

## RESOLUTION 04-24

Introduced by Councilor Kron

Seconded by Councilor Amundson

A RESOLUTION OF ALBERT LEA TOWNSHIP AND THE CITY OF ALBERT LEA  
DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY  
ANNEXATION AND CONFERRING JURISDICTION OVER SAID AREA TO THE  
MINNESOTA PLANNING OFFICE PURSUANT TO M.S.414.0325

WHEREAS, residents of Government Acres have voted for annexation in the  
East ½ Section 2-T102N-R21W; and

WHEREAS, the Township of Albert Lea and the City of Albert Lea hereby jointly  
agree to the following; now, therefore

## THE CITY OF ALBERT LEA RESOLVES:

Sec. 1. That the following described area in Albert Lea Township is subject to  
orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto  
designate this area for orderly annexation:

All that part of the W½ SE¼ Section 2-T102N-R21W, as the same is platted  
and recorded in the office of the County Recorder of Freeborn County,  
Minnesota; described as follows:

Commencing at the southwest corner of said Section 2; thence North a  
distance of 497 feet more or less, on the west line of said Section 2, to  
the point of intersection with the northerly right-of-way line of Trunk  
Highway No. 16 (now County State Aid Highway No. 46); thence  
Easterly a distance of 851 feet more or less, on the northerly right-of-way  
line of said Trunk Highway No. 16 (now County State Aid Highway No.  
46); to the point of intersection with a line drawn parallel with and 1789.12  
feet west of the east line of the SW¼ of said Section 2; thence North a  
distance of 477.5 feet more or less, on a line parallel with and 1789.12  
feet west of the east line of said SW¼, to a point on a line drawn parallel  
with and 990 feet north of the south line of said SW¼; thence East a  
distance of 1789.12 feet, on a line parallel with the south line of said  
SW¼, to a point on the east line thereof, which is the point of beginning;

thence South a distance of 258.65 feet more or less, on the east line of  
said SW¼, to a point on the easterly right-of-way line of Interstate  
Highway No. 35;

thence Southeasterly a distance of 279.3 feet more or less, on the  
easterly right-of-way line of said Interstate Highway No. 35, to Monument  
B17, as shown on State Highway Right-Of-Way Plat No. 24-2, as the  
same is platted and recorded in the office of the County Recorder of  
Freeborn County, Minnesota;

thence Southeasterly a distance of 230.51 feet, on the easterly right-of-way line of said Interstate Highway No. 35, to Monument B18, as shown on said Highway Right-Of-Way Plat No. 24-2;

thence Southeasterly a distance of 250 feet, on the easterly right-of-way line of said Interstate Highway No. 35, to Monument B19, as shown on said Highway Right-Of-Way Plat No. 24-2;

thence Southeasterly a distance of 898.3 feet more or less, on the northerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46);

thence Easterly a distance of 34.5 feet more or less, on the northerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to the east line of the  $W\frac{1}{2}$   $SE\frac{1}{4}$  of said Section 2;

thence North a distance of 2569 feet more or less, on the east line of the  $W\frac{1}{2}$   $SE\frac{1}{4}$  of said Section 2, to the northeast corner thereof;

thence West a distance of 1321.8 feet, on the north line of the  $W\frac{1}{2}$   $SE\frac{1}{4}$  of said Section 2, to the northwest corner thereof;

thence South a distance of 1662.22 feet, on the west line of said  $W\frac{1}{2}$   $SE\frac{1}{4}$ , to the point of beginning.

Sec. 2. That the Township of Albert Lea does, upon passage of this resolution and its adoption by the City Council of the City of Albert Lea, Minnesota, and upon acceptance by the Minnesota Office of Strategic and Long-Range Planning, confer jurisdiction upon the Minnesota Office of Strategic and Long-Range Planning over the various provisions contained in this agreement.

Sec. 3. That certain properties abutting the City of Albert Lea are presently urban or suburban in nature or about to become so. Further, the City of Albert Lea is capable of providing services to this area within a reasonable time, or the existing township form of government is not adequate to protect the public health, safety or welfare, or the annexation would be in the best interests of the area proposed for annexation. Therefore, these properties would be immediately annexed to the City of Albert Lea. This area is described as follows:

All that part of the  $W\frac{1}{2}$   $SE\frac{1}{4}$  Section 2-T102N-R21W, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota; described as follows:

Commencing at the southwest corner of said Section 2; thence North a distance of 497 feet more or less, on the west line of said Section 2, to the point of intersection with the northerly right-of-way line of Trunk Highway No. 16 (now County State Aid Highway No. 46); thence Easterly a distance of 851 feet more or less, on the northerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No.

