

CITY OF AUSTIN JOINT RESOLUTION NO. 15578
LANSING TOWNSHIP JOINT RESOLUTION NO. 01-17-2018

IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY
OF AUSTIN AND THE TOWNSHIP OF LANSING
PURSUANT TO MINNESOTA STATUTES §414.0325

WHEREAS, the City of Austin and the Township of Lansing designate for orderly annexation, the following described lands located within the Township of Austin, County of Mower, Minnesota:

LEGAL DESCRIPTION (SEE ATTACHED EXHIBIT "A")

and,

WHEREAS, the City of Austin (the "City") and the Township of Lansing (the "Township") are in agreement as to the orderly annexation of the unincorporated land described; and

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

WHEREAS, publication was not required pursuant to the requirements of Minnesota Statutes §414.0325 Subd. 1b, because the orderly annexation agreement designates for immediate annexation property for which all the property owners have petitioned to be annexed; and

WHEREAS, the City and the Township 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 Austin and the Township Board of the Township of Lansing as follows:

1. That the following described lands in the Township of Lansing are subject to orderly annexation pursuant to Minnesota Statutes §414.0325, and that the parties hereto designate those areas for orderly annexation, as follows:

LEGAL DESCRIPTION (SEE ATTACHED EXHIBIT "A")

2. That the designated area consists of approximately 25 acres of vacant property with no residents. The land type is primarily undeveloped agricultural land with low density residential. The City will purchase the annexed property for future development. This action is supported by the City of Austin's Comprehensive Land Use Plan.

3. That the Township does, upon passage of this resolution and its adoption by the City Council of the City of Austin, and upon acceptance by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confer jurisdiction upon Municipal Boundary Adjustments so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. That the above-described property is urban or suburban or about to become so, and since the City is capable of providing municipal sanitary sewer and utility services to this area within a reasonable time, the annexation would be in the best interest of the area.

5. Local Procedure – The parties will follow such procedures as may be required by MN Statute §414.0325 as under the circumstances.

6. The tax capacity rate applicable to the property after annexation shall be increased in substantially equal proportions each year of a six year period until it equals the tax capacity rate of the City of Austin. Minn. Stat. Sec. §414.035 (1-6 years)

7. Municipal Reimbursement to Township. The City shall reimburse the Township for the taxable property of parcels lost to annexation for a period of six (6) years following the last year in which the Township would receive real estate for this property following annexation, and shall be paid according to the schedule as follows:

Year 1:	100%	of the Real Estate Tax paid to the Township in the year of annexation		
Year 2:	80%		"	"
Year 3:	60%		"	"
Year 4:	40%		"	"
Year 5:	20%		"	"
Year 6:	10%		"	"
Year 7 and thereafter	0%		"	"

8. The City and the Township agree that upon receipt of this resolution, passed and adopted by each party, the Office of Administrative hearings/Municipal Boundary Adjustments, or its successor, may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this resolution.

9. Annexation shall become effective upon approval by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings.

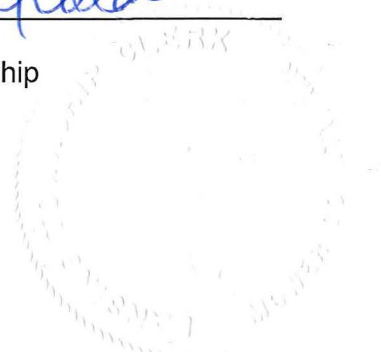
10. The real estate described shall be zoned "I-1" Limited Industrial District.

Adopted by affirmative vote of all the members of the Lansing Township Board of Supervisors this 17th day of January, 2018.

TOWNSHIP OF LANSING

By: *Dan Vermilion*
Chairperson
Board of Supervisors

By: *Kristen Allos*
Clerk
Lansing Township



Adopted by affirmative vote of the City Council of Austin, this 16th day of January, 2018.

YEAS 7

NAYS 0

CITY OF AUSTIN

By:



Mayor

ATTEST:

By:



City Recorder

Approved this 16th day of January, 2018

Exhibit "A"

LEGAL DESCRIPTION

All that part of the NE¼ SE¼ Section 35-T103N-R18W, Mower County, Minnesota; described as follows:

Beginning at the southeast corner of said NE¼ SE¼;

Thence North 00°55'46" West a distance of 330.00 feet on the east line of the SE¼ of said Section 35;

Thence South 89°14'49" West a distance of 660.00 feet, parallel with the south line of said SE¼, to the west line of the East 660 feet of said NE¼ SE¼;

Thence North 00°55'46" West a distance of 988.03 feet on the west line of said East 660.00 feet, to the northwest corner of said East 660 feet;

Thence South 89°25'33" West a distance of 587.19 feet on the north line of said SE¼, to the southeasterly right-of-way line of the Chicago & Northwestern Transportation Company, now abandoned;

Thence Southwest a distance of 145.30 feet, on the southeasterly right-of-way line of said abandoned Railroad, and on a nontangential curve, concave to the Northwest with a central angle of 01°26'25", a radius of 5779.59 feet, a chord bearing of South 31°41'48" West, and a chord length of 145.29 feet, to the west line of said NE¼ SE¼;

Thence South 01°04'16" East a distance of 1197.27 feet on the west line of said NE¼ SE¼, to the southwest corner thereof;

Thence North 89°14'49" East a distance of 1322.56 feet on the south line of said NE¼ SE¼, to the point of beginning;

Including any additional land falling between said parcel and the right of way of 14th Street NE;

Subject to an easement for public street and utilities over, under and across the East 22.00 feet of the South 47.00 feet of said NE¼ SE¼

