

Introduced by Councilor Brooks

RESOLUTION OF ALBERT LEA TOWNSHIP AND THE CITY OF ALBERT LEA DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF THE ORDERLY ANNEXATION BETWEEN THE CITY OF ALBERT LEA AND THE TOWNSHIP OF ALBERT LEA FOR UNORGANIZED TERRITORY) PURSUANT TO MINNESOTA STATUTES § 414.0325

WHEREAS, the City of Albert Lea and the Township of Albert Lea designate for orderly annexation, the following described lands located within the Township of Albert Lea, County of Freeborn, Minnesota:

West 9th Street Property – 2.22 Acres

**DESCRIPTION FOR ANNEXATION PURPOSES
IN SW¹/₄ SECTION 17-T102N-R21W
& SE¹/₄ SECTION 18-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MN**

CITY OF ALBERT LEA

All that part of the SW¹/₄ Section 17-T102N-R21W and the SE¹/₄ SE¹/₄ Section 18-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southeast corner of Southgate Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence North 00°41'14" West a distance of 33.00 feet, on the east line of said Southgate Addition, to the north right-of-way line of West Ninth Street, assuming the west line of the SW¹/₄ of said Section 17 has a bearing of North 00°41'14" West;

thence North 88°23'21" East a distance of 1349.91 feet, on the north right-of-way line of said West Ninth Street, on a line parallel with and 33.00 feet north of the south line of the S¹/₂ SW¹/₄ of said Section 17, to a point of intersection with the east line of South Fourth Avenue;

thence South 00°50'42" East a distance of 66.00 feet, on the southerly extension of said east line of South Fourth Avenue, to a point on the south right-of-way line of said West Ninth Street;

thence South 88°23'21" West a distance of 1350.09 feet, on said south right-of-way line of West Ninth Street, on a line parallel with and 33.00 feet south of the north line of said S¹/₂ SW¹/₄, to a point on the west line of said S¹/₂ SW¹/₄;

thence South 89°08'40" West a distance of 229.24 feet, on said south right-of-way line of West Ninth Street;

thence North 00°58'49" West a distance of 33.00 feet, to a point on the south line of said Southgate Addition;

thence North 89°08'40" East a distance of 229.43 feet, on the south line of said Southgate Addition, to the point of beginning;

less any part thereof previously annexed into the City of Albert Lea, and

WHEREAS, the City of Albert Lea (the "City") and the Township of Albert Lea (the "Town") are in agreement as to the orderly annexation of the unincorporated land described; that both believe it will be to their mutual benefit and to that of their respective residents; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Albert Lea and the Township of Albert Lea may agree on a process of orderly annexation of a designated area; and

WHEREAS, on August 1st, 2012, a Notice of Intent to include property in an orderly annexation area was published pursuant to the requirements of Minnesota Statutes § 414.0325 Subd. 1b; and

WHEREAS, the City of Albert Lea and the Town of Albert Lea have agreed to all the terms and conditions for the annexation of the above-described lands within this document and the signatories hereto agree that no consideration by the Office of Administrative Hearings - Municipal Boundary Adjustments is necessary; that the Office may review and comment, but shall within 30 days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Albert Lea and the Town Board of the Town of Albert Lea as follows:

Sec.1. That the following described lands in the Town of Albert Lea are subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate those areas for orderly annexation, to wit:

West 9th Street Property- 2.22 Acres

**DESCRIPTION FOR ANNEXATION PURPOSES
IN SW¹/₄ SECTION 17-T102N-R21W
& SE¹/₄ SECTION 18-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MN**

CITY OF ALBERT LEA

All that part of the SW¹/₄ Section 17-T102N-R21W and the SE¹/₄ SE¹/₄ Section 18-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southeast corner of Southgate Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence North 00°41'14" West a distance of 33.00 feet, on the east line of said Southgate Addition, to the north right-of-way line of West Ninth Street, assuming the west line of the SW¼ of said Section 17 has a bearing of North 00°41'14" West;

thence North 88°23'21" East a distance of 1349.91 feet, on the north right-of-way line of said West Ninth Street, on a line parallel with and 33.00 feet north of the south line of the S½ SW¼ of said Section 17, to a point of intersection with the east line of South Fourth Avenue;

thence South 00°50'42" East a distance of 66.00 feet, on the southerly extension of said east line of South Fourth Avenue, to a point on the south right-of-way line of said West Ninth Street;

thence South 88°23'21" West a distance of 1350.09 feet, on said south right-of-way line of West Ninth Street, on a line parallel with and 33.00 feet south of the north line of said S½ SW¼, to a point on the west line of said S½ SW¼;

thence South 89°08'40" West a distance of 229.24 feet, on said south right-of-way line of West Ninth Street;

thence North 00°58'49" West a distance of 33.00 feet, to a point on the south line of said Southgate Addition;

thence North 89°08'40" East a distance of 229.43 feet, on the south line of said Southgate Addition, to the point of beginning;

less any part thereof previously annexed into the City of Albert Lea.

Sec.2. That the designated area consists of approximately 2.22 acres and the population in the subject area is 0.

Sec. 3. 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.

Sec. 4. 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. 5. That the City of Albert Lea agrees to pay the Township of Albert Lea an amount equal to 5 years of existing taxes derived from the area subject to annexation.

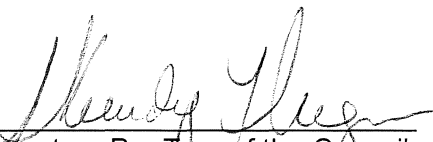
Sec. 6. That reading of this resolution is waived by Council consent.

