

Introduced by Councilor Kehr

**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:

Hills Garden Area – 85.67 Acres

**DESCRIPTION FOR ANNEXATION PURPOSES
IN N½ SW¼ & S½ NW¼ SECTION 7-T102N-R21W
FREEBORN COUNTY, MN**

CITY OF ALBERT LEA

All that part of the N½ SW¼ and the S½ NW¼ Section 7-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the point of intersection with the northerly right-of-way line of the former Chicago, Milwaukee, St. Paul & Pacific Railroad (now Iowa, Chicago & Eastern Railroad Corporation) and the east line of the SW¼ NW¼ Section 7-T102N-R21W;

thence Northwesterly a distance of 1300.70 feet more or less, on the northerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation, to a point on the east right-of-way line of Lake Chapeau Drive;

thence Southerly a distance of 1808 feet more or less, on the east right-of-way line of said Lake Chapeau Drive, to a point on a line parallel with and 299 feet north of the south line of the N½ SW¼ of said Section 7;

thence East a distance of 2075 feet more or less, on a line parallel with and 299 feet north of the south line of said N½ SW¼, to the west line of Wedgewood Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County;

thence North a distance of 208.4 feet more or less, on the west line of said Wedgewood Addition, to the northwest corner thereof;

thence East a distance of 411.3 feet more or less, on the north line of said Wedgewood Addition, to the southwest corner of Lot 45, Garden Villa Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence North a distance of 424.14 feet more or less, on the west line of said Garden Villa Addition and a northerly extension thereof, to a point 45.00 feet north of the north line of Brent Drive, as shown thereon;

thence East a distance of 4.17 feet, on a line 45.00 feet north of the north line of said Brent Drive, to a point 100.00 feet west of the north-south $\frac{1}{4}$ section line of said Section 7;

thence North a distance of 532.5 feet more or less, on a line parallel with and 100 feet west of said north-south $\frac{1}{4}$ section line, to a point on the southerly right-of-way line of said former Chicago, Milwaukee, St. Paul & Pacific Railroad (now Iowa, Chicago & Eastern Railroad Corporation);

thence Northwesterly a distance of 1249 feet more or less, on the southerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation, to a point on the east line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North a distance of 103.59 feet more or less, on the east line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, to the point of beginning.

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 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:

All that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 7-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the point of intersection with the northerly right-of-way line of the former Chicago, Milwaukee, St. Paul & Pacific Railroad (now Iowa, Chicago & Eastern Railroad Corporation) and the east line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 7-T102N-R21W;

thence Northwesterly a distance of 1300.70 feet more or less, on the northerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation, to a point on the east right-of-way line of Lake Chapeau Drive;

thence Southerly a distance of 1808 feet more or less, on the east right-of-way line of said Lake Chapeau Drive, to a point on a line parallel with and 299 feet north of the south line of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 7;

thence East a distance of 2075 feet more or less, on a line parallel with and 299 feet north of the south line of said N $\frac{1}{2}$ SW $\frac{1}{4}$, to the west line of Wedgewood Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County;

thence North a distance of 208.4 feet more or less, on the west line of said Wedgewood Addition, to the northwest corner thereof;

thence East a distance of 411.3 feet more or less, on the north line of said Wedgewood Addition, to the southwest corner of Lot 45, Garden Villa Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence North a distance of 424.14 feet more or less, on the west line of said Garden Villa Addition and a northerly extension thereof, to a point 45.00 feet north of the north line of Brent Drive, as shown thereon;

thence East a distance of 4.17 feet, on a line 45.00 feet north of the north line of said Brent Drive, to a point 100.00 feet west of the north-south $\frac{1}{4}$ section line of said Section 7;

thence North a distance of 532.5 feet more or less, on a line parallel with and 100 feet west of said north-south $\frac{1}{4}$ section line, to a point on the southerly right-of-way line of said former Chicago, Milwaukee, St. Paul & Pacific Railroad (now Iowa, Chicago & Eastern Railroad Corporation);

thence Northwesterly a distance of 1249 feet more or less, on the southerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation, to a point on the east line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North a distance of 103.59 feet more or less, on the east line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, to the point of beginning.

Sec.2. That the designated area consists of approximately 85.67 acres and the population in the subject area is estimated at 40.

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 described as Tract A included in this annexation shall be zoned B-2 and the property described as Tract B included in this annexation shall be zoned R-1.