CERTIFICATE OF SURVEY

IN NE1/4 SE1/4 SECTION 35-T103N-R18W
AUSTIN, MOWER COUNTY, MINNESOTA

PREPARED LEGAL DESCRIPTION

All that part of the NE1/4 SE1/4 Section 35-T103N-R18W, Mower County, Minnesota; described as follows:

Beginning at the southeast corner of said NE1/4 SE1/4;

thence North 00°55'46" West a distance of 330.00 feet on the east line of the SE1/4 of said Section 35;

thence South 89°14'49" West a distance of 660.00 feet, parallel with the south line of said SE1/4, to the west line of the East 660 feet of said NE1/4 SE1/4;

thence North 00°55'46" West a distance of 988.03 feet on the west line of said East 660.00 feet, to the northwest corner of said East 660 feet;

thence South 89°25'33" West a distance of 587.19 feet on the north line of said SE1/4, to the southeasterly right-of-way line of the Chicago & Northwestern Transportation Company, now abandoned;

thence Southwest a distance of 145.30 feet, on the southeasterly right-of-way line of said abandoned Railroad, and on a nontangential curve, concave to the Northwest with a central angle of 01°26'25", a radius of 5779.59 feet, a chord bearing of South 31°41'48" West, and a chord length of 145.29 feet, to the west line of said NE1/4 SE1/4;

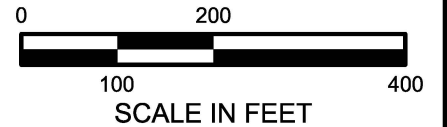
thence South 01°04'16" East a distance of 1197.27 feet on the west line of said NE1/4 SE1/4, to the southwest corner thereof;

thence North 89°14'49" East a distance of 1322.56 feet on the south line of said NE1/4 SE1/4, to the point of beginning;

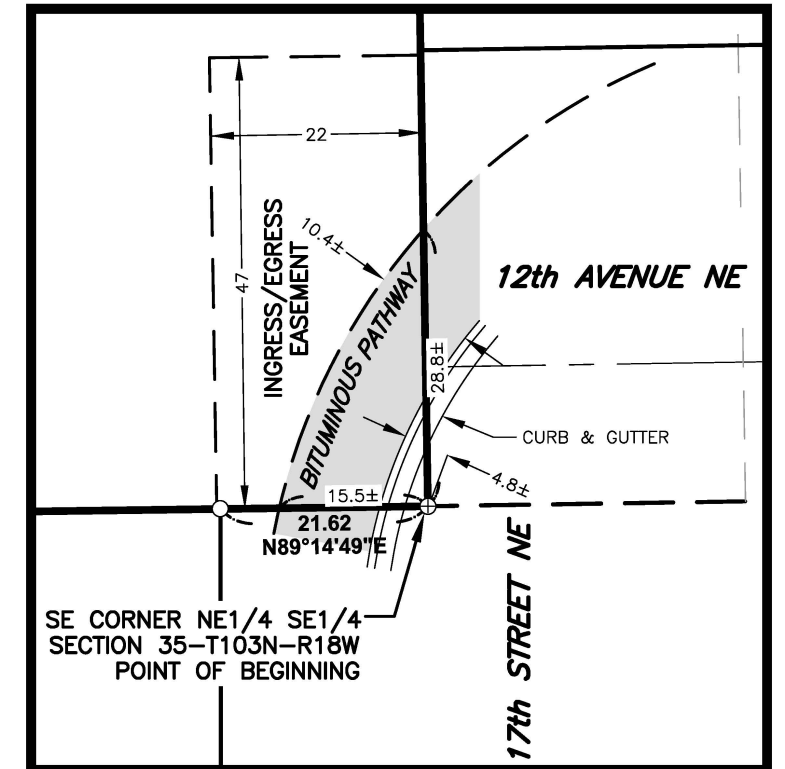
subject to an easement for public street and utilities over, under and across the East 22.00 feet of the South 47.00 feet of said NE1/4 SE1/4.

- LEGEND:**
- = 5/8" x 16" iron stake monument (Capped SJT 22705)-Placed
 - = Iron stake monument-Found
 - ⊕ = Mag Nail

SCALE: 1" = 200'



DETAIL:
SCALE: 1" = 20'

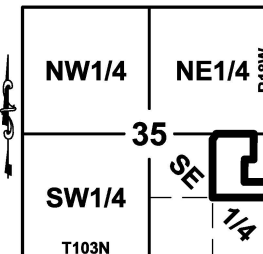


25.00 ACRES±

NE1/4 SE1/4 SECTION 35-T103N-R18W

FOR: DIANE PERSINGER

LOCATION MAP



Scale: 1" = 4000'

Date: 11/20/2017
Revised date: 12/18/2017
Drawn by: ADM
Survey: SJT
Coord-System: MNDOT CO. NAD83 2011
Page 1 of 1
Job No: 17-437_REV1.DWG

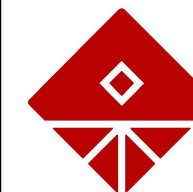
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I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Steven J. Thompson,
L.S. No. 22705

Date



JONES HAUGH SMITH
Engineers + Surveyors

515 South Washington Ave.
Albert Lea, MN 56007
507-373-4876

415 West North Street
Owatonna, MN 55060
507-451-4598

FIGURE 2-3.



FUTURE LAND USE

-  Public / Civic
-  Parks / Open Space (280 acres)
-  Suburban Low Density Residential Neighborhood (299 acres)
-  Traditional Moderate Density Residential Neighborhood (175 acres)
-  Mixed High Density Residential Neighborhood
-  Mixed Use (46 acres)
-  Commercial / Retail (101 acres)
-  Public / Institutional
-  Office/Light Industrial (317 acres)
-  Industrial (93 acres)
-  City Limits
-  Water

