

RESOLUTION 08-139

Introduced by Councilor Severtson

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  
MUNICIPAL BOUNDARY ADJUSTMENTS OFFICE OF THE OFFICE OF  
ADMINISTRATIVE HEARINGS PURSUANT TO M.S.414.0325  
- ITC MIDWEST LLC PROPERTY -

WHEREAS, the property owner at 20789 780<sup>th</sup> Avenue legally described as:

The south 760.00 feet of the East 165.00 feet of the west 825.00  
feet of the NE ¼ NE ¼ Section 11, Township 102N, Range 21W,  
Albert Lea Township, Freeborn County, Minnesota.

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 of 2.87 acres± 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:

DESCRIPTION FOR ANNEXATION PURPOSES  
IN SECTION 11-T102N-R21W  
ALBERT LEA TOWNSHIP  
FREEBORN COUNTY, MN  
CITY OF ALBERT LEA

The south 760.00 feet of the East 165.00 feet of the west 825.00  
feet of the NE ¼ NE ¼ Section 11, Township 102N, Range 21W,  
Albert Lea Township, Freeborn County, MN.

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 Municipal Boundary Adjustments Office of the Office of Administrative  
Hearings, confer jurisdiction upon the Municipal Boundary Adjustments Office of the  
Office of Administrative Hearings over the various provisions contained in this  
agreement.

Sec. 3. That those 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, the above described property would be immediately annexed to  
the City of Albert Lea.

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 no alteration of the area is appropriate, that this resolution provides for annexation of a designated area, and no consideration by the Municipal Boundary Adjustments Office of the Office of Administrative Hearings is necessary, no alteration of the agreed upon boundaries is appropriate, all conditions for annexation have been stated in this resolution and the Municipal Boundary Adjustments Office of the Office of Administrative Hearings may review and comment, but shall, within 30 days of receipt of the joint resolution, order the annexation:

*Today  
affirming  
state*

Sec. 6. 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 majority of property included in this annexation shall be zoned Industrial-2 (I-2)

Sec. 7. That any person owning lands annexed to the City pursuant to this agreement shall have all rights provided by statute and Resolution 06-89 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. 8. That the City of Albert Lea agrees to pay the Township of Albert Lea an amount equal to five years of existing taxes derived from the area subject to annexation.

*Reimbursed*

Sec. 9. That reading of this resolution is waived by Council consent.

Sec. 10. That publication of this resolution shall be dispensed with under provisions of Section 3.08 of the Charter of the City of Albert Lea.

That the motion for the adoption of the foregoing resolution was duly seconded by Councilor Rasmussen, and upon a vote being taken thereon, the following voted in favor thereof: Councilors Rasmussen, Baker, Marin, Olson, Severtson, Brooks and Mayor Erdman;

and the following voted against the same: None.

Introduced, read and passed June 23, 2008.

Attest:

  
Secretary of the Council

By:   
Mayor Randall Erdman

TOWNSHIP OF ALBERT LEA

9th Passed and adopted by the Township Board of the Township of Albert Lea this  
day of July, 2008.

Attest:

