

RESOLUTION 04-104

Introduced by Councilor Amundson

Seconded by Councilor Brooks

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, the Albert Lea Port Authority is requesting annexation of property the Authority is purchasing in the Northwest Quarter of Section 21-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:

The SE $\frac{1}{4}$ NW $\frac{1}{4}$ and all that part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 21; thence South 89°41'44" West a distance of 237.00 feet, on an assumed bearing on the north line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, to the point of beginning;

thence South 00°32'56" East a distance of 167.50 feet, on a line parallel with the east line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 89°41'44" West a distance of 200.00 feet, on a line parallel with the north line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 00°32'56" East a distance of 200.00 feet, on a line parallel with the east line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 89°41'44" West a distance of 400.00 feet, on a line parallel with the north line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 00°32'56" East a distance of 400.00 feet, on a line parallel with the east line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North 89°41'44" East a distance of 420.50 feet, on a line parallel with the north line of said NE¼ NW¼, to a point 416.50 feet west of the east line of said NE¼ NW¼;

thence South 00°32'56" East a distance of 501.02 feet, on a line parallel with the east line of said NE¼ NW¼, to the point of intersection with a westerly extension of the centerline of Thirteenth Street, as shown on the plat of Jobs Building Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence North 89°27'04" East a distance of 416.50 feet, on the westerly extension of the centerline of said Thirteenth Street, to a point on the east line of said NE¼ NW¼;

thence South 00°32'56" East a distance of 58.02 feet, on the east line of said NE¼ NW¼, to the southeast corner thereof;

thence South 89°42'32" West a distance of 1318.99 feet, on the south line of said NE¼ NW¼, to the southwest corner thereof;

thence North 00°34'41" West a distance of 1324.47 feet, on the west line of said NE¼ NW¼, to the northwest corner thereof;

thence North 89°41'44" East a distance of 1082.72 feet, on the north line of said NE¼ NW¼, to the point of beginning;

subject to highway easement on the northerly and easterly-most sides thereof.

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:

The SE¼ NW¼ and all that part of the NE¼ NW¼ Section 21-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northeast corner of the NE¼ NW¼ of said Section 21; thence South 89°41'44" West a distance of 237.00

feet, on an assumed bearing on the north line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, to the point of beginning;

thence South 00°32'56" East a distance of 167.50 feet, on a line parallel with the east line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 89°41'44" West a distance of 200.00 feet, on a line parallel with the north line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 00°32'56" East a distance of 200.00 feet, on a line parallel with the east line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 89°41'44" West a distance of 400.00 feet, on a line parallel with the north line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 00°32'56" East a distance of 400.00 feet, on a line parallel with the east line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North 89°41'44" East a distance of 420.50 feet, on a line parallel with the north line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, to a point 416.50 feet west of the east line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 00°32'56" East a distance of 501.02 feet, on a line parallel with the east line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, to the point of intersection with a westerly extension of the centerline of Thirteenth Street, as shown on the plat of Jobs Building Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence North 89°27'04" East a distance of 416.50 feet, on the westerly extension of the centerline of said Thirteenth Street, to a point on the east line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;

thence South 00°32'56" East a distance of 58.02 feet, on the east line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, to the southeast corner thereof;

thence South 89°42'32" West a distance of 1318.99 feet, on the south line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, to the southwest corner thereof;

thence North 00°34'41" West a distance of 1324.47 feet, on the west line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, to the northwest corner thereof;

thence North 89°41'44" East a distance of 1082.72 feet, on the north line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, to the point of beginning;

subject to highway easement on the northerly and easterly-most sides thereof.

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 as follows: The north parcel adjacent to Eleventh Street shall be zoned R-1 and the remaining south parcel shall be zoned I-2.

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, read and passed April 26, 2004.

Attest:


City Clerk

By: 
Mayor

TOWNSHIP OF ALBERT LEA

1st Passed and adopted by the Township Board of the Township of Albert Lea this day of June, 2004.

