

JOINT RESOLUTION NO. 17376  
JOINT RESOLUTION NO. 2026-02

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 (survey and legal description).

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; 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 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 (survey and legal description).

2. That the designated area consists of approximately 1.14 acres. This parcel is located in an industrial area, the business currently operates as a specialized stone fabrication and installation business. The property owner wishes to expand the business and to access city services due to the location, age, and cost of replacement, of the onsite waste treatment facilities currently serving the business.

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 Adjustment 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, annexation is appropriate for the property.

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 taxes 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 the sanitary sewer project.

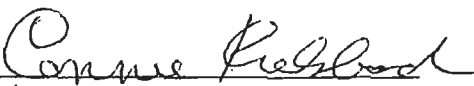
11. Annexation shall become effective upon approval by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings.

12. The real estate described shall be zoned "I-1" Light Industrial. 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 16 day of March, 2026.

TOWNSHIP OF AUSTIN

By:   
Chairperson  
Board of Supervisors

By:   
Clerk  
Austin Township

Adopted by affirmative vote of the City Council of Austin, this 16 day of March 2026.

5 YEAS      ~~4~~ NAYS

CITY OF AUSTIN

ATTEST:

By:   
Mayor

By:   
City Recorder-Clerk

Approved this 16<sup>th</sup> day of March 2026.

# CERTIFICATE OF SURVEY

SECTION 11  
T. 102 N., R. 18 W.

LAND DESCRIPTION (Per Document No. AAR7376)

Commencing at the most southerly corner of Out Lot 1, in the Northeast Quarter of Section 11, Township 102 North, Range 18 West, Mower County, Minnesota; thence northwesterly on the southeasterly line of said Out Lot a distance of 290 feet; thence northeasterly on a line parallel with the southeasterly line of said Out Lot to the point intersecting the northeasterly line of said Out Lot; thence southeasterly on the northeasterly line of said Out Lot to the most easterly corner of said Out Lot; thence southeasterly on the southeasterly line of said Out Lot to the place of beginning.

AND

All that portion of the retroced right-of-way adjacent to Out Lot 1 in Fee's Addition in the Northeast Quarter (NE¼) of Section 11, Township 102 North, Range 18 West, Mower County, Minnesota, lying southwesterly of the centerline of the main track (now abandoned) of the Chicago, Milwaukee, St. Paul and Pacific Railroad as said main track centerline was originally located and established over and across said tract, lying between the following described lines:

LINE 1: Commencing at the southerly most corner of said Out Lot 1; thence northwesterly 290 feet on the southeasterly line of said Out Lot 1, to the point of beginning; thence northeasterly 103 feet, more or less, at a right angle, to the point of intersection with the said main track centerline.

LINE 2: Commencing at the southerly most corner of said Out Lot 1; thence northwesterly on the southeasterly line of said Out Lot 1, extended northwesterly, a distance of 168.66 feet, more or less, to the point of intersection with the said main track centerline.

AND

All that portion of the retroced right-of-way adjacent to Out Lot 2 in Fee's Addition in the Northeast Quarter (NE¼) of Section 11, Township 102 North, Range 18 West, Mower County, Minnesota, lying southwesterly of the centerline of the main track (now abandoned) of the Chicago, Milwaukee, St. Paul and Pacific Railroad as said main track centerline was originally located and established over and across said tract, lying between the following described lines:

LINE 1: Commencing at the westerly most corner of said Out Lot 2; thence northwesterly on the northwesterly line of said Out Lot 2, extended northwesterly, a distance of 168.66 feet, more or less, to the point of intersection with the said main track centerline.

LINE 2: Commencing at the southerly most corner of said Out Lot 2; thence northwesterly 139.5 feet on the southeasterly line of said Out Lot 2, to the point of beginning; thence northwesterly 207.01 feet, more or less, at a right angle, to the point of intersection with the said main track centerline.

