

RESOLUTION 04-47

Introduced by Councilor Brooks

Seconded by Councilor Kron

A RESOLUTION OF BANCROFT 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, the Evangelical Lutheran Good Samaritan Society, owners of property in the Northwest Quarter of Section 28 of Bancroft Township, have requested annexation of that 12 acre parcel adjacent to its existing campus for development of that property with City sewer and water systems; and

WHEREAS, the Township of Bancroft 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 Bancroft Township is subject to orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto designate this area for orderly annexation:

A tract of land in the North Half of the Northwest Quarter of Section 28, Township 103 North, Range 21 West, Freeborn County, Minnesota described as follows:

Commencing at the North Quarter Corner of said Section 28, thence North 89 degrees 46 minutes 50 seconds West (assumed bearing) 819.64 feet along the North Line of said Section 28 to the point of beginning;

Thence South 00 degrees 18 minutes 57 seconds East 409.89 feet parallel with the West Line of the East Half of the Northeast Quarter of the Northwest Quarter of Section 28;

Thence North 89 degrees 41 minutes 03 seconds East 160.00 feet to said West Line of the East Half of the Northeast Quarter of the Northwest Quarter;

Thence South 99 degrees 18 minutes 47 seconds East 200.00 feet along said West Line of the East Half of the Northeast Quarter of the Northwest Quarter;

Thence North 89 degrees 46 minutes 50 seconds West 966.82 feet;

Thence North 99 degrees 18 minutes 57 seconds West 608.40 feet to the North Line of said Section 28;

Thence South 89 degrees 46 minutes 50 seconds East 806.82 feet to the point of beginning.

Subject to easements of record.

Containing 12.0 acres more or less.

Sec. 2. That the Township of Bancroft 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:

A tract of land in the North Half of the Northwest Quarter of Section 28, Township 103 North, Range 21 West, Freeborn County, Minnesota described as follows:

Commencing at the North Quarter Corner of said Section 28, thence North 89 degrees 46 minutes 50 seconds West (assumed bearing) 819.64 feet along the North Line of said Section 28 to the point of beginning;

Thence South 00 degrees 18 minutes 57 seconds East 409.89 feet parallel with the West Line of the East Half of the Northeast Quarter of the Northwest Quarter of Section 28;

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Subject to easements of record.

Containing 12.0 acres more or less.

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 Planned Development.


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 Bancroft 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, read and passed February 23, 2004.

Attest:



City Clerk

By: 

Mayor

TOWNSHIP OF BANCROFT

Passed and adopted by the Township Board of the Township of Bancroft this
2nd day of March, 2004.

Attest:

Judith Hillie
Township Clerk

By: Jim McConach
Chair

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.

