

An Equal Opportunity Employer

Phone: 296-2428



STATE OF MINNESOTA
MUNICIPAL BOARD

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

September 21, 1978

Ms. Carole Grimm
Rochester City Clerk
City Hall
Rochester, MN 55901

Re: Docket Number A-3361

Ordinance Number 1979

City of Rochester, Twelve Seas

Ladies and Gentlemen:

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

According to law, this annexation 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.)

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
Patricia D. Lundy
Assistant Executive Director

PDL:dsm

cc: Secretary of State ✓
County Auditor
Township
Attorney
Municipality

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP-25 1978
John Anderson Howe
Secretary of State
#31698
O.D.

(REVISED 7/78)

ORDINANCE NO. 1979

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER, MINNESOTA, CERTAIN LAND SITUATED IN SECTION 14, TOWNSHIP 106 NORTH, RANGE 14 WEST, OLMSTED COUNTY, MINNESOTA, AND ESTABLISHING THE ZONING THEREFOR.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. The property described below is situated in the Willow Creek Sanitary Sewer District and is hereby annexed to the City of Rochester under the authority of Minnesota Laws 1971, chapter 916, section 26, as amended by Minnesota Laws 1973, chapter 88. The property annexed by this ordinance is located in Rochester Township, Olmsted County, Minnesota, and is described as follows:

All that part of the East Quarter (E 1/4) of Section Fourteen (14), Township One Hundred Six (106) North, Range Fourteen (14) West, lying Southerly of the existing City Limits; Easterly of the Easterly right of way of State Highway No. 63, according to that certain Certificate entitled State Highway Right of Way Survey Control Section 5507 T. H. 52 and 63 inter., Certificate No. 1, as filed with the State Highway Department; and North of the following described line: Commencing at the Southeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) of said Section Fourteen (14); thence $358^{\circ}32'40''$, grid azimuth from North, Minnesota State Coordinate System, along the East line of said Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4), a distance of 388.07 feet to the point of beginning of said line; thence $268^{\circ}32'40''$ at a right angle to said East line 846.09 feet to the Easterly right of way of State Highway No. 63, said line also being described as commencing at the Southeast corner of said Section Fourteen (14); thence on an assumed bearing of North $00^{\circ}00'00''$ West, along the East line of said Southeast Quarter (SE 1/4), a distance of 388.07 feet to the point of beginning of said line; thence North $90^{\circ}00'00''$ West a distance of 845.06 feet to a point on the Easterly right of way of Trunk Highway No. 63.

Section 2. The quantity of land described in section 1 is approximately 91.44 acres.

Section 3. 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.

Section 4. Pursuant to Rochester Code of Ordinances, §60.506, as enacted by Ordinance No. 1659, known as the Zoning Ordinance of the City of Rochester, the land annexed to the City of Rochester as hereinabove described is zoned as follows:

R-1 One-Family Residence District:

All that part of the East Quarter (E 1/4) of Section Fourteen (14), Township One Hundred Six (106) North, Range Fourteen (14) West, lying Southerly of the existing City Limits, Easterly of the easterly right-of-way of State Highway No. 63, according to that certain Certificate entitled State Highway Right-of-Way Survey Control Section 5507 T.H. 52 and 63 intersection, Certificate Number 1, as filed with the Minnesota Department of Transportation, and North of the following described line: Commencing at the Southeast corner of Section Fourteen (14); thence on an assumed bearing of North 0°00'00" West, along the East line of said Southeast Quarter (SE 1/4), a distance of 1315.43 feet to the point of beginning of said line, thence North 89°04'44" West, a distance of 763.62 feet, to the Easterly right-of-way of Trunk Highway No. 63, said line also being described as the North line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section 14.

B-4 General Business District:

All of the land annexed to the City of Rochester by this ordinance, except that portion thereof which is described above as R-1 One-Family Residence District.

Section 5. 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 7 day of August, 1978.

