

JOINT RESOLUTION NO. 15636
2018-02

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

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

SEE ATTACHED EXHIBIT A.

and,

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

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

SEE ATTACHED EXHIBIT A.

2. That the designated area consists of approximately 2 acres. This parcel is a commercial property and has no residents. The property owner wishes to access city services. It is likely that more properties will be annexed in this area in the future due to sewage treatment issues.

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 services to this area immediately, 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. Connection to Municipal Sanitary Sewer System

- Connection to sanitary sewer will be completed within 12 months of annexation or as otherwise agreed between the City of Austin and the property owner.


10. The property owner will be charged a municipal sanitary connection fee for the costs associated with the construction of this sanitary sewer project.


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

12. The real estate described shall be zoned “B-2” Community Business District. This zoning designation is consistent with the current use of the property, surrounding area and future development.

Adopted by affirmative vote of all the members of the Austin Township Board of Supervisors this 14th day of April 2018.

TOWNSHIP OF AUSTIN

By: 
Chairperson
Board of Supervisors

By: 
Clerk
Austin Township

Adopted by affirmative vote of the City Council of Austin, this ____ day of _____, 2018.

YEAS

NAYS

CITY OF AUSTIN

ATTEST:

By: _____
Mayor

By: _____
City Recorder

Approved this ____ day of April, 2018

TOWNSHIP OF AUSTIN

By: _____
Chairperson
Board of Supervisors

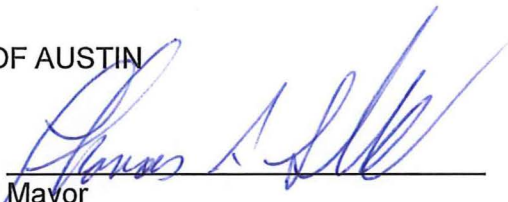
By: _____
Clerk
Austin Township

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

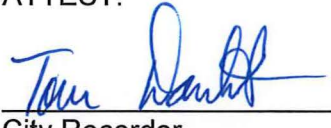
YEAS 7

NAYS 0

CITY OF AUSTIN

By: 
Mayor

ATTEST:

By: 
City Recorder

Approved this _____ day of April, 2018

March 7, 2018

EXISTING DESCRIPTION OF RECORD

IN NE¼ SECTION 11-T102N-R18W

MOWER COUNTY

TRACT I

Beginning at a point on the West line of State Trunk Highway No. 218, that is 1535.15 feet South and 880.8 feet East of the Northwest Corner of the Northeast Quarter of Section 11, Township 102, Range 18; thence Southeasterly along the West line of said highway 725 feet to the place of beginning; thence Southeasterly along the West line of said highway for a distance of 150 feet; thence Southwesterly at a right angle (90°) off the West line of said highway for a distance of 180 feet; thence Northwesterly on a line that is parallel with the West line of said highway for a distance of 150 feet; thence Northeasterly 180 feet to the place of beginning.

TRACT II

Commencing at the Southeast Corner of the Northeast Quarter of Section 11, Township 102, Range 18; thence due West 821.5 feet to the West right-of-way line of Trunk Highway No. 218; thence North 39° 52' West along said right-of-way line 504 feet to the place of beginning of the tract to be described; thence North 39° 52' West 52.85 feet; thence South 50° 08' West 180 feet; thence South 39° 52' East 52.85 feet; thence North 50° 08' East 180 feet to the place of beginning, Mower County, Minnesota.

TRACT III

Commencing at the Southeast corner of the Northeast Quarter of Section 11, Township 102 North, Range 18 West, Mower County, Minnesota; thence due West 821.5 feet to the West right-of-way line of Trunk Highway No. 218; thence North 39° 52' West along said right-of-way line 504 feet; thence South 50° 08' West 180 feet to the place of beginning of the tract to be described; thence North 39° 52' West 202.85 feet; thence South 50° 08' West 258.51 feet; thence South 39° 52' East 177.8 feet; thence North 90° East 38.07 feet; thence North 50° 08' East 228.51 feet to the place of beginning, Mower County, Minnesota.

