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Phone: (612) 296-2428

STATE OF MINNESOTA
MUNICIPAL BOARD

165 Metro Square Building
121 East Seventh Place
St. Paul, Minnesota 55101-2142

February 1, 1990

Carole Grimm
City Clerk
224 - 1st Avenue Southwest
Rochester, MN 55902-3163

Docket Number: A-4687

Ordinance Number: 2667

City of Rochester

Dear Ms. Grimm:

The Minnesota Municipal Board has now processed and filed the above ordinance pursuant to Laws 1971 Chapter 916, Section 26 as amended by Laws 1973, Chapter 88.

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 recommend that you also 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

Pat Lundy
Patricia D. Lundy
Assistant Director

PDL:ry

cc: Olmsted County Auditor
Rochester Township Clerk
High Forest Township Clerk
Judy Kay Scherr, Deputy City Clerk
Secretary of State

4/0025
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

FEB. 14 1990

Joan Anderson
Secretary of State

Rochester

ORDINANCE NO. 2107

AN ORDINANCE RELATING TO ANNEXATION, ANNEXING TO THE CITY OF ROCHESTER CERTAIN LANDS WITHIN THE TOWNSHIPS OF ROCHESTER AND HIGH FOREST THAT ARE PRESENTLY CONTAINED WITHIN THE WILLOW CREEK SANITARY SEWER DISTRICT TO THE CITY OF ROCHESTER.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Pursuant to the authority granted to the City of Rochester by virtue of the enactment of Laws 1973, Chapter 89, Section 26, and a certain agreement entered into between the City of Rochester and the County of Olmsted creating a joint sewer district, known as the Willow Creek Sanitary District, the following described lands, comprising 2574 acres, more or less, located in the Townships of Rochester and High Forest, and described as follows:

All lands platted or unplatted which lies within the following described area being parts of Section 26, 27, 34, and 35 of Rochester Township and Sections 2, 3, 10, and 11 of High Forest Township.

Commencing at a point of beginning at the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 26 T106N R14W thence south along the east line of Section 26 to the Northeast corner of Section 35-106-14; thence west to the NW corner of E 1/2 of the E 1/2 of Section 35; thence South to the SE corner of the NW 1/4 of the NE 1/4 Section 2-105-14; thence West to the center line of Section 2; thence south along said center line to a point 1017.51 feet south of the center Section 2, thence west to the east line of the NW 1/4 of the SW 1/4 of said Section 2; thence south to the SE corner thereof; thence west to the easterly right-of-way line of TH 63; thence southerly along said right-of-way line to the east line of Section 10-105-14; thence south along said east line to the south line of the N 1/2 of the S 1/2 of said Section 10; thence west along said south line to the west line of said Section 10; thence North along said west line to the north line of said Section 10; thence east along said north line to the west line of the E 1/2 of the SW 1/4, Section 3-105-14; thence north along said west line to the north line of said SW 1/4; thence east along said north line to the north-south center line of Section 3-105-14; thence north along the centerline lines of Sections 3-105-14 and Sections 34 and 27-106-14 to the northwest corner of the southwest quarter of the southeast quarter of Section 27-106-14; then east along the north line of the South half of the South half of Sections 27 and 26 Township 106N R14W to the point of beginning;

together with:

S 1/2 of SW 1/4, Section 27, in Township 106 range 14 W; and NW 1/4, and N 1/2 of SW 1/4, all section 34 Township 106 in Range 14, all in Olmsted County.

Less the following described property:

any part of Lot 5, Block 1, Conway's Subdivision Olmsted County Minnesota, lying in the West 1/2 of the Southeast 1/4 of Section 35-106-14 and a parcel of unplatted land described as follows:

Commencing at the Northeast corner of the Southeast 1/4 of Section 35, T106N,R14W and running South 0°18'3" East along the East line thereof a distance of 935 feet; thence due West 1203 to a point of beginning; thence North 127 feet; thence West 206.65 feet; thence South 489.82 feet; thence South 39°18'3" East 66.03 feet; thence North 413.42 feet; thence East 164.2 feet to the point of beginning.

Total area contains 2574 acres more or less.

are 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 2. 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 additional trunk line sanitary sewer construction, heretofore or hereafter undertaken to serve the area annexed.

Section 3. Present and future owners of the lands annexed by this ordinance are hereby notified that it is the intention of the City of Rochester to provide electrical service through its Public Utility Department to any development on the lands annexed; and that said annexation by the City represents a commitment by the City to extend its electrical distribution facilities to serve said lands.

Section 4. This ordinance shall take effect and be in force from and after its official publication, but in no event earlier than 12:01 a.m. on December 31, 1989, and a certified copy of this ordinance shall be filed by the city clerk with the Minnesota Municipal board, the Rochester Town Clerk, the High Forest Town Clerk, the County Auditor, and the Minnesota Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 18 DAY OF December 1989.

Deane B. Selby
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Carol A. Gorman
CITY CLERK

APPROVED THIS 19 DAY OF December, 1989.

Paul V. Kishi
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

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 19TH DAY OF DECEMBER, 1989.

Judy Kay Scherr
Deputy City Clerk
City of Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

FEB 14 1990

Joan Anderson
Secretary of State