



STATE OF MINNESOTA  
MUNICIPAL BOARD

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

July 2, 1987

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

Docket Number A-4377

Ordinance Number 2553

City of Rochester

Dear Ms. Grimm:

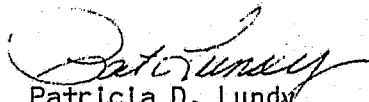
The Minnesota Municipal Board has now processed and approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

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.

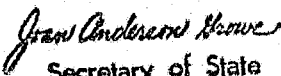
The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

  
Patricia D. Lundy  
Assistant Director

137402  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JUL - 9 1987

  
Secretary of State

PDL:sg

cc: Olmsted County Auditor  
Cascade Township Clerk  
Judy Kay Scherr, Deputy City Clerk  
William E. Tointon, McGhie & Betts, Inc.  
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 25TH DAY OF JUNE, 1987.

*Judy Kay Scherr*  
Deputy City Clerk  
City of Rochester, Minnesota

(Seal of the City of  
Rochester, Minnesota)

Koc 4121 DT  
NW

ORDINANCE NO.

2553

AN ORDINANCE RELATING TO ANNEXATION;  
ANNEXING APPROXIMATELY 0.17 ACRES IN  
SECTION 24 OF CASCADE TOWNSHIP

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 Cascade Township, Olmsted County, Minnesota, and is described, together with adjacent public road right-of-way as follows:

A part of the Northwest Quarter of Section 24, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 24; thence South 01 degree 34 minutes 55 seconds East, assumed bearing, along the east line of said Northwest Quarter, 243.50 feet; thence North 71 degrees 21 minutes 13 seconds West, 406.72 feet for a point of beginning; thence continue North 71 degrees 21 minutes 13 seconds West, 234.24 feet to the easterly right of way line of Trunk Highway No. 63; thence North 28 degrees 39 minutes 21 seconds East along said right of way line, 33.51 feet; thence South 71 degrees 21 minutes 13 seconds East, 140.73 feet; thence Northeasterly 48.23 feet along a tangential curve concave northerly, central angle of 41 degrees 14 minutes 48 seconds, and radius of 67.00 feet; thence South 22 degrees 36 minutes 01 seconds East, 66.00 feet to the point of beginning.

Said petition has also been filed with the Town Board of Cascade Township, with the County Board of the County of Olmsted, and with the Minnesota Municipal Commission, and the Town Board of Cascade 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 0.17 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 1<sup>st</sup> DAY OF June, 1987.

[Signature]  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

[Signature]  
CITY CLERK

Approved this 2<sup>nd</sup> day of June, 1987.

[Signature]  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

# REQUEST FOR COUNCIL ACTION

MEETING DATE: 4/20/87

AGENDA SECTION: REPORTS AND RECOMMENDATIONS	ORIGINATING DEPT: Consolidated Planning	
ITEM: NO. 412	ITEM DESCRIPTION: ANX #87-5, Annexation by Ordinance of a portion of the right-of-way for 41st Street NE off North Broadway	PREPARED BY: Jeffrey Ellerbusch

April 15, 1987

City Planning and Zoning Commission Recommendation:

At their meeting on 4/8/87, the City Planning and Zoning Commission reviewed this petition and recommended approval. The annexation will change the City boundaries so the entire right-of-way for the street is under City jurisdiction. Motion by Fogarty, seconded by Daube. All voted in favor.

Townboard Review:

The Cascade Townboard officially reviewed this annexation on 4/6/87 and voted not to object.

Consolidated Planning Department Recommendation:

See attached staff report dated March 31, 1987.

Council Action Needed:

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

Attached:

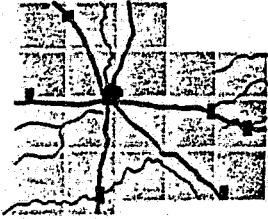
1. Staff Report dated March 31, 1987.

DISTRIBUTION:

1. City Clerk: Copy of Petition and Townboard waiver of objections as directed to the Minnesota Municipal Board are attached.
2. City Attorney: legal description is attached.
3. Consolidated Planning Department File
4. Bill Tointon, McGhie & Betts
5. Applicant: This item will be considered sometime after 7:30 p.m. in the Council Chambers at City Hall on April 20, 1987. The Council review is not a public hearing so no testimony will be taken.

JAE/rj

**COUNCIL ACTION:** Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_ to: \_\_\_\_\_



Rochester-Olmsted  
CONSOLIDATED PLANNING DEPARTMENT  
2122 Campus Drive S.E.  
ROCHESTER, MN 55904-7996



Olmsted County

*servicing the townships and communities of Olmsted County*

DIVISIONS

Administration 507-285-8232  
Planning 507-285-8232  
Housing 507-285-8224

TO: Rochester City Planning and Zoning Commission

FROM: Jeffrey A. Ellerbusch, Planner *JAE*

DATE: March 31, 1987

RE: Petition to Annex by Ordinance #87-5, a Portion of the Right-of-Way of  
41st Street NE

General Information:

Owner/Petioners:

Harold and Muriel Morris  
4230 Highway 63 North  
Rochester, MN 55901

Size:

0.17 Acres

Existing Use:

The north half of the right-of-way for 41st Street NE. The use of this property for a road was granted to the City by an easement during the platting of Viking Hills First Subdivision.