President of said Common Council
Pro-Tem

Attest:
City Clerk

Approved this 8th day of August, 1978.

Mayor of said City

(Seal of the City of
Rochester, Minnesota)

STATE OF MINNESOTA)
)
COUNTY OF OLMSTED)

I, DOLORES K. LANIER, 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 24th DAY OF August, 1978.

Dolores K. Lanier
Deputy City Clerk
City of Rochester, Minnesota

(Seal of the City of
Rochester, Minnesota)

PRINTER'S AFFIDAVIT

State of Minnesota, }
County of Olmsted } SS

Paul McCue

being duly

sworn says that he now is and during all the times hereinafter stated has been General Manager

of the Post-Bulletin Company, publisher and printer of the Rochester Post-Bulletin, a daily newspaper, printed and published in the City of Rochester, in said Olmsted County, State of Minnesota, daily except Sunday of each week;

That he has knowledge of the facts and knows personally that the printed notice hereto attached, cut from the columns of said newspaper, was inserted, printed and published in said newspaper once in each week for TWO weeks, and that all of said publications were made in the English language, and was printed and published in said newspaper on

Saturday, August 12, 1978

Saturday, August 19, 1978

That during all said time, said newspaper was, and for more than two years immediately prior thereto had been, qualified as a medium of official and legal publications as required by the laws of the State of Minnesota, and that it has complied with all the requirements of said laws, and for more than two years prior thereto had been, and ever since said time has been and still is:

- (1) Printed from the place at which it purports to be issued, as above stated, in the English language and in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches.
(2) Distributed six days in each week from a known office, established in said place for such publication and employing skilled workmen and the necessary material for preparing and printing the same.
(3) A newspaper containing general and local news, comment and miscellany, not wholly duplicating any other publication, and not entirely made up of patents, plate matter and advertisements, or any or either of them, and that in its make-up not less than twenty-five per cent of its news columns have been devoted to news of local interest to the community it purports to serve.
(4) Circulated in and near the municipality which it purports to serve, and has at least 500 copies regularly delivered to paying subscribers, and has an average of at least 75 percent of its total circulation currently paid or no more than three months in arrears, and has entry as second class matter in its local Post Office.
(5) Has its known office of issue established in Olmsted County, Minnesota, in which lies the municipality which the newspaper purports to serve.
(6) Has filed a copy of each issue immediately with the State Historical Society.
(7) Has complied with all the foregoing conditions for at least two years last past.
(8) Has filed with the Secretary of State, prior to January 1 of each year, an affidavit in the form prescribed by the Secretary of State, and signed by the publisher or managing officer and sworn to before a notary public stating that the newspaper is a legal newspaper.

That the following is a printed copy of the lower case alphabet from a to z, both inclusive, of the size and kind of type used in the composition, printing and publication of said legal advertisement hereto attached, viz:

abcdefghijklmnopqrstuvwxyz

Further affiant saith not, save that this affidavit is made pursuant to the laws of the State of Minnesota, and is intended to accompany the bill for the publication in said newspaper of the aforesaid legal advertisement.