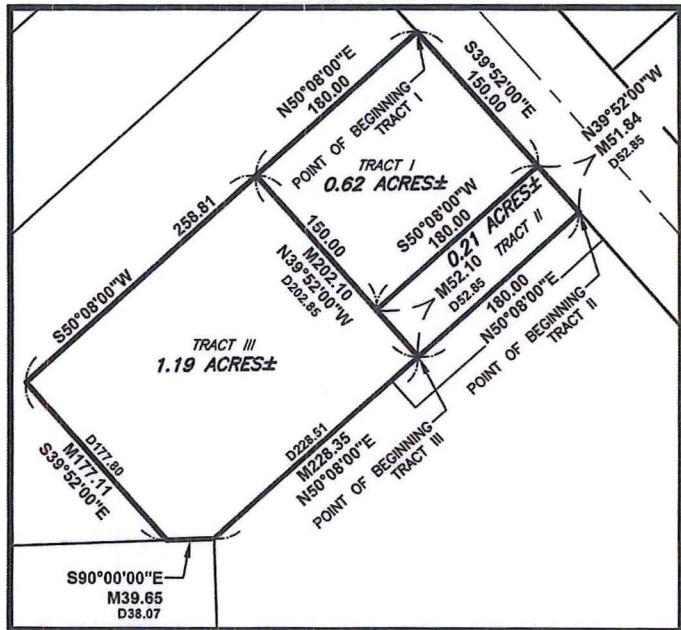
Job # 18-038

DRAWING OF TRACTS

IN NE1/4 SECTION 11-T102N-R18W
MOWER COUNTY, MINNESOTA

DETAIL:
SCALE: 1" = 100'

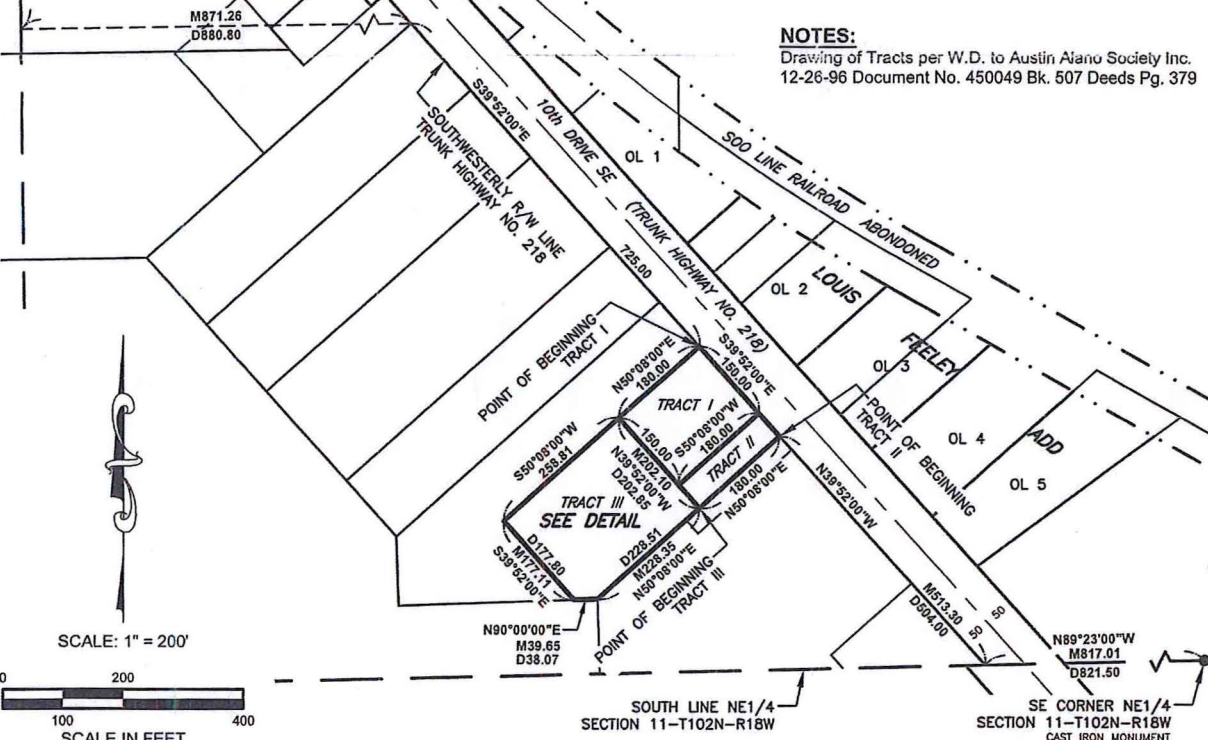
NW CORNER NE1/4
SECTION 11-T102N-R18W



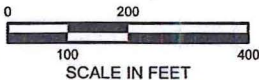
WEST LINE NE1/4
SECTION 11-T102N-R18W

NE1/4 SECTION 11-T102N-R18W

NOTES:
Drawing of Tracts per W.D. to Austin Alano Society Inc.
12-26-96 Document No. 450049 Bk. 507 Deeds Pg. 379



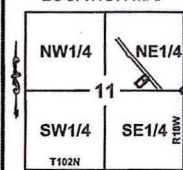
SCALE: 1" = 200'