**DESCRIPTION FOR ZONING PURPOSES
IN N½ SW¼ & S½ NW¼ SECTION 7-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MN**

**CITY OF ALBERT LEA
Tract A
(Zoned B-2)**

All that part of the N½ SW¼ and the S½ NW¼ Section 7-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the point of intersection with the northerly right-of-way line of the former Chicago, Milwaukee, St. Paul & Pacific Railroad (now Iowa, Chicago & Eastern Railroad Corporation) and the east line of the SW¼ NW¼ Section 7-T102N-R21W;

thence Northwesterly a distance of 1300.70 feet more or less, on the northerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation, to a point on the east right-of-way line of Lake Chapeau Drive;

thence Southerly a distance of 1808 feet more or less, on the east right-of-way line of said Lake Chapeau Drive, to a point on a line parallel with and 299 feet north of the south line of the N½ SW¼ of said Section 7;

thence East a distance of 2075 feet more or less, on a line parallel with and 299 feet north of the south line of said N½ SW¼, to the west line of Wedgewood Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County;

thence North a distance of 208.4 feet more or less, on the west line of said Wedgewood Addition, to the northwest corner thereof;

thence East a distance of 411.3 feet more or less, on the north line of said Wedgewood Addition, to the southwest corner of Lot 45, Garden Villa Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence North a distance of 424.14 feet more or less, on the west line of said Garden Villa Addition and a northerly extension thereof, to a point 45.00 feet north of the north line of Brent Drive, as shown thereon;

thence East a distance of 4.17 feet, on a line 45.00 feet north of the north line of said Brent Drive, to a point 100.00 feet west of the north-south ¼ section line of said Section 7;

thence North a distance of 532.5 feet more or less, on a line parallel with and 100 feet west of said north-south ¼ section line, to a point on the southerly right-of-way line of said former Chicago, Milwaukee, St. Paul & Pacific Railroad (now Iowa, Chicago & Eastern Railroad Corporation);

thence Northwesterly a distance of 1249 feet more or less, on the southerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation, to a point on the east line of said SW¼ NW¼;

thence North a distance of 103.59 feet more or less, on the east line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, to the point of beginning.

Which lies west of the following described line:

Beginning at a point of intersection with the south line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 7 and a line drawn parallel with the east line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ from a point on the centerline of County State Aid Highway No. 46 (formerly U.S. Highway No. 16), which point is 881.73 feet east, measured on said centerline from the west line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

thence North 00°14'05" West a distance of 445.00 feet, on a line parallel with the east line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

thence North 89°15'57" West a distance of 96.00 feet, to the point of intersection with a southerly extension of the east line of the west 783.09 feet of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North 00°05'01" East a distance of 1603.92 feet, on the east line of the West 783.09 feet of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and said southerly extension thereof, to a point on the north right-of-way line of the former Chicago, Milwaukee, St. Paul & Pacific Railroad, and there terminating.

**DESCRIPTION FOR ZONING PURPOSES
IN N $\frac{1}{2}$ SW $\frac{1}{4}$ & S $\frac{1}{2}$ NW $\frac{1}{4}$ SECTION 7-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MN**

**CITY OF ALBERT LEA
Tract B
(Zoned R-1)**

All that part of the N $\frac{1}{2}$ SW $\frac{1}{4}$ and the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 7-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the point of intersection with the northerly right-of-way line of the former Chicago, Milwaukee, St. Paul & Pacific Railroad (now Iowa, Chicago & Eastern Railroad Corporation) and the east line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 7-T102N-R21W;

thence Northwesterly a distance of 1300.70 feet more or less, on the northerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation, to a point on the east right-of-way line of Lake Chapeau Drive;

thence Southerly a distance of 1808 feet more or less, on the east right-of-way line of said Lake Chapeau Drive, to a point on a line parallel with and 299 feet north of the south line of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 7;

thence East a distance of 2075 feet more or less, on a line parallel with and 299 feet north of the south line of said N $\frac{1}{2}$ SW $\frac{1}{4}$, to the west line of Wedgewood Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County;

thence North a distance of 208.4 feet more or less, on the west line of said Wedgewood Addition, to the northwest corner thereof;

thence East a distance of 411.3 feet more or less, on the north line of said Wedgewood Addition, to the southwest corner of Lot 45, Garden Villa Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence North a distance of 424.14 feet more or less, on the west line of said Garden Villa Addition and a northerly extension thereof, to a point 45.00 feet north of the north line of Brent Drive, as shown thereon;

thence East a distance of 4.17 feet, on a line 45.00 feet north of the north line of said Brent Drive, to a point 100.00 feet west of the north-south $\frac{1}{4}$ section line of said Section 7;

thence North a distance of 532.5 feet more or less, on a line parallel with and 100 feet west of said north-south $\frac{1}{4}$ section line, to a point on the southerly right-of-way line of said former Chicago, Milwaukee, St. Paul & Pacific Railroad (now Iowa, Chicago & Eastern Railroad Corporation);

thence Northwesterly a distance of 1249 feet more or less, on the southerly right-of-way line of said Iowa, Chicago & Eastern Railroad Corporation, to a point on the east line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North a distance of 103.59 feet more or less, on the east line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, to the point of beginning.

Which lies east of the following described line:

Beginning at a point of intersection with the south line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 7 and a line drawn parallel with the east line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ from a point on the centerline of County State Aid Highway No. 46 (formerly U.S. Highway No. 16), which point is 881.73 feet east, measured on said centerline from the west line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

thence North 00°14'05" West a distance of 445.00 feet, on a line parallel with the east line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;

thence North 89°15'57" West a distance of 96.00 feet, to the point of intersection with a southerly extension of the east line of the west 783.09 feet of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

thence North 00°05'01" East a distance of 1603.92 feet, on the east line of the West 783.09 feet of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and said southerly extension thereof, to a point on the north right-of-way line of the former Chicago, Milwaukee, St. Paul & Pacific Railroad, and there terminating.