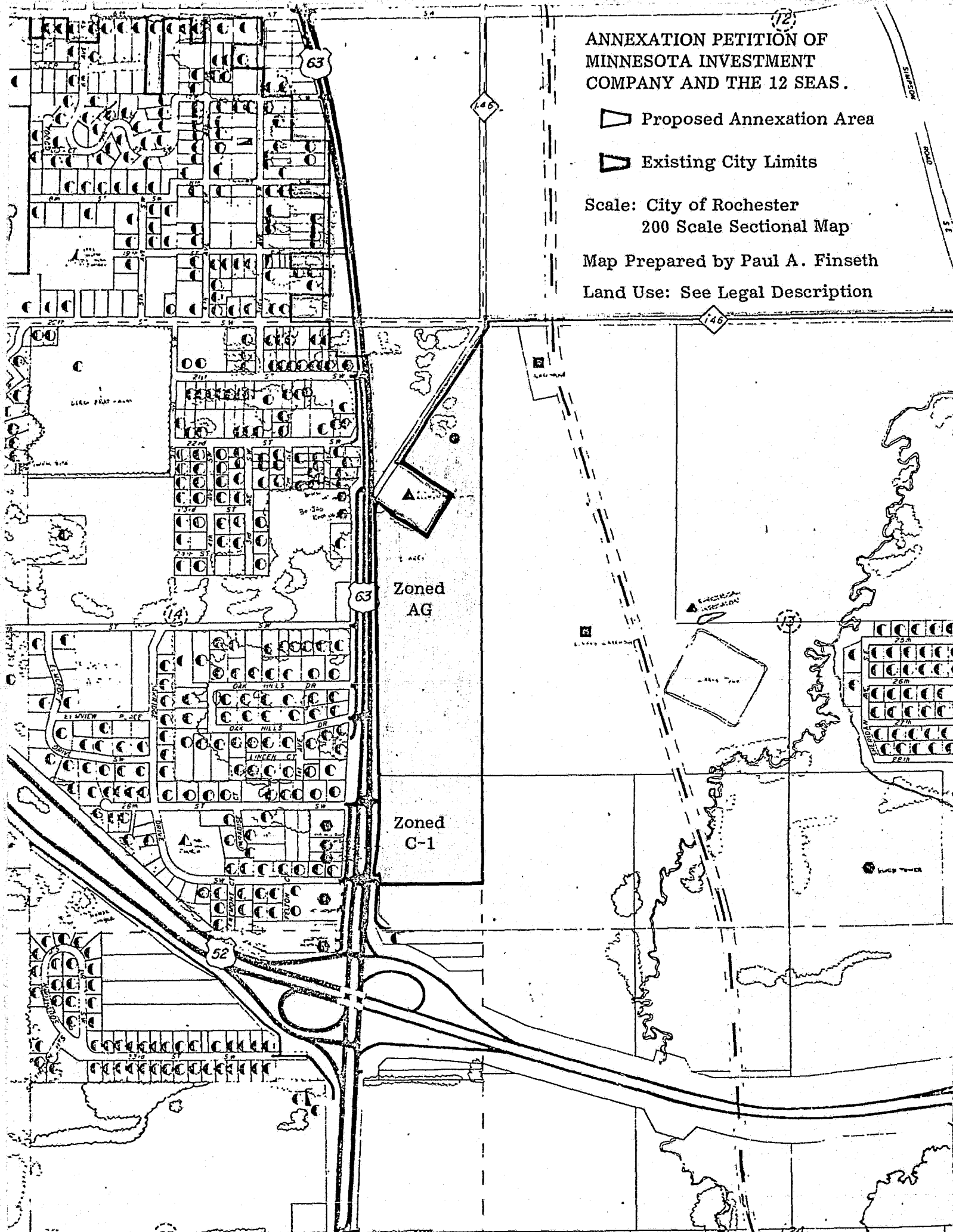
Paul McCue (Signature)