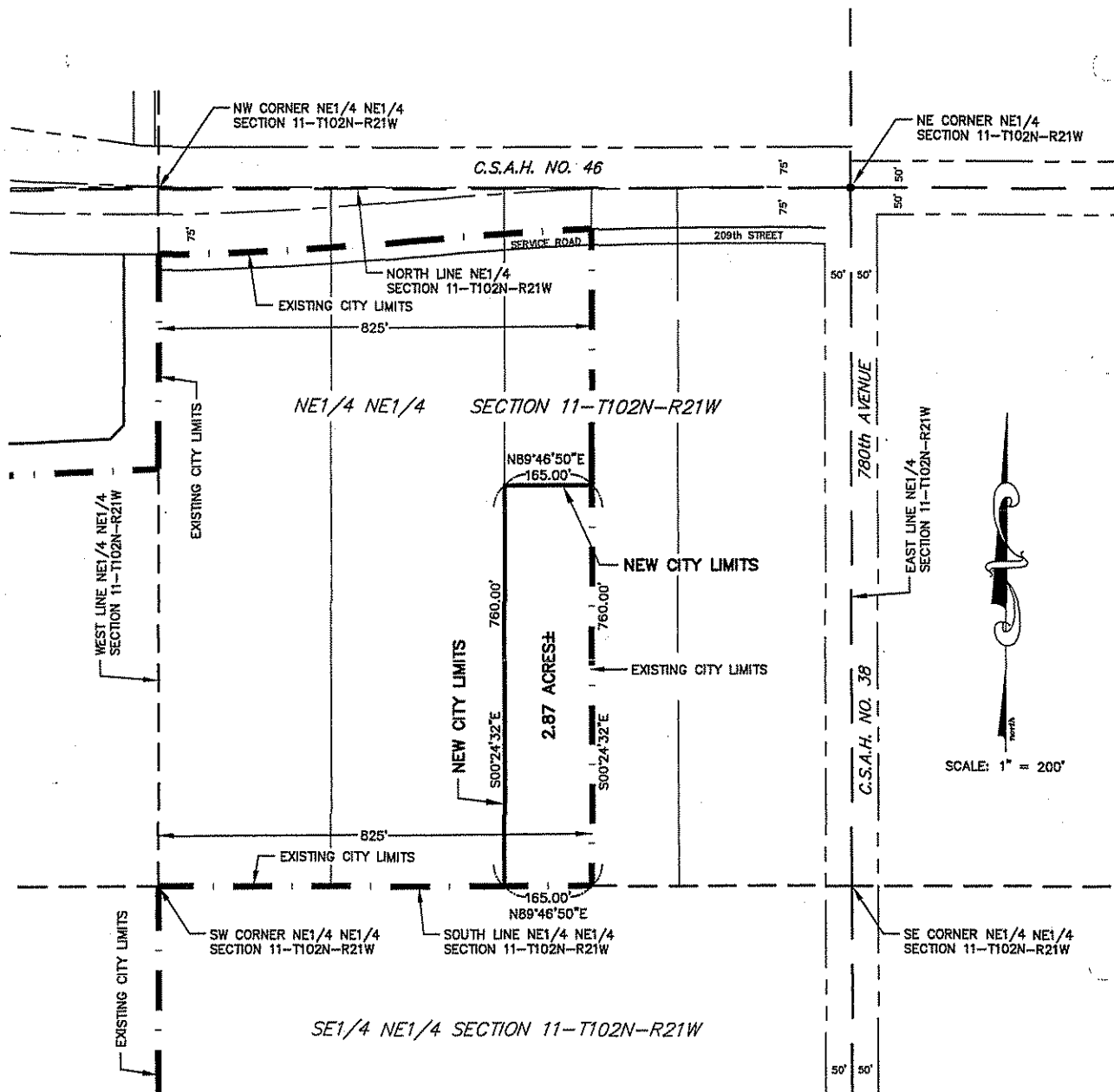
Martin A. Roche  
Township Clerk

By: [Signature]  
Chair

ITC

# DRAWING OF TRACT FOR ANNEXATION PURPOSES IN NE1/4 NE1/4 SECTION 11-T102N-R21W CITY OF ALBERT LEA, FREEBORN COUNTY, MINNESOTA

RECEIVED BY  
JUL 21 2008



SCALE: 1" = 200'

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## LEGEND

— = EXISTING CITY LIMITS

<p><b>LOCATION MAP</b></p> <p>Scale: 1"=4000'</p>	<p><b>MONUMENTS</b></p> <ul style="list-style-type: none"> <li>○ = 5/8" x 16" iron stake monument (Capped RLS 13807)—Placed</li> <li>● = iron stake monument—Found</li> <li>⊗ = DRILL HOLE</li> </ul> <p><b>SURVEY FOR:</b> <b>PRO TRUCKING</b></p> <p>Date of survey: — Revised date: — Drawn by: ADM Survey: JHSIV Book: — Page: — Coord-System: MNDOT CO. NAD 83 (96) Job No: 08-053ANNEX</p>	<p>I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.</p> <p>JOHN H. SCHULTE IV Date: 5-8-08 Reg. No. 13807</p> <p><b>JONES, HAUGH &amp; SMITH INC.</b> Civil Engineers &amp; Land Surveyors Albert Lea, Minnesota</p>
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