

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:

1438 South Shore Drive – 22.52 Acres

**DESCRIPTION FOR ANNEXATION PURPOSES
NE1/4 SECTION 22-T102N-R21W
FREEBORN COUNTY, MN**

CITY OF ALBERT LEA

All that part of the NW¼ Section 22-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northeast corner of the NW¼ NW¼ of said Section 22; thence South 89°32'46" West a distance of 108.00 feet, on an assumed bearing on the north line of said NW¼, to the northeast corner of Ed Brandt Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County; thence South 00°53'51" East a distance of 1000.00 feet, on the east line of said Ed Brandt Addition, on a line parallel with the west line of the NW¼ of said Section 22; thence North 89°32'46" East a distance of 195.00 feet, on a line parallel with the north line of said NW¼, to the point of beginning;

thence North 00°53'51" West a distance of 650.00 feet, on a line parallel with the west line of said NW¼;

thence North 89°32'46" East a distance of 235.26 feet, on a line parallel with the north line of said NW¼;

thence North 00°53'51" West a distance of 106.09 feet, on a line parallel with the west line of said NW¼, to a point on the south right-of-way line of South Shore Drive (County State Aid Highway No. 19);

thence South 66°44'12" East a distance of 6.93 feet, on the south right-of-way line of said South Shore Drive;

thence South 47°57'31" East a distance of 464.09 feet, on the south right-of-way line of said South Shore Drive, to a point of intersection with a line drawn parallel with and 664.00 feet west of the east line of said NW¼;

thence South 00°12'58" East a distance of 439.79 feet, on said line drawn parallel with and

664.00 feet west of the east line of said NW¼, to a point on a line drawn 1000.00 feet south of and parallel with the north line of said NW¼;

thence South 89°32'46" West a distance of 576.11 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:

All that part of the NW¼ Section 22-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northeast corner of the NW¼ NW¼ of said Section 22; thence South 89°32'46" West a distance of 108.00 feet, on an assumed bearing on the north line of said NW¼, to the northeast corner of Ed Brandt Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County; thence South 00°53'51" East a distance of 1000.00 feet, on the east line of said Ed Brandt Addition, on a line parallel with the west line of the NW¼ of said Section 22; thence North 89°32'46" East a distance of 195.00 feet, on a line parallel with the north line of said NW¼, to the point of beginning;

thence North 00°53'51" West a distance of 650.00 feet, on a line parallel with the west line of said NW¼;

thence North 89°32'46" East a distance of 235.26 feet, on a line parallel with the north line of said NW¼;

thence North 00°53'51" West a distance of 106.09 feet, on a line parallel with the west line of said NW¼, to a point on the south right-of-way line of South Shore Drive (County State Aid Highway No. 19);

thence South 66°44'12" East a distance of 6.93 feet, on the south right-of-way line of said South Shore Drive;

thence South 47°57'31" East a distance of 464.09 feet, on the south right-of-way line of said South Shore Drive, to a point of intersection with a line drawn parallel with and 664.00 feet west of the east line of said NW¼;

thence South 00°12'58" East a distance of 439.79 feet, on said line drawn parallel with and 664.00 feet west of the east line of said NW¼, to a point on a line drawn 1000.00 feet south of and parallel with the north line of said NW¼;

thence South 89°32'46" West a distance of 576.11 feet, to the point of beginning.

Sec.2. That the designated area consists of approximately 22.52 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 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:


Secretary 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 22nd
day of October, 2013.

Attest:

Marilyn A. Roche
Township Clerk

By: John R. Butler
Chair