Subscribed and sworn to before me this August 21, 1978



Printer's Fee \$62.34

ORDINANCE NO. 1978
AN ORDINANCE ANNEXING
TO THE CITY OF
ROCHESTER, MINNESOTA,
CERTAIN LAND SITUATED IN
SECTION 14, TOWNSHIP 106
NORTH, RANGE 14 WEST,
OLMSTED COUNTY, MINNESOTA,
AND ESTABLISHING
THE ZONING THEREFOR.
THE COMMON COUNCIL OF THE
CITY OF ROCHESTER DO OR-
DAIN:
Section 1. The property described
below is situated in the Willow
Creek Sanitary Sewer District and
is hereby annexed to the City of
Rochester under the authority of
Minnesota Laws 1971, chapter 916,
section 26, as amended by Minne-
sota Laws 1973, chapter 88. The
property annexed by this ordinance
is located in Rochester Township,
Olmsted County, Minnesota, and is
described as follows:
All that part of the East Quarter
(E1/4) of Section Fourteen (14),
Township One Hundred Six (106)
North, Range Fourteen (14)
West, lying southerly of the ex-
isting City Limits; Easterly of
the Easterly right of way of
State Highway No. 63, according
to that certain Certificate en-
titled State Highway Right of
Way Survey Control Section 5507
T.H. 52 and 63 Inter., Certificate
No. 1, as filed with the State
Highway Department; and
North of the following described
line: Commencing at the South-
east corner of the Southeast
Quarter (SE1/4) of said Section
Fourteen (14); thence
358'32"40", grid azimuth from
North, Minnesota State Coordi-
nate System, along the East line
of said Southeast Quarter (SE1/4
of SE1/4), a distance of 388.07 feet
to the point of beginning of said
line; thence 32'40" at a right
angle to said East line 646.09 feet
to the Easterly right of way of
State Highway No. 63, said line
also being described as commen-
cing at the Southeast corner of
said Section Fourteen (14);
thence on an assumed bearing of
North 00'00"00" West, along the
East line of said Southeast Quar-
ter (SE1/4), a distance of 388.07
feet to the point of beginning of
said line; thence North 90'00"00"
West a distance of 845.06 feet to a
point on the Easterly right of
way of Trunk Highway No. 63.
Section 2. The quantity of land
described in section 1 is approx-
imately 91.44 acres.
Section 3. Present and future
owners of the area annexed by this
ordinance are hereby notified that
in addition to the usual assess-
ments, 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 here-
after undertaken to serve the area
annexed.
Section 4. Pursuant to Rochester
Code of Ordinances, 160.504, as
enacted by Ordinance No. 1659,
known as the Zoning Ordinance of
the City of Rochester, the land an-
nexed to the City of Rochester as
hereinabove described is zoned as
follows:
R-1 One-Family
Residence District:
All that part of the East Quarter
(E1/4) of Section Fourteen (14),
Township One Hundred Six (106)
North, Range Fourteen (14)
West, lying southerly of the ex-
isting City Limits, Easterly of
the easterly right-of-way of State
Highway No. 63, according to
that certain Certificate entitled
State Highway Right-of-Way
Survey Control Section 5507 T.H.
52 and 63 Intersection, Certifi-
cate Number 1, as filed with the
Minnesota Department of Trans-
portation; and North of the fol-
lowing described line: Commenc-
ing at the Southeast corner of
Section Fourteen (14); thence on
an assumed bearing of North
00'00"00" West, along the East
line of said Southeast Quarter
(SE1/4), a distance of 1315.43 feet
to the point of beginning of said
line, thence North 89'04'44"
West, a distance of 763.62 feet to
the Easterly right-of-way of
Trunk Highway No. 63, said line
also being described as the
North line of the Southeast Quar-
ter (SE1/4) of Section 14.
B-4 General Business District:
All of the land annexed to the
City of Rochester by this or-
dinance, except that portion
thereof which is described above
as R-1 One-Family Residence
District.
Section 5. 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 herewith with the Min-
nesota Municipal Board, the Roch-
ester Town Clerk, the County Audi-
tor, and the Secretary of State.
Passed and adopted by the Com-
mon Council of the City of Rochest-
er, Minnesota, this 7th day of Au-
gust, 1978.
/s/Robert L. Larson
President of said
Common Council
Pro-Tem
Attest: /s/Carole A. Grimm
City Clerk
Approved this 8th
day of August, 1978.
/s/Alex P. Smetka



ANNEXATION PETITION OF
MINNESOTA INVESTMENT
COMPANY AND THE 12 SEAS.

- ▭ Proposed Annexation Area
- ▭ Existing City Limits

Scale: City of Rochester
200 Scale Sectional Map

Map Prepared by Paul A. Finseth

Land Use: See Legal Description

Zoned
AG

Zoned
C-1