

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER
APPROXIMATELY 47.41 ACRES, LOCATED AT NORTHEAST
CORNER OF 55TH STREET NW AND 18^H AVENUE NW.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Whereas the subject Community Development Department has received a petition by the landowner requesting the annexation of the subject property by the City of Rochester.

Section 2. Whereas the subject property abuts the City of Rochester, is less than 120 acres in size, and is not served by a wastewater facility other than the City of Rochester.

Section 3. The City of Rochester Community Development Department has requested that the Common Council annex said land to pursuant to Minn. Stat. §414.033 Subd.2(3). The land described in the annexation request is described as follows:

That part of the Southeast Quarter of Section 10, Township 107 North, Range 14 West, Olmsted County, Minnesota described as follows:

Commencing at the southwest corner of the Southeast Quarter of said Section 10; thence North 00 degrees 14 minutes 29 seconds West (NOTE: All bearings are in relationship with the Olmsted County Coordinate System NAD '83, Adjusted 1996), along the west line of said Southeast Quarter, 75.00 feet to the POINT OF BEGINNING; thence continue North 00 degrees 14 minutes 29 seconds West, along said west line, 2095.92 feet; thence South 89 degrees 42 minutes 26 seconds East, 466.20 feet; thence South 00 degrees 16 minutes 57 seconds East, 412.45 feet; thence South 89 degrees 42 minutes 26 seconds East, 550.00 feet; thence South 00 degrees 16 minutes 57 seconds East, 959.18 feet; thence South 40 degrees 55 minutes 41 seconds West, 201.41 feet; thence South 49 degrees 04 minutes 19 seconds East, 319.10 feet; thence southeasterly 141.75 feet along a tangential curve, concave northeasterly, having a central angle of 40 degrees 36 minutes 26 seconds

and a radius of 200.00 feet; thence South 89 degrees 40 minutes 45 seconds East, 289.59 feet; thence South 00 degrees 19 minutes 15 seconds West, 316.00 feet to the north right-of-way line of 55th Street NW; thence North 89 degrees 40 minutes 45 seconds West, along said north right-of-way line, 1541.00 feet to the POINT OF BEGINNING.

Said parcel contains 47.41 acres, more or less, including the 18TH AVE NW right-of-way. Said parcel is subject to the 18TH AVE NW right-of-way along the westerly side thereof.

The above described parcel is subject to any easements, covenants, and restrictions of record.

Section 3. On April 8, 2024, the Common Council held a public hearing and considered annexation of the subject property.

Section 4. The City provided notification of said public hearing, pursuant to Minn. Stat. §414.033, subd. 2b, by giving 30 days' written notice by certified mail to the Cascade Township and to all landowners within and contiguous to the area to be annexed.

Section 5. Following the public hearing, the Common Council of the City of Rochester determined that the land abuts the City of Rochester, is less than 120 acres in size, and is not served by a wastewater facility other than the City of Rochester.

Section 6. As provided in Minn. Stat. §414.036, the City shall pay the Township the equivalent of three years' taxes in two years.

Section 7. Therefore, pursuant to Minn. Stat. §414.033, subd. 2(3), the land described in Section 2 above is hereby annexed, added to and made a part of the City of Rochester, Minnesota, as if it had originally been a part thereof.

Section 8. 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, pumping station, and trunk line sanitary sewer construction, heretofore or hereafter undertaken to serve the area annexed.

Section 9. Upon annexation the land described in Section 2 above will be 20 acres of property will be zoned R-3 (Medium Density Residential) and 25 acres of land will be zoned MXC (Mixed Use Center) per the zone change exhibit legal descriptions attached to the Staff Memo.

Section 10. 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 Office of Administrative Hearings – Municipal Boundary Adjustments, the Cascade Township Clerk, the County Auditor and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS _____



ATTEST:

Kelly K. Giatt
CITY CLERK

Beards
PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS _____



Kim Norton
MAYOR OF SAID CITY