AND

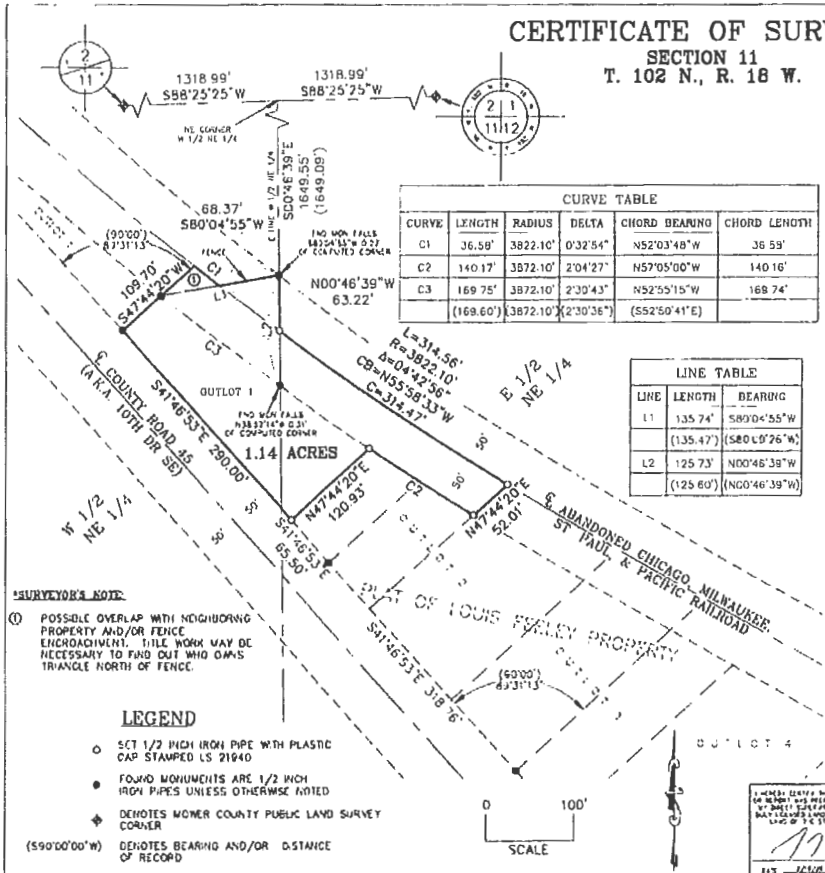
All that part of the W½ NE¼, Section 11-1102N-18W, Mower County, Minnesota, described as follows:

Commencing at the northeast corner of said W½ NE¼; thence South 00°48'39" East, a distance of 1649.09 feet, on an assumed bearing on the east line of said W½ NE¼, to a point on the northeasterly right-of-way line of the formerly Chicago, Milwaukee, St. Paul & Pacific Railroad, which is the point of beginning; thence South 80°09'28" West, a distance of 135.47 feet, to a point on the southeasterly right-of-way line of said formerly Chicago, Milwaukee, St. Paul & Pacific Railroad, thence southeasterly a distance of 169.60 feet, on the southeasterly right-of-way line of said formerly Chicago, Milwaukee, St. Paul & Pacific Railroad, on a noncircular curve, concave to the northeast with a central angle of 02°30'36", a radius of 3872.10 feet, and a chord bearing of South 52°30'41" East; thence North 00°48'39" West, a distance of 125.60 feet, to the point of beginning.

The above described conveyance contains 1.14 acres, more or less, and is subject to any assessments, covenants, and restrictions of record.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	36.58'	3872.10'	0°32'54"	N52°03'48"W	36.59'
C2	140.17'	3872.10'	2°04'27"	N57°05'00"W	140.16'
C3	169.75'	3872.10'	2°30'43"	N52°55'15"W	169.74'
	(168.60')	3872.10'	(2°30'36")	(S52°50'41"E)	

LINE TABLE		
LINE	LENGTH	BEARING
L1	135.74'	S80°04'55"W
	(135.47')	(S80°09'28"W)
L2	125.73'	N00°48'39"W
	(125.60')	(N00°48'39"W)



**SURVEYOR'S NOTE**  
 (1) POSSIBLE OVERLAP WITH NEIGHBORING PROPERTY AND/OR FENCE ENCROACHMENT. TITLE WORK MAY BE NECESSARY TO FIND OUT WHO OWNS TRIANGLE NORTH OF FENCE.

**LEGEND**

- SET 1/2 INCH IRON PIPE WITH PLASTIC CAP STAMPED LS 21940
- FOUND MONUMENTS ARE 1/2 INCH IRON PIPES UNLESS OTHERWISE NOTED
- ◆ DENOTES MOWER COUNTY PUBLIC LAND SURVEY CORNER
- (S90°00'00"W) DENOTES BEARING AND/OR DISTANCE OF RECORD

THIS SURVEY WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED SURVEYOR IN THE STATE OF MINNESOTA.

