

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER APPROXIMATELY 36.84 ACRES OF LAND LOCATED SOUTH OF WHEELOCK DRIVE NE AND NORTH OF SILVER CREEK ROAD NE AND THE EAST CIRCLE DRIVE NE AND VIOLA ROAD NE RIGHT-OF-WAY PARCELS.

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 Parcel 2 of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 116 lying within the Northwest Quarter of the Northeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota.

TOGETHER WITH:

That part of Parcel 2 of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 116 lying within the Northeast Quarter of the Northeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, lying west of the following described line:

Commencing at the northeast corner of said Northeast Quarter; thence southerly on a

Minnesota State Plane Grid Azimuth from north of 179 degrees 03 minutes 15 seconds along the east line of said Northeast Quarter, 867.72 feet to the center line of CSAH No. 2; thence westerly 337.66 feet along said center line on a nontangential curve concave northerly, having a radius of 2864.79 feet, a central angle of 06 degrees 45 minutes 11 seconds and a chord azimuth of 265 degrees 56 minutes 58 seconds; thence westerly 269 degrees 19 minutes 37 seconds azimuth along said center line 371.66 feet to the point of beginning of the line to be described; thence southerly 179 degrees 19 minutes 32 seconds azimuth 395.01 feet and said line there terminating.

EXCEPTING therefrom any part of the above described Parcel 2 previously annexed to the City of Rochester, Minnesota.

ALSO:

Parcel 3 of AMENDED OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 116, Olmsted County, Minnesota, EXCEPTING therefrom that part of said Parcel 3 previously annexed to the City of Rochester, Minnesota, shown as Parcel 3 of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 45.

ALSO:

Parcel 1, Parcel 2, and Parcel 3 of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 46, Olmsted County, Minnesota.

ALSO:

That part of the Northwest Quarter of the Southeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, lying west of the westerly right of way line of CSAH No. 22 as shown on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 46.

ALSO:

Parcel 1, Parcel 2, Parcel 2a, and Parcel 2c of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47, Olmsted County, Minnesota, EXCEPTING therefrom that part of said Parcel 2 lying within the North Half of the Northeast Quarter of Section 31, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence westerly on a Minnesota State Plane Grid Azimuth from north of 269 degrees 39 minutes 30 seconds along the north line of said Northeast Quarter, 1743.15 feet to the easterly right of way line of CSAH No. 22, as defined by OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47; thence southerly 261.78 feet along said easterly right of way line on a

nontangential curve, concave easterly, having a radius of 4463.80 feet, a central angle of 03 degrees 21 minutes 37 seconds, and a chord azimuth of 159 degrees 01 minutes 30 seconds; thence southerly 160 degrees 17 minutes 45 seconds azimuth, along said easterly right of way line, 388.43 feet; thence southeasterly 157 degrees 20 minutes 40 seconds azimuth, along said easterly right of way line, 47.60 feet to the point of beginning; thence southeasterly 157 degrees 20 minutes 40 seconds azimuth, along said easterly right of way line, 615.49 feet to the northerly right of way line of Silver Creek Road; thence westerly 269 degrees 35 minutes 55 seconds azimuth, 21.61 feet; thence northwesterly 337 degrees 20 minutes 40 seconds azimuth, 605.28 feet; thence easterly 61 degrees 33 minutes 38 seconds azimuth, 20.10 feet to the point of beginning.

ALSO:

That part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, described as follows:

Commencing at the Northeast corner of the Southwest Quarter of the Southeast Quarter of said Section 30; thence westerly on a bearing of South 89 degrees 34 minutes 29 seconds West (assumed bearing) along the north line thereof for 687.16 feet for a point of beginning; thence continue on the last described course for 51.37 feet to the east right of way line of CSAH No. 22 as shown on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47; thence South 13 degrees 39 minutes 09 seconds East along said east right of way line for 511.75 feet; thence North 76 degrees 20 minutes 51 seconds East for 50.00 feet; thence North 13 degrees 39 minutes 09 seconds West, parallel with said east right of way line, 500.00 feet to the point of beginning.

ALSO:

Parcel 3 of OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 117, Olmsted County, Minnesota, EXCEPTING therefrom any part of said Parcel 3 previously annexed to the City of Rochester, Minnesota.

Containing in all, 36.84 acres, more or less.

Section 4. On October 21, 2024, the Common Council held a public hearing and considered annexation of the subject property.

Section 5. 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 Haverhill Township and to all landowners within and contiguous to the area to be annexed.

Section 6. 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 7. As provided in Minn. Stat. §414.036, the City shall pay the Township the equivalent of three years' taxes in two years.

Section 8. Therefore, pursuant to Minn. Stat. §414.033, subd. 2(3), the land described in Section 3 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 9. 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 10. Upon annexation the land described in Section 3 above will be 36.84 acres of property zoned R-2 (Low Density Residential – Small Lot).

Section 11. 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 Haverhill Township Clerk, the County Auditor and the Secretary of State.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS _____ DAY OF _____, 2024.

PRESIDENT OF SAID COMMON COUNCIL

ATTEST: _____
CITY CLERK

APPROVED THIS ____ DAY OF _____, 2024.

MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)