46), to the point of intersection with a line drawn parallel with and 1789.12 feet west of the east line of the SW $\frac{1}{4}$  of said Section 2; thence North a distance of 477.5 feet more or less, on a line parallel with and 1789.12 feet west of the east line of said SW $\frac{1}{4}$ , to a point on a line drawn parallel with and 990 feet north of the south line of said SW $\frac{1}{4}$ ; thence East a distance of 1789.12 feet, on a line parallel with the south line of said SW $\frac{1}{4}$ , to a point on the east line thereof, which is the point of beginning;

thence South a distance of 258.65 feet more or less, on the east line of said SW $\frac{1}{4}$ , to a point on the easterly right-of-way line of Interstate Highway No. 35;

thence Southeasterly a distance of 279.3 feet more or less, on the easterly right-of-way line of said Interstate Highway No. 35, to Monument B17, as shown on State Highway Right-Of-Way Plat No. 24-2, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence Southeasterly a distance of 230.51 feet, on the easterly right-of-way line of said Interstate Highway No. 35, to Monument B18, as shown on said Highway Right-Of-Way Plat No. 24-2;

thence Southeasterly a distance of 250 feet, on the easterly right-of-way line of said Interstate Highway No. 35, to Monument B19, as shown on said Highway Right-Of-Way Plat No. 24-2;

thence Southeasterly a distance of 898.3 feet more or less, on the northerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46);

thence Easterly a distance of 34.5 feet more or less, on the northerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to the east line of the W $\frac{1}{2}$  SE $\frac{1}{4}$  of said Section 2;

thence North a distance of 2569 feet more or less, on the east line of the W $\frac{1}{2}$  SE $\frac{1}{4}$  of said Section 2, to the northeast corner thereof;

thence West a distance of 1321.8 feet, on the north line of the W $\frac{1}{2}$  SE $\frac{1}{4}$  of said Section 2, to the northwest corner thereof;

thence South a distance of 1662.22 feet, on the west line of said W $\frac{1}{2}$  SE $\frac{1}{4}$ , to the point of beginning.

Sec. 4. That the City agrees to investigate the possibility of sharing facilities, equipment, and personnel with the township to forestall the duplication of facilities and to reduce the overall costs of government in the area.

Sec. 5. That the effect of annexation on population shall be resolved whenever possible by agreement of parties. If there is failure to reach such agreement, the



question shall be resolved by the Minnesota Office of Strategic and Long-Range Planning.

Sec. 6. That no alteration of the area is appropriate, that this resolution provides for annexation of a designated area, and no consideration by Minnesota Planning is necessary, no alteration of the agreed upon boundaries is appropriate, all conditions for annexation have been stated in this resolution and Minnesota Planning may review and comment, but shall, within 30 days of receipt of the joint resolution, order the annexation.

Sec. 7. That planning throughout the orderly annexation area shall be pursuant to Minnesota Statutes 414.0325. Planning and zoning for the area shall be provided by the City of Albert Lea. That the property included in this annexation shall be zoned R-1.

Sec. 8. That any person owning lands annexed to the City pursuant to this agreement shall have all rights provided by statute and Resolution 87-46 of the City of Albert Lea governing special assessments. That the customary hookup charges approved for property in the City shall be used for connection to City utilities.

Sec. 9. That the City of Albert Lea agrees to pay the Township of Albert Lea an amount equal to two and one-half years of existing taxes derived from the area subject to annexation.

Sec. 10. That reading of this resolution is waived by Council consent.

Introduced and read the first time January 26, 2004.

Read the second time and passed February 9, 2004.

Attest:

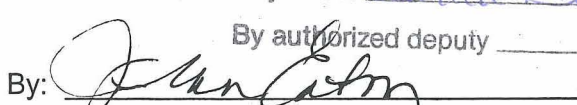
  
City Clerk

STATE OF MINNESOTA }  
COUNTY OF FREEBORN } ss  
CITY OF ALBERT LEA }  
I hereby certify that I have compared the  
within instrument with the original now on file  
in my office and that it is a true and correct  
copy of the same and of the whole thereof.

Dated February 17, 2004

City Clerk Sandi Behrens

By authorized deputy \_\_\_\_\_

By:   
Mayor

TOWNSHIP OF ALBERT LEA

13<sup>th</sup> Passed and adopted by the Township Board of the Township of Albert Lea this  
day of February, 2004.

