



STATE OF MINNESOTA
MUNICIPAL BOARD

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

May 14, 1987

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

Docket Number A-4353

Ordinance Number 2544

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

137310

PDL:sg

cc: Olmsted County Auditor
Rochester Township Clerk
Judy Kay Scherr, Deputy City Clerk
Daniel L. Ruffalo, Attorney at Law
Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 20 1987

Secretary of State

Rochester

Olmsted

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 16 DAY OF APRIL, 1987.

Judy Kay Scherr
Deputy City Clerk
City of Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

ORDINANCE NO. 2544

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER, MINNESOTA, CERTAIN UNPLATTED LAND IN THE SOUTHWEST QUARTER OF SECTION 6, MARION TOWNSHIP, OLMS TED 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 Marion Township, Olmsted County, Minnesota, and is described, together with adjacent public road right-of-way as follows:

Parcel 1

That part of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 6, Township 106 North, Range 13 West, lying South of Trunk Highway 14, legally described as follows:

Beginning on the South line of the right-of-way of Trunk Highway No. 14, formerly Trunk Highway No. 7, at a point which is 692.3 feet easterly, measured along said right-of-way, from the West line of Section 6, for a place of beginning, thence easterly along said right-of-way line 243.33 feet, thence South at a right angle 236 feet, thence westerly parallel with said right-of-way line, a distance of 143.24 feet, thence westerly 155 feet, more or less, to the southwest corner of the parcel formerly conveyed to C.E. Spiess and recorded in Book 243 at page 601, thence running northerly along the east boundary of said parcel, a distance of 198.00 feet to the place of beginning.

Parcel 2

A parcel of land situated in that part of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 6, Township 106 North, Range 13 West, lying South of Trunk Highway 14, legally described as follows:

Beginning on the South line of the right-of-way of State Trunk Highway No. 14, formerly Trunk Highway No. 7, at a point which is 477.3 feet easterly, measured along said

right-of-way, from the West line of Section 6, for a place of beginning, thence continuing easterly along said right-of-way line for a distance of 215.00 feet, thence deflect to the right 102°, a distance of 198.00 feet, thence deflect to the right 77°40' in a westerly direction for a distance of 248.7 feet, thence deflect to the right 124°47' in a northeasterly direction for a distance of 35 feet, thence deflect to the left 15°2' in a northerly direction for a distance of 161.9 feet to the point of beginning.

Parcel 3

That portion of T.H. 14 (formerly T.H. 7) right-of-way in the Southwest Quarter of Section 6, Township 106 North, Range 13 West lying westerly of the following described line:

Beginning on the South line of the right-of-way of Trunk Highway No. 14, (formerly Trunk Highway No 7), at a point which is 935.63 feet easterly, measured along said right-of-way, from the West line of Section 6, for a place of beginning, thence North at a right angle to a point on the North line of the right-of-way of Trunk Highway No. 14 and there terminating.

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 Marion 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 2.39 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; or if appropriate, a connection charge and water service availability fee.

Section 6. This ordinance shall take effect and be in force from and after its Municipal Board approval.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 6 DAY OF April, 1987.

R. J. Peterson
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Carole A. Gannon
CITY CLERK

Approved this 7th day of April, 1987.

Chuck Peterson
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Kenneth F. Sette	Chair
Shirley J. Mihelich	Vice Chair
John W. Carey	Commissioner

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF ROCHESTER)
AND THE TOWN OF ROCHESTER PURSUANT TO)
MINNESOTA STATUTES 414)

ORDER

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Rochester and the Town of Rochester and duly accepted by the Minnesota Municipal Board; and

WHEREAS, a resolution was received from the City of Rochester indicating their desire that certain property be immediately annexed to the City of Rochester pursuant to M.S. 414.0325, Subdivision 1; and

WHEREAS, M.S. 414.0325 requires that the Minnesota Municipal Board review and comment, but within 30 days approve the annexation of land pursuant to said subdivision; and

WHEREAS, on April 9, 1987, the Minnesota Municipal Board has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed to the City of Rochester, Minnesota, the same as if it had originally been made a part thereof:

(PLATTED LANDS)

Lots 1 - 10 of Kleist Replat.

Lots 1, 2, 4, 9 - 22 and 24 - 33 less the north 178 feet of Lot 14 in Oak Hills Subdivision.

Together with the public right of way dedicated by the plat of Oak Hills Subdivision and Kleist Replat lying adjacent to the described lots.

(UNPLATTED LANDS)

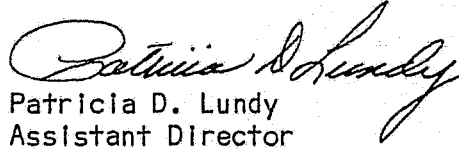
Highway 63 right-of-way lying between the North Line of the SE 1/4, Section 14, Township 106 North, Range 14 West and the South Line of the North 1/2 of the SE 1/4 Section 14, Township 106 North, Range 14 West, except U.S. Highway 63 right-of-way East of Lot 23, Oak Hills Subdivision.

IT IS FURTHER ORDERED: That the mill levy of the City of Rochester on the property herein ordered annexed shall be increased in substantially equal proportions over a period of three years to equality with the mill levy of the property already within the city.

IT IS FURTHER ORDERED: That the effective date of this order is April 9, 1987.

Dated this 9th day of April, 1987.

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, Minnesota 55101


Patricia D. Lundy
Assistant Director

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY 20 1987.
Joan Anderson Howe
Secretary of State

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