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.

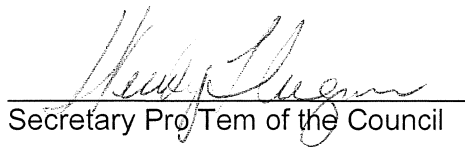
Sec. 6. That reading of this resolution is waived by Council consent.

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 Schulte V 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

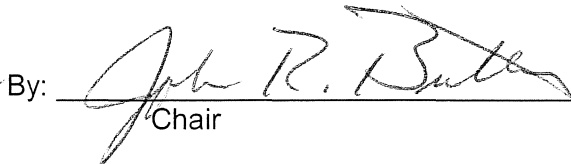
By: 
Mayor Vern Rasmussen Jr.

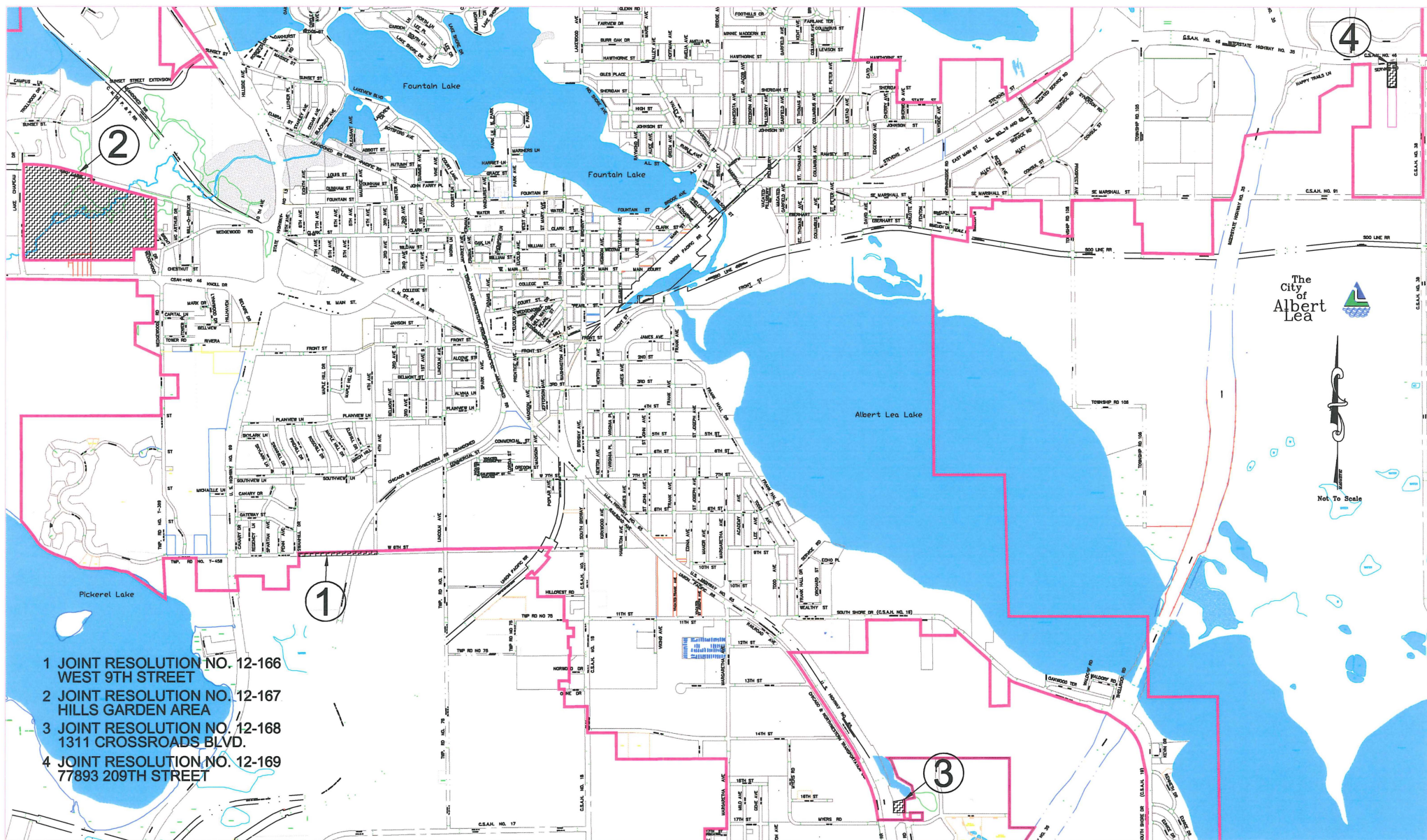
TOWNSHIP OF ALBERT LEA

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.

Signature: _____
 Printed Name: _____
 Date: _____ License No. _____



Date
9/26/2012
 Drawn By
COH
 Dwg. No.

CITY OF ALBERT LEA
MINNESOTA

AREA
CITY ANNEXATION MAP
2012

Sheet No.
1
of
1
Sheets

REC'D BY
MBA
OCT 01 2012