REC'D BY
MMB

AUG 04 2004

Attest:

Marilyn A. Roche
Township Clerk

By: [Signature]
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 August 3, 2004

City Clerk Sandi Bohrer

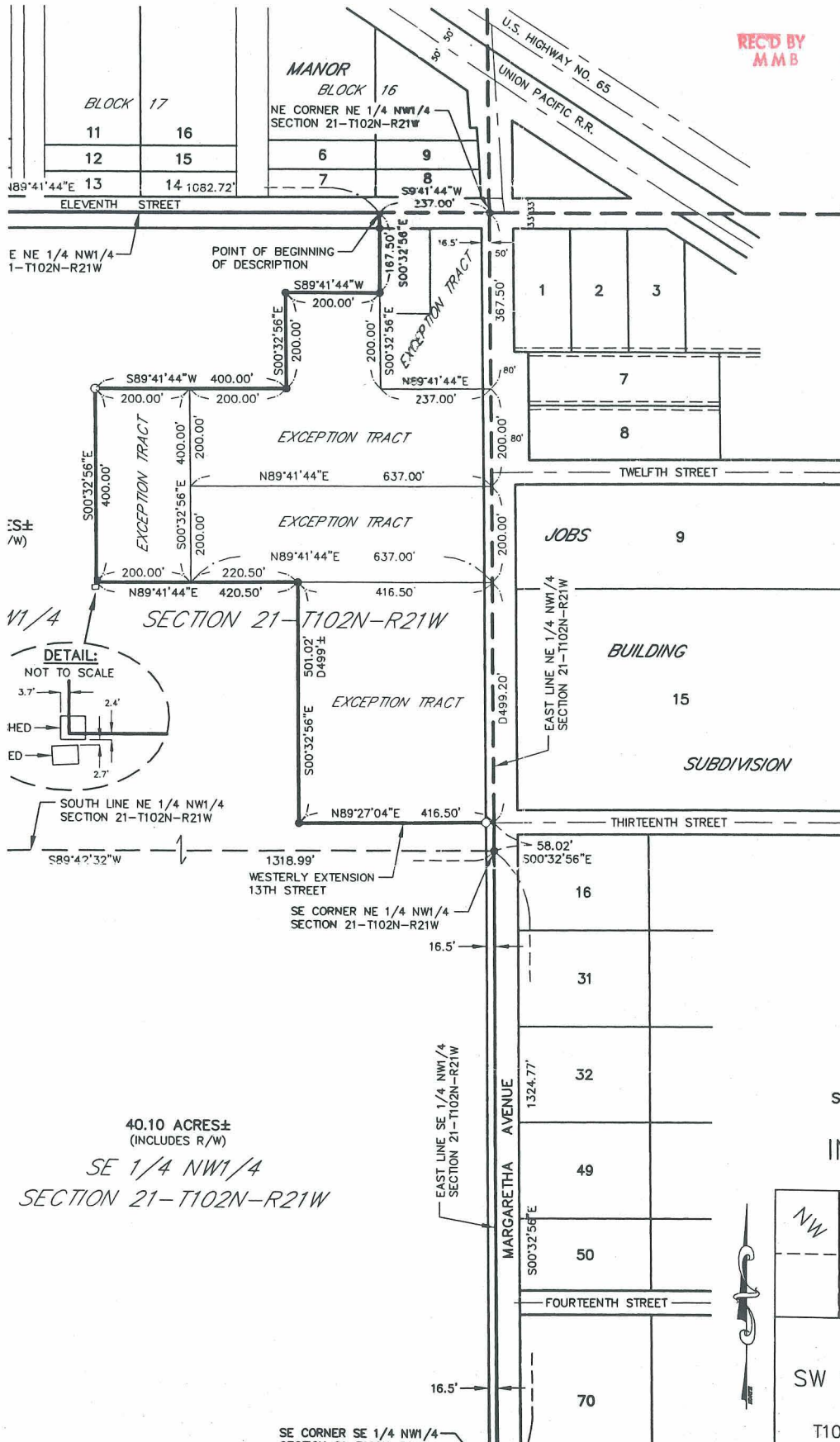
By authorized deputy _____

CERTIFICATE OF SURVEY

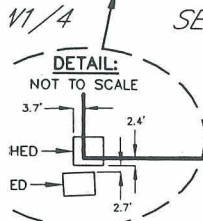
IN E1/2 NW1/4 SECTION 21-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MINNESOTA

REC'D BY
MMB

AUG 04 2004



±S±
/W)



SOUTH LINE NE 1/4 NW1/4 SECTION 21-T102N-R21W

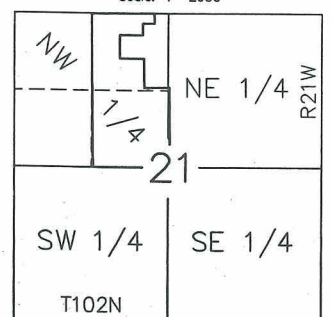
40.10 ACRES±
(INCLUDES R/W)
SE 1/4 NW1/4
SECTION 21-T102N-R21W



SCALE: 1" = 200'

INDEX MAP

Scale: 1"=2000'



SE CORNER SE 1/4 NW1/4