

RESOLUTION 13-204

Introduced by Councilor Anderson

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:

2301 Stevens Street – 4.16 AcresDESCRIPTION FOR ANNEXATION PURPOSES
NW1/4 SECTION 10-T102N-R21W
FREEBORN COUNTY, MNCITY OF ALBERT LEA

Commencing at the Northwest corner of the NW ¼ of NE ¼ of Section 10, Township 102 North, Range 21 West of the 5th P.M.; thence East on the section line between Sections 3 and 10, 1158.5 feet more or less to the westerly line of the right of way of Trunk Highway No. 1, now U.S. Highway 65; thence in a Southwesterly direction along the Westerly line of said Trunk Highway to the west line of the NW ¼ NE ¼ of Section 10 aforesaid a distance of 1369.5 feet; thence due North on said line 731.36 feet more or less to the place of beginning, **LESS THE FOLLOWING TRACT:** Commencing 531.36 feet South of the Northwest corner of the NW ¼ NE ¼ of Section 10, Township 102 North, Range 21 West of the 5th P.M.; thence running due East 70 feet; thence South 157.97 feet to the Westerly line of U.S. Highway 65; thence Southwesterly along the West line of said Highway, 82.2 feet; thence North 200 feet to the place of beginning., **LESS PROPERTY CONVEYED TO ALICE SWIDERSKI described as follows:** Commencing at a point which point is 437.7 feet East of the Northwest corner of the NE ¼ of Section 10, Township 102 North of Range 21 West of the 5th P.M., thence South 8°1' East 422.7 feet to the North right-of-way line of U.S. Highways #16 and #65; thence Northeasterly along the North right-of-way of U.S. Highway #16 and #65, 782.67 feet to a point where the North Highway line intersects the North line of the NE ¼ of Section 10, Township 102 North, Range 21 West; thence West on the North line of the NE ¼ of Section 10, Township 102 North, Range 21 West of the 5th P.M., 720.8 feet to the point of beginning.

ALSO LESS AND EXCEPTING: All that part of the NW ¼ NE ¼ Section 10-T102N-R21W, described as follows: Commencing at the northwest corner of the NW ¼ NE ¼ Section 10-T102N-R21W; thence South 00°00'00" West a distance of 534.00 feet, on an assumed bearing on the north-south ¼ section line of said Section 10; thence North 90°00'00" East a distance of 70.00 feet, to the point of beginning; thence South 00°00'00" West a distance of 153.95 feet, to a point on the northwesterly right-of-way line of Stevens Street (formerly Trunk Highway No. 1); thence North 57°39'00" East a distance of 22.00 feet, on the northwesterly right-of-way line of said Stevens Street; thence North 07°26'51" West a distance of 143.39 feet, 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, 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:

Commencing at the Northwest corner of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10, Township 102 North, Range 21 West of the 5th P.M.; thence East on the section line between Sections 3 and 10, 1158.5 feet more or less to the westerly line of the right of way of Trunk Highway No. 1, now U.S. Highway 65; thence in a Southwesterly direction along the Westerly line of said Trunk Highway to the west line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10 aforesaid a distance of 1369.5 feet; thence due North on said line 731.36 feet more or less to the place of beginning, **LESS THE FOLLOWING TRACT:** Commencing 531.36 feet South of the Northwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, Township 102 North, Range 21 West of the 5th P.M.; thence running due East 70 feet; thence South 157.97 feet to the Westerly line of U.S. Highway 65; thence Southwesterly along the West line of said Highway, 82.2 feet; thence North 200 feet to the place of beginning., **LESS PROPERTY CONVEYED TO ALICE SWIDERSKI described as follows:** Commencing at a point which point is 437.7 feet East of the Northwest corner of the NE $\frac{1}{4}$ of Section 10, Township 102 North of Range 21 West of the 5th P.M., thence South 8^o1' East 422.7 feet to the North right-of-way line of U.S. Highways #16 and #65; thence Northeasterly along the North right-of-way of U.S. Highway #16 and #65, 782.67 feet to a point where the North Highway line intersects the North line of the NE $\frac{1}{4}$ of Section 10, Township 102 North, Range 21 West; thence West on the North line of the NE $\frac{1}{4}$ of Section 10, Township 102 North, Range 21 West of the 5th P.M., 720.8 feet to the point of beginning.

ALSO LESS AND EXCEPTING: All that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10-T102N-R21W, described as follows: Commencing at the northwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10-T102N-R21W; thence South 00^o00'00" West a distance of 534.00 feet, on an assumed bearing on the north-south $\frac{1}{4}$ section line of said Section 10; thence North 90^o00'00" East a distance of 70.00 feet, to the point of beginning; thence South 00^o00'00" West a distance of 153.95 feet, to a point on the northwesterly right-of-way line of Stevens Street (formerly Trunk Highway No. 1); thence North 57^o39'00" East a distance of 22.00 feet, on the northwesterly right-of-way line of said Stevens Street; thence North 07^o26'51" West a distance of 143.39 feet, to the point of beginning.

Sec.2. That the designated area consists of approximately 4.16 acres and the population in the subject area is 1.