Sec. 7. 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 Kehr and upon a vote being taken thereon, the following voted in favor thereof: Councilors Schulte V, Baker, Kehr, Olson, Anderson, Brooks and Mayor Rasmussen Jr.; and the following voted against the same: None.

Introduced, read and passed August 27, 2012

Attest:

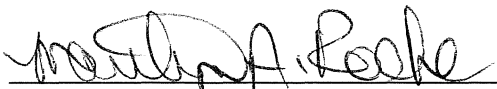

Secretary Pro Tem of the Council

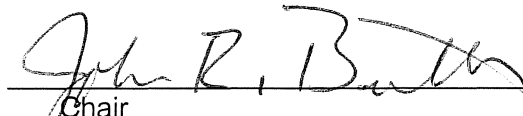
By: 
Mayor Vern Rasmussen Jr.

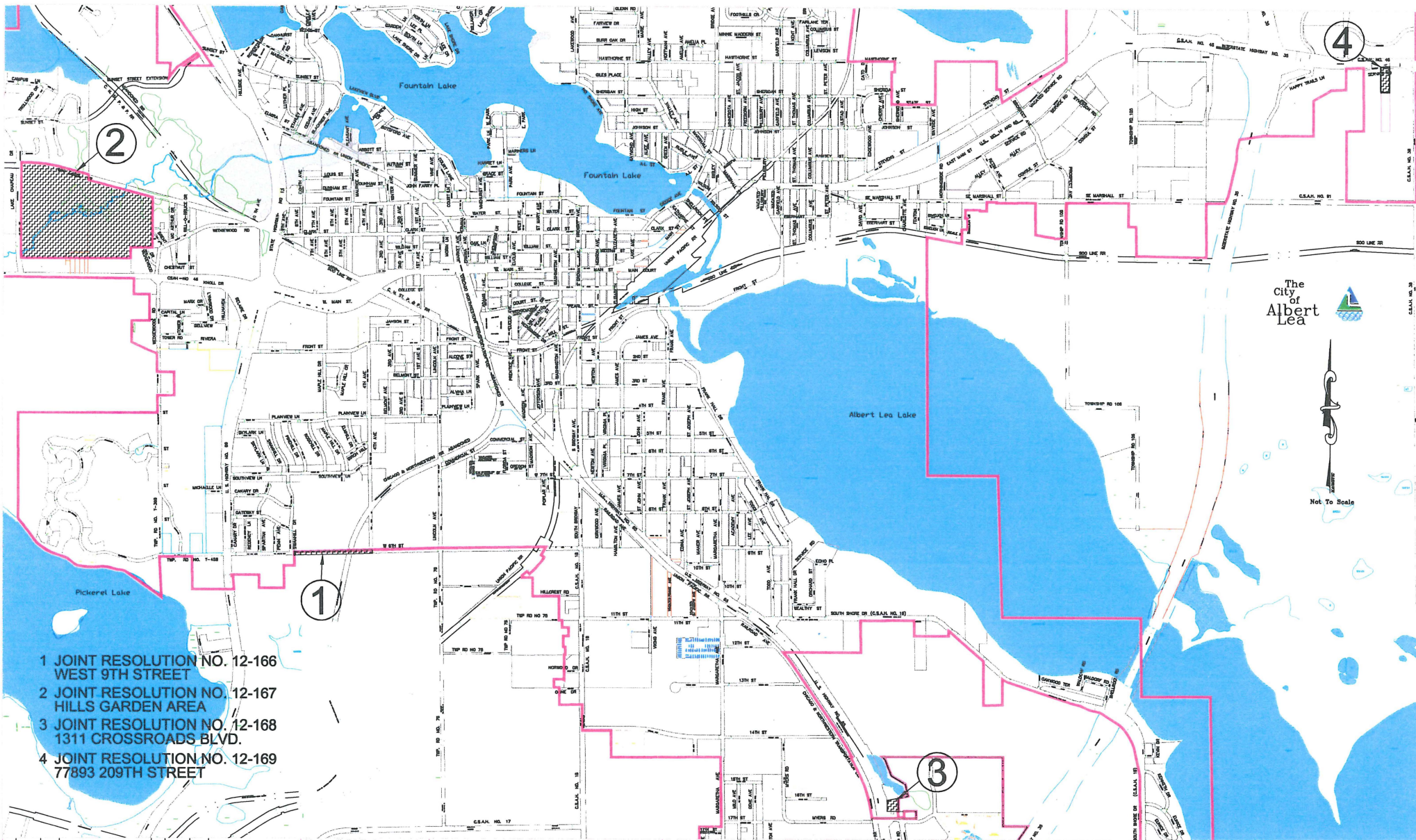
TOWNSHIP OF ALBERT LEA

Passed and adopted by the Township Board of the Township of Albert Lea this 11th
day of Sept., 2012.

Attest:


Township Clerk

By: 
Chair



- 1 JOINT RESOLUTION NO. 12-166
WEST 9TH STREET
- 2 JOINT RESOLUTION NO. 12-167
HILLS GARDEN AREA
- 3 JOINT RESOLUTION NO. 12-168
1311 CROSSROADS BLVD.
- 4 JOINT RESOLUTION NO. 12-169
77893 209TH STREET

NO.	DATE	BY	REVISION	NO.	DATE	BY	REVISION

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Date: _____
 License No. _____



Date: 9/26/2012
 Drawn By: CCH
 Dep. No. _____

CITY OF ALBERT LEA
 MINNESOTA

AREA A
 CITY ANNEXATION MAP
 2012

Sheet No. 1
 of 1
 Sheets

REC'D BY
 MBA
 OCT 01 2012