Attest:

  
Township Clerk

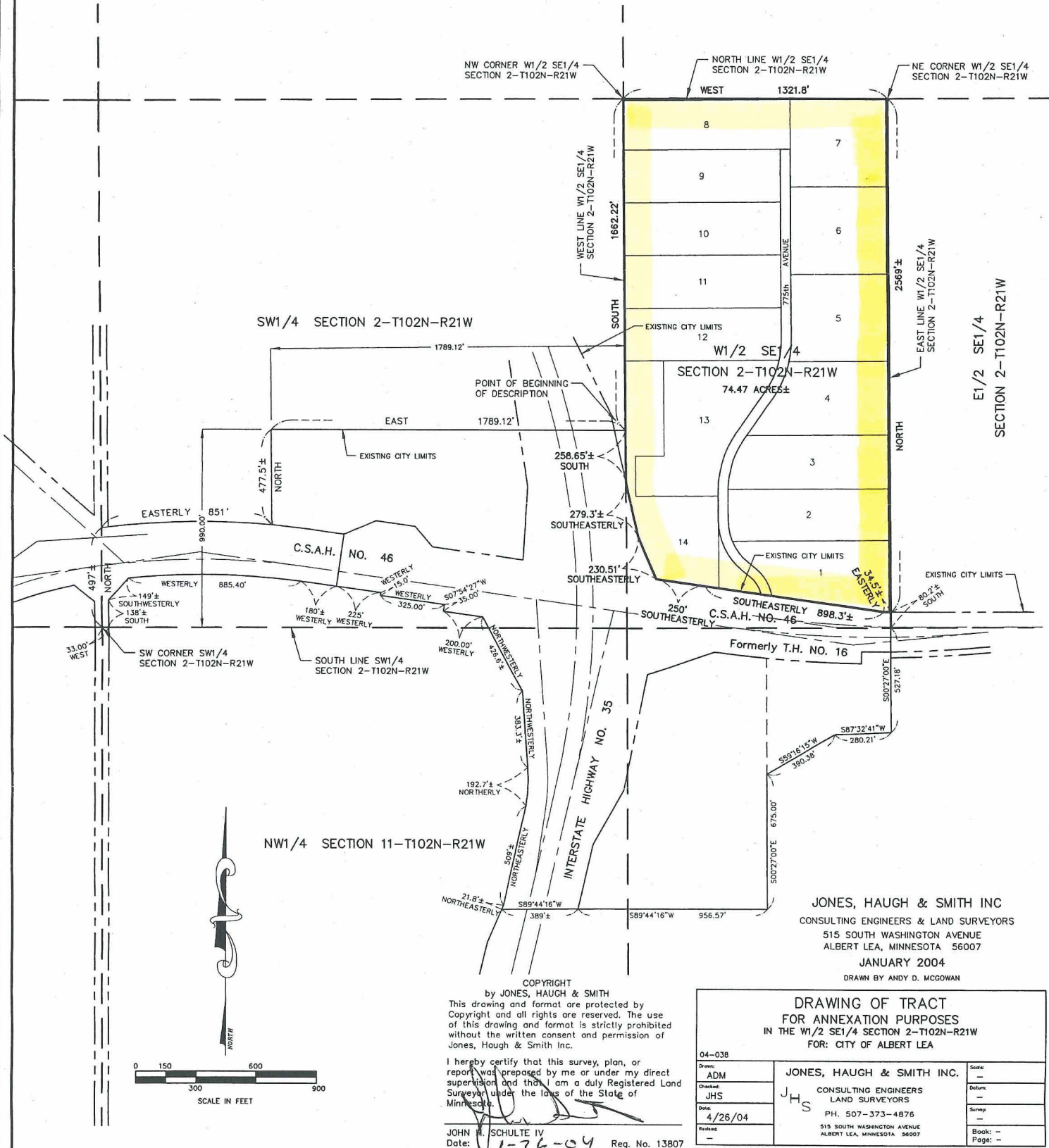
By:   
Chair



# DRAWING OF TRACT FOR ANNEXATION PURPOSES IN THE W1/2 SE1/4 SECTION 2-T102N-R21W CITY OF ALBERT LEA

REC'D BY  
MMB

FEB 26 2004



JONES, HAUGH & SMITH INC  
CONSULTING ENGINEERS & LAND SURVEYORS  
515 SOUTH WASHINGTON AVENUE  
ALBERT LEA, MINNESOTA 56007  
JANUARY 2004  
DRAWN BY ANDY D. MCGOWAN

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Copyright and all rights are reserved. The use  
of this drawing and format is strictly prohibited  
without the written consent and permission of  
Jones, Haugh & Smith Inc.

I hereby certify that this survey, plan, or  
report was prepared by me or under my direct  
supervision and that I am a duly Registered Land  
Surveyor under the laws of the State of  
Minnesota.

JOHN H. SCHULTE IV  
Date: 1-26-04 Reg. No. 13807

DRAWING OF TRACT FOR ANNEXATION PURPOSES IN THE W1/2 SE1/4 SECTION 2-T102N-R21W FOR: CITY OF ALBERT LEA			
04-038	Drawn: ADM	JONES, HAUGH & SMITH INC. CONSULTING ENGINEERS LAND SURVEYORS PH. 507-373-4876 515 SOUTH WASHINGTON AVENUE ALBERT LEA, MINNESOTA 56007	Scale: —
Checked: JHS	Date: 4/26/04		Delim: —
Revised: —			Survey: —
			Block: —
			Page: —

SHEET NO. 1 OF 1 SHEETS