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

Introduced, read and passed 14th day of October, 2013

Attest:

Sherley Slater Schulte
Secretary of the Council

By: *Vern Rasmussen Jr.*
Mayor Vern Rasmussen Jr.

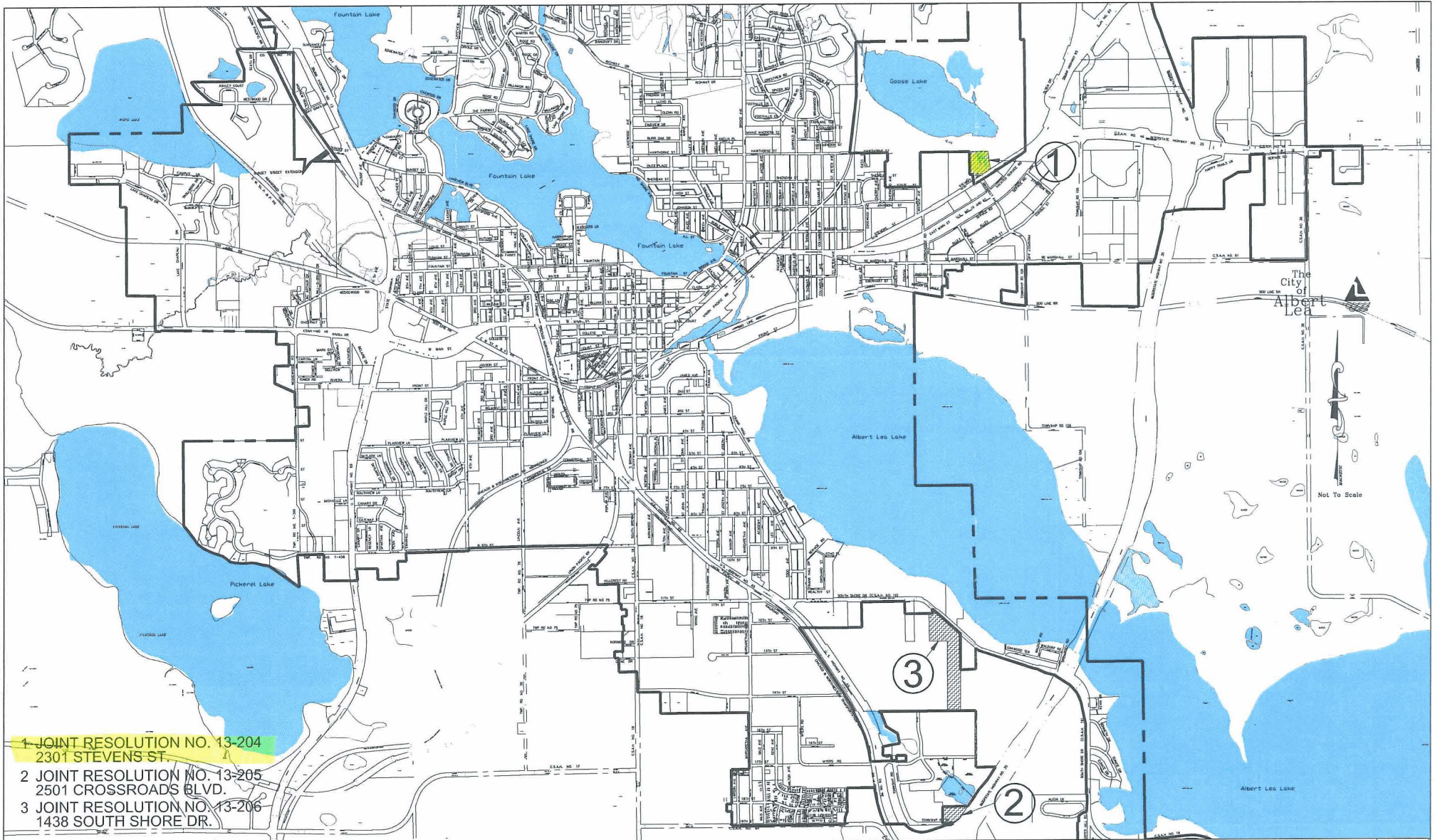
TOWNSHIP OF ALBERT LEA

Passed and adopted by the Township Board of the Township of Albert Lea this 22nd day of October, 2013.

Attest:

Marilyn A. Roche
Township Clerk

By: *John R. Butler*
Chair



- 1 JOINT RESOLUTION NO. 13-204
2301 STEVENS ST.
- 2 JOINT RESOLUTION NO. 13-205
2501 CROSSROADS BLVD.
- 3 JOINT RESOLUTION NO. 13-206
1438 SOUTH SHORE DR.

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: Steven J. Jahnke
 Title: Engineer No. 24464



Date: 10/22/2013
 Drawn By: COH
 Dwg. No.: 13-204-01

CITY OF ALBERT LEA
 MINNESOTA

AREA
 CITY ANNEXATION MAP
 2013

Sheet No.
 1 of 1
 Sheets

REC'D BY
 MBA
 NOV 19 2013