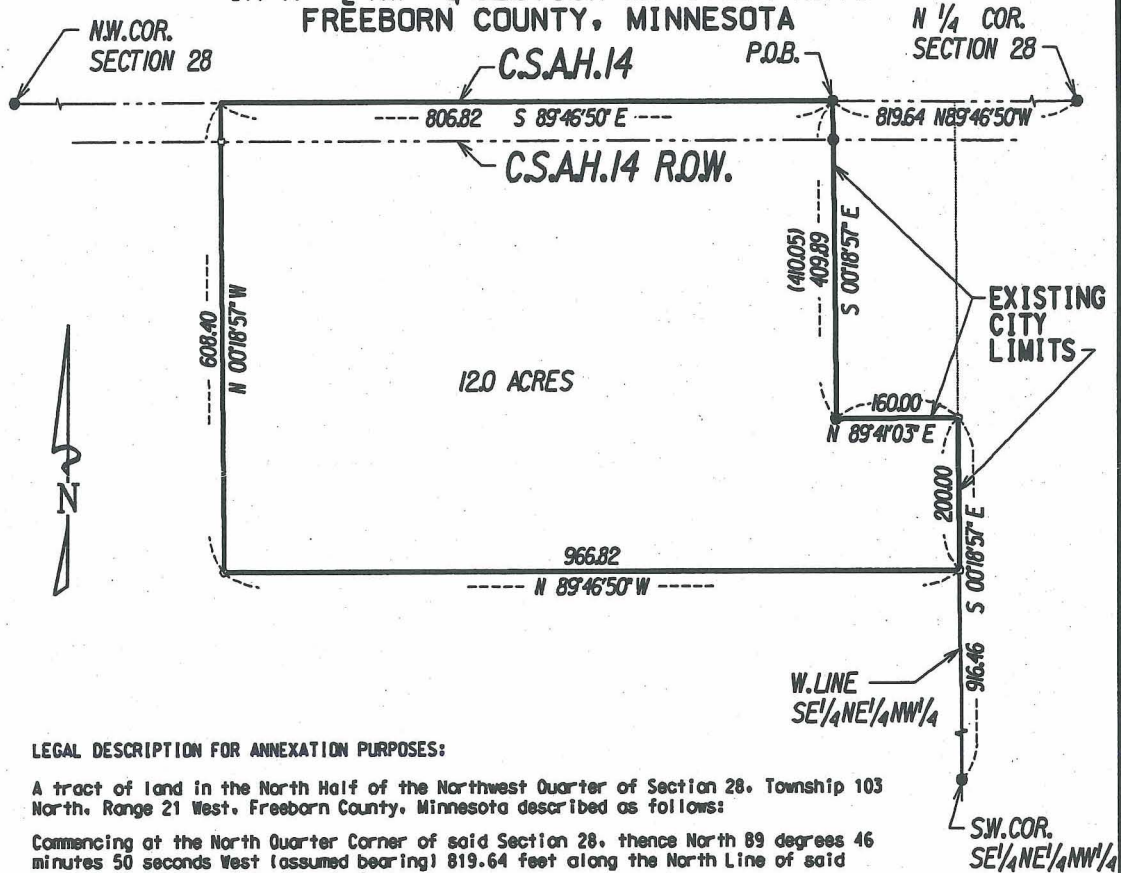
Dated March 25, 2004

City Clerk Sandi Behrend

By authorized deputy _____

DRAWING OF TRACT FOR ANNEXATION PURPOSES

IN N 1/2 NW 1/4 SECTION 28-T103N-R21W
FREEBORN COUNTY, MINNESOTA



LEGAL DESCRIPTION FOR ANNEXATION PURPOSES:

A tract of land in the North Half of the Northwest Quarter of Section 28, Township 103 North, Range 21 West, Freeborn County, Minnesota described as follows:

Commencing at the North Quarter Corner of said Section 28, thence North 89 degrees 46 minutes 50 seconds West (assumed bearing) 819.64 feet along the North Line of said Section 28 to the point of beginning;

Thence South 00 degrees 18 minutes 57 seconds East 409.89 feet parallel with the West Line of the East Half of the Northeast Quarter of the Northwest Quarter of Section 28;

Thence North 89 degrees 41 minutes 03 seconds East 160.00 feet to said West Line of the East Half of the Northeast Quarter of the Northwest Quarter;

Thence South 00 degrees 18 minutes 57 seconds East 200.00 feet along said West Line of the East Half of the Northeast Quarter of the Northwest Quarter;

Thence North 89 degrees 46 minutes 50 seconds West 966.82 feet;

Thence North 00 degrees 18 minutes 57 seconds West 608.40 feet to the North Line of said Section 28;

Thence South 89 degrees 46 minutes 50 seconds East 806.82 feet to the point of beginning.

Subject to easements of record.

Containing 12.0 acres more or less.

Scale: 1 inch = 250 Feet

- Denote Monument Found
- 3/4" Pipe & Cap Stamped
RLS 15471 (Set)
- R Record Dist.
- (M) Meas. Dist.

Location Map

20	21	R 21 W	21	22
29	28		28	27
T 103 N				
29	28		28	27
32	33		33	34

I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under section 326 of the Laws of the State of Minnesota.

Raymond J. Tucker 15471
Raymond J. Tucker Lic. No.

Date: 12-15-03 Proj. # 7762



Zenk-Road-Trystad & ASSOCIATES, INC.

Engineers/Architects

Box 689, Albert Lea, MN 56007 507/373-0689