- LEGEND:**
- = 5/8" x 16" Iron stake monument (Capped SJT 22705)-Placed
 - = Iron stake monument-Found
 - M=Measured Distance
 - D=Deed Distance

FOR: AUSTIN ALANO SOCIETY

LOCATION MAP



Date: 2/19/2018
Revised date: -
Drawn by: ADM
Survey: NONE
Coord-System: MNDOT CO. NAD83 1996
Page 1 of 1
Job No: 18-038.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. Thomppson 2-21-18
Date

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



**JONES
HAUGH
SMITH**
Engineers + Surveyors

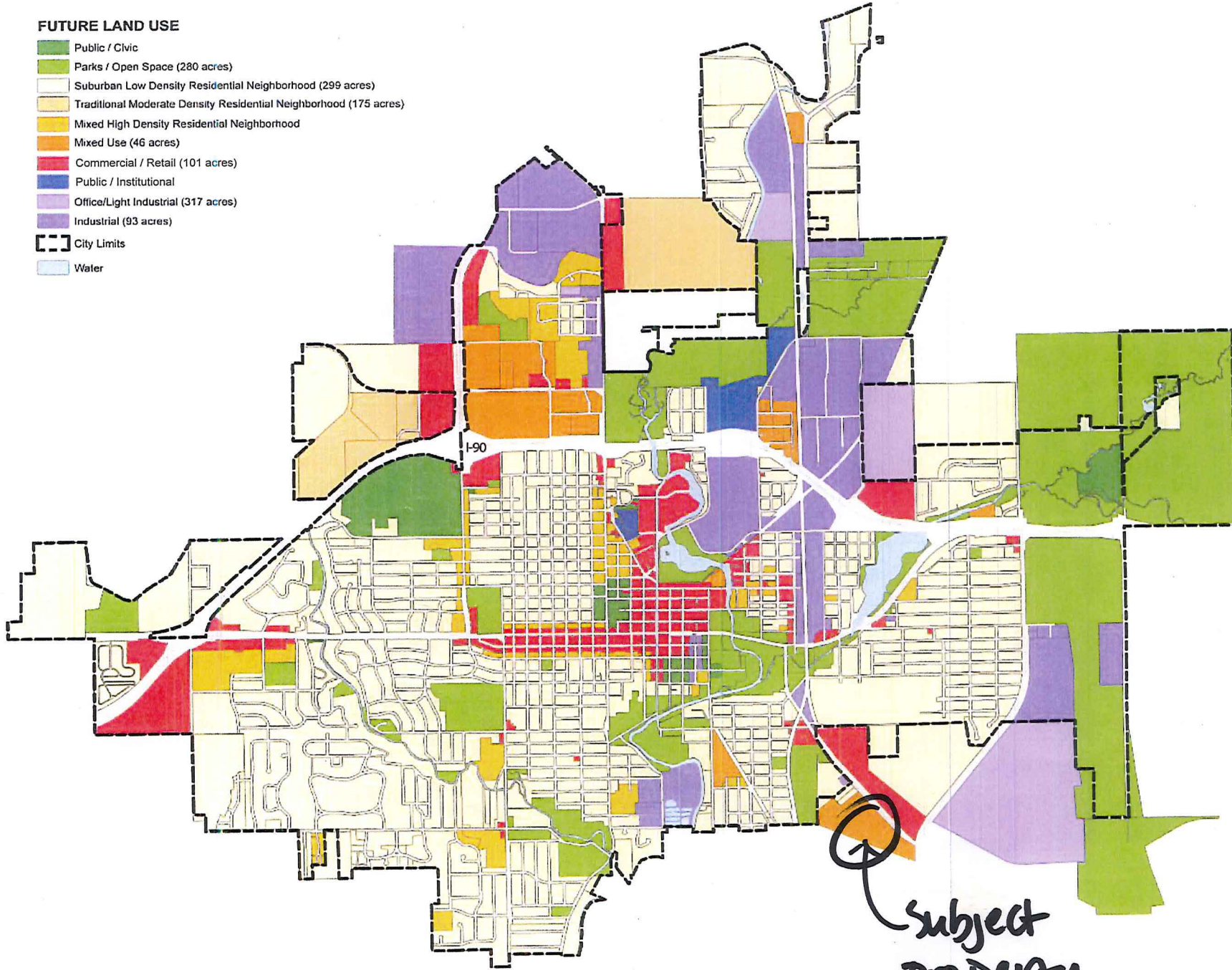
515 South Washington Ave.
Albert Lea, MN 56007
507-373-4876

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



Subject property