

ORDINANCE NO. 4560

AN ORDINANCE ANNEXING TO THE CITY OF ROCHESTER
APPROXIMATELY 49.90 ACRES OF LAND LOCATED
SOUTH OF WHEELLOCK 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:

The North 526.95 feet of that part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, which lies westerly of the westerly line of CSAH No. 22 as defined on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47. (PID 73.30.43.061962)

ALSO:

That part of the Southwest Quarter of the Southeast Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, which lies westerly of the westerly line of CSAH No. 22 as defined on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47, EXCEPT the North 526.95 feet thereof. (PID 73.30.43.064080)

ALSO:

That part of the Northwest Quarter of the Northeast Quarter of Section 31, Township 107 North, Range 13 West, Olmsted County, Minnesota, which lies westerly of the westerly line of CSAH No. 22 as defined on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47, EXCEPT the South 825.00 feet thereof. (PID 73.31.12.064082)

ALSO:

That part of the South 825.00 feet of the Northwest Quarter of the Northeast Quarter of Section 31, Township 107 North, Range 13 West, Olmsted County, Minnesota, which lies West of the westerly right of way line of CSAH No. 22 as shown on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47 dated August 14, 1986, recorded August 20, 1986, in Book W-4 of Miscellaneous Records on Page 93. EXCEPT that part of the above-described tract shown as Parcel 2a and Parcel 2c on OLMSTED COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 47. (PID 73.31.12.057643)

ALSO:

That part of the Northwest Quarter of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, lying east of the following described line, and except any land already within the City of Rochester, described as follows:

Beginning at the southeast corner of the Northwest Quarter of said Section 30; thence North 89 degrees 44 minutes 51 seconds West, assumed bearing, along the south line of said Northwest Quarter, 659.52 feet; thence North 00 degrees 39 minutes 18 seconds West, 112.15 feet; thence North 45 degrees 39 minutes 09 seconds West, 97.78 feet; thence North 15 degrees 44 minutes 39 seconds West, 105.27 feet; thence North 11 degrees 57 minutes 32 seconds West, 152.01 feet to the southeasterly line of the property described in that certain Warranty Deed recorded as Document No. 456724 on July 14, 1983 in the office of the Olmsted County Recorder (the next two courses are along the southeasterly and northeasterly lines of said property); thence North 42 degrees 12 minutes 05 seconds East, 242.56 feet; thence North 37 degrees 20 minutes 42 seconds West, 209.11 feet to the most southerly corner of Lot 1, Block 1, VIOLA HEIGHTS, according to the recorded plat thereof; thence North 52 degrees 36 minutes 38 seconds East, along the southeasterly line of said Lot 1, a distance of 291.80 feet and there terminating.

Containing in all, 49.90 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 49.90 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 7th DAY OF April, 2025.

ATTEST: *Anne M. Kase* *Randy Schubert*
CITY CLERK PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 8th DAY OF April, 2025.



Kim Norton
MAYOR OF SAID CITY