



STATE OF MINNESOTA  
MUNICIPAL BOARD

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

June 5, 1989

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

Docket Number A-4596

Ordinance Number 2634

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 Lundy - sh*

Patricia D. Lundy  
Assistant Director

PDL:ry

cc: Olmsted County Auditor  
Rochester Township Clerk  
Judy Kay Scherr, Deputy City Clerk  
Jeff Ellerbusch, Consolidated Planning Department  
Raymond C. Meyer, Legal Counsel  
Secretary of State

39194  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

JUN 8 1989

*John Andrew Howard*  
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 31st DAY OF MAY, 1989.

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

(Seal of the City of  
Rochester, Minnesota)

ORDINANCE NO.

2634

AN ORDINANCE RELATING TO ANNEXATION; ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 180 ACRES OF LANDS SITUATED IN PORTIONS OF THE SOUTHWEST QUARTER OF SECTION 15, AND THE NORTHEAST AND SOUTHEAST QUARTERS OF SECTION 16, ROCHESTER 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 Rochester Township, Olmsted County, Minnesota, and is described together with adjacent public road right-of-way as follows:

1. The Southwest Quarter (SW1/4) of Section 15, Township 106 North, Range 14 West, Olmsted County, Minnesota excepting therefrom:
  - (a) That part thereof platted as part of Merrihills Subdivision
  - (b) That part thereof platted as part of Merrihills Second Subdivision
  - (c) That part thereof lying East of said Merrihills Subdivision and of said Merrihills Second Subdivision
  - (d) That part of the Northwest Quarter of the Southwest Quarter of Section 15, Township 106 North, Range 14 West, Olmsted County, Minnesota, included within the parcel described by metes and bounds as follows:

Beginning at the Northwest corner of said Northwest Quarter of the Southwest Quarter of Section 15, said point also being the northeast corner of Lot 2, Block 6 in Merrihills Subdivision; thence northeasterly along the southeasterly line of Lot 1 of said Block 6 a distance of 181.10 feet, to the East corner of said Lot 1; thence southeasterly at right angles along the westerly right-of-way of Institute Road S.W. as platted in said Subdivision a distance of 188.75 feet to the point of curvature of a curve concave to the Southwest, radius 2571.35 feet and delta angle of 10 degrees 37 minutes; thence along said curve and said right-of-way 476.50 feet to the point of tangency of said curve; thence West at a deflection angle of 117 degrees 07 minutes to the right from the tangent of said curve a distance of 511.90 feet to the West line of the Southwest Quarter of said Section 15; thence North at a deflection angle of 89 degrees 46 minutes to the right along said West line a distance of 440.00 feet to the place of beginning.

- (e) That part of the Southeast Quarter of the Southwest Quarter of Section 15, Township 106 North, Range 14 West described by metes and bounds as follows:

Beginning at the Southwest corner of Lot 1, Block 1, Merrihills Second Subdivision; thence West on the section line a distance of 100 feet, thence North parallel to the West line of said Lot 1 a distance of 100 feet, thence East parallel to the section line a distance of 80 feet, thence North parallel to the West line of said Lot 1 a distance of 220 feet, thence East parallel to the section line a distance of 20 feet, thence South along the West line of Lot 1 and said line extended a distance of 320 feet to the point of beginning.

2. That part of the Northeast Quarter (NE-1/4) of Section 16, Township 106 North, Range 14 West, lying East of the Center line of Bamber Valley Road S.W. (C.S.A.H. #8) excepting therefrom:

- (a) That part thereof platted as part of Merrihills Subdivision
- (b) That part thereof platted as part of Institute Hills First Subdivision
- (c) That part thereof described by metes and bounds as follows:

Beginning at a point in the South line of said Quarter Section where the West line of Lot 2, Block 5 of Merrihills Subdivision intersects said line, thence West along the South line of said Quarter Section a distance of 60.0 feet, thence northwesterly at a deflection angle of 41 degrees 43 minutes to the right a distance of 73.84 feet, thence northwesterly at a deflection angle of 08 degrees 16 minutes to the right a distance of 191.73 feet, thence northwesterly at a deflection angle of 13 degrees 43 minutes to the right a distance of 89.89 feet, thence northwesterly at a deflection angle of 19 degrees 49 minutes to the right a distance of 168.64 feet, thence North at a deflection angle of 06 degrees 19 minutes to the right a distance of 249.7 feet, thence northeasterly at a deflection angle of 11 degrees 32 minutes to the right a distance of 179.8 feet to a point in the southerly Right-of-Way line of Bamber Valley Road S.W. (C.S.A.H. #8), thence northeasterly along said Right-of-Way line at a deflection angle of 31 degrees 57 minutes to the right a distance of 33.41 feet to a point in the westerly boundary of Institute Hills First Subdivision, thence southeasterly at a deflection angle of 99 degrees 02 minutes to the right a distance of 61.15 feet to the beginning of a curve to the left, whose radius is 716.8 feet and delta angle is 53 degrees 06 minutes to the left from the previous described course, thence southeasterly along said curve a distance of 259.85 feet to a point where the West line of Lot 2, Block 5 of Merrihills Subdivision extended North intersects said curve, thence South along the West line of said Lot 2 a distance of 673.3 feet to the place of beginning.

3. That part of the Northwest Quarter of the Southeast Quarter (NE-1/4 of SE1/4) of Section 16, Township 106 North, Range 14 West, lying East of the Center line of Bamber Valley Road S.W. (C.S.A.H. #8).

4. The East Half of the Southeast Quarter (E1/2 of SE1/4) of Section 16, Township 106 North, Range 14 West excepting therefrom:

- (a) That part thereof platted as part of Merrihills Subdivision
- (b) That part of the Northeast Quarter of the Southeast Quarter of Section 16, Township 106 North, Range 14 West, described by metes and bounds as follows:

Beginning at a point on the North line of said quarter quarter section which is 540.2 feet West of the Northeast corner thereof which point is the Southeast corner of Lot 2, Block 5 in Merrihills Subdivision, Olmsted County, thence Southeasterly along the Westerly right-of-way line of the public road as platted in said subdivision a distance of 325.77 feet, thence West parallel with the North line of said quarter quarter section a distance of 306.0 feet, thence Northeasterly at a deflection angle of 46 degrees 00 minutes to the right a distance of 417.6 feet to a point on the North line of said quarter quarter section which point is the Southwest corner of Lot 2, Block 5 in said subdivision, thence East along the North line of said quarter quarter section a distance of 478.3 feet to the place 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 Board, 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 180 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 lands 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 15 DAY OF May, 1989.

Dee B. Selby  
PRESIDENT OF SAID COMMON COUNCIL

ATTEST:

Carol A. Summ  
CITY CLERK

APPROVED THIS 16 DAY OF May, 1989.

Chuck H. H. H.  
MAYOR OF SAID CITY

(Seal of the City of  
Rochester, Minnesota)

139194  
STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

JUN 8 1989

John Anderson  
Secretary of State