by: *[Signature]* 3/4/86  
Supervisor, Planning Division Date

Reviewed by: *TOM / P.W.* 3/4/86  
Planning Director Date


STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
APR 14 1986  
*Jean Anderson Howe*  
Secretary of State

36577  
O.P.





# ANNEXATION MAP


 PREPARED BY  
**YAGGY ASSOCIATES, INC.**  
 CONSULTING ENGINEERS ■ PLANNERS ■ SURVEYORS  
 ROCHESTER, MINNESOTA    MASON CITY, IOWA