Townboard Review:

The Cascade Townboard is scheduled to consider this annexation at their April 6, 1987, meeting.

Staff Recommendation:

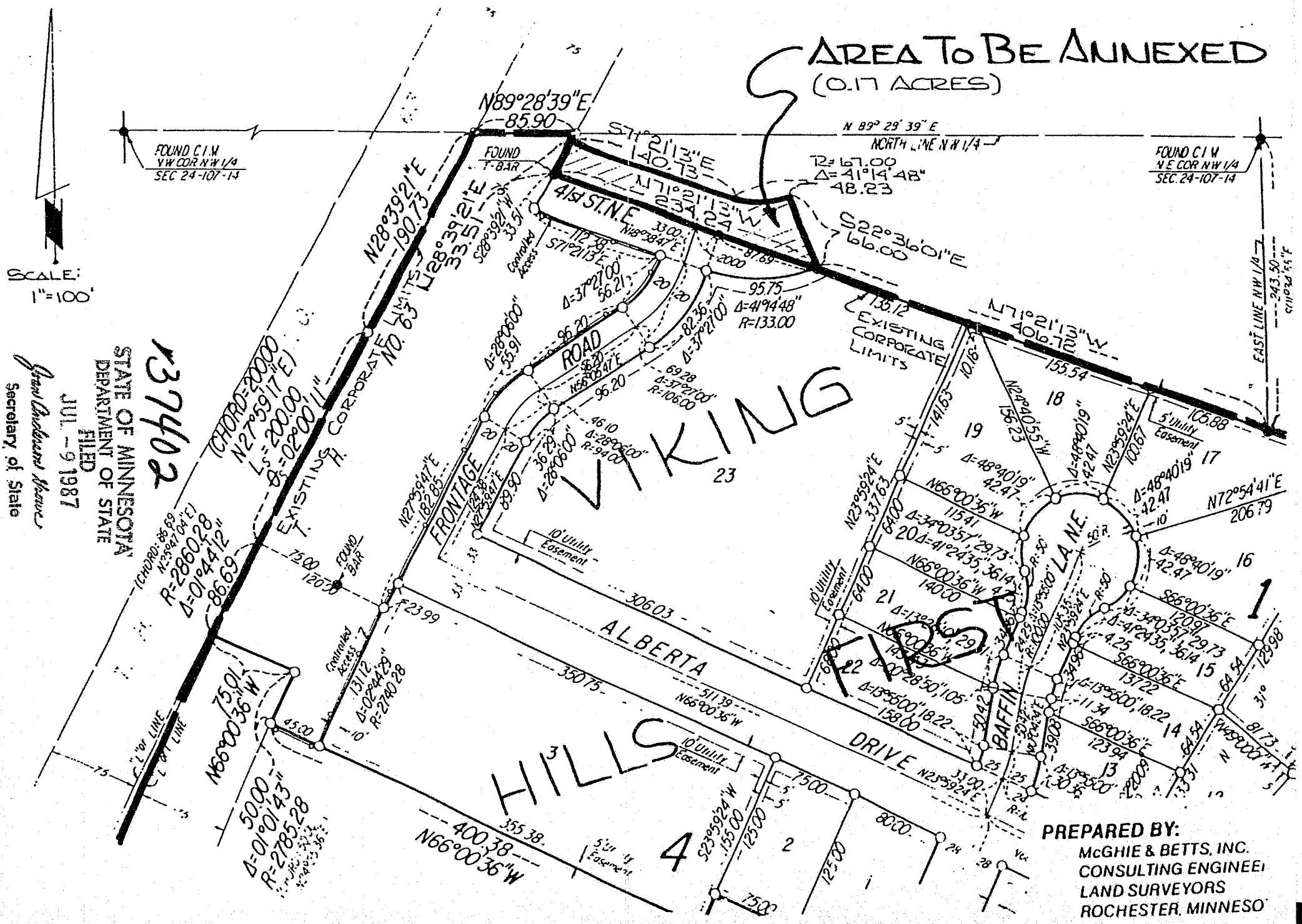
The staff recommends this property be annexed to clarify that the entire roadway for 41st Street NE is in the City limits.

Reviewed by:

*Philip A. Wheeler*  
Philip Wheeler, Supervisor, Planning Division

*4/2/87*  
Date

**AREA TO BE ANNEXED**  
(0.17 ACRES)



137402

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
JUL - 9 1987  
Grand Auditor's Office  
Secretary of State

**PREPARED BY:**  
McGHEE & BETTS, INC.  
CONSULTING ENGINEER  
LAND SURVEYORS  
ROCHESTER, MINNESOTA