DATE: 12/1/2018

**G-Cubed**

ENGINEERING SURVEYING PLANNING

14070 Hwy 52 S E  
Chalfield, MN 55923

DATE OF SURVEY: 7-3-20

PREPARED FOR: CCI Granite

1407 10th Drive SE

Austin, MN 55912

DATE: 12/1/2018



**PROPERTY OWNER PETITION TO MUNICIPALITY FOR  
ANNEXATION**

IN THE MATTER OF THE PETITION OF CERTAIN PERSONS FOR THE  
ANNEXATION OF CERTAIN LAND TO THE CITY OF AUSTIN, MINNESOTA

TO: Council of the City of Austin and Austin Township Board

PETITIONER(S) STATE:

It is hereby requested by:

the sole property owner; or  
 all of the property owners

of the area proposed for annexation to annex certain property described herein lying in the Township of Austin to the City of Austin, County of Mower, Minnesota.

The area proposed for annexation is described as follows:

LAND DESCRIPTION: (Per Document No.: A687376)

Commencing at the most southerly corner of Out Lot 1, in the Northeast Quarter of Section 11, Township 102 North, Range 18 West, Mower County, Minnesota; thence northwesterly on the southwesterly line of said Out Lot a distance of 290 feet; thence northeasterly on a line parallel with the southeasterly line of said Out Lot to the point intersecting the northeasterly line of said Out Lot; thence southeasterly on the northeasterly line of said Out Lot to the most easterly corner of said Out Lot; thence southwesterly on the southeasterly line of said Out Lot to the place of beginning.

AND

All that portion of the railroad right-of-way adjacent to Out Lot 1 in Feely's Addition in the Northeast Quarter (NE¼) of Section 11, Township 102 North, Range 18 West, Mower County, Minnesota, lying southwesterly of the centerline of the main track (now abandoned) of the Chicago, Milwaukee, St. Paul and Pacific Railroad as said main track centerline was originally located and established over and across said tract, lying between the following described lines:

**LINE 1:** Commencing at the southerly most corner of said Out Lot 1; thence northwesterly 290 feet on the southwesterly line of said Out Lot 1, to the point of beginning; thence northeasterly 103 feet, more or less, at a right angle, to the point of intersection with the said main track centerline.

**LINE 2:** Commencing at the southerly most corner of said Out Lot 1; thence northeasterly on the southeasterly line of said Out Lot 1, extended northeasterly, a

distance of 168.66 feet, more or less, to the point of intersection with the said main track centerline.

AND

All that portion of the railroad right-of-way adjacent to Out Lot 2 in Feely's Addition in the Northeast Quarter (NE¼) of Section 11, Township 102 North, Range 18 West, Mower County, Minnesota, lying southwesterly of the centerline of the main track (now abandoned) of the Chicago, Milwaukee, St. Paul and Pacific Railroad as said main track centerline was originally located and established over and across said tract, lying between the following described lines:

**LINE 1:** Commencing at the westerly most corner of said Out Lot 2; thence northeasterly on the northwesterly line of said Out Lot 2, extended northeasterly, a distance of 168.66 feet, more or less, to the point of intersection with the said main track centerline.

**LINE 2:** Commencing at the southerly most corner of said Out Lot 2; thence northwesterly 139.5 feet on the southwesterly line of said Out Lot 2, to the point of beginning; thence northeasterly 207.01 feet, more or less, at a right angle, to the point of intersection with the said main track centerline.

AND

All that part of the W½ NE¼, Section 11-T102N-R18W, Mower County, Minnesota, described as follows:

Commencing at the northeast corner of said W½ NE¼; thence South 00°46'39" East, a distance of 1649.09 feet, on an assumed bearing on the east line of said W½ NE¼, to a point on the northeasterly right-of-way line of the formerly Chicago, Milwaukee, St. Paul & Pacific Railroad, which is the point of beginning; thence South 80°09'26" West, a distance of 135.47 feet, to a point on the southwesterly right-of-way line of said formerly Chicago, Milwaukee, St. Paul & Pacific Railroad; thence southeasterly a distance of 169.60 feet, on the southwesterly right-of-way line of said formerly Chicago, Milwaukee, St. Paul & Pacific Railroad, on a nontangential curve, concave to the northeast with a central angle of 02°30'36", a radius of 3872.10 feet, and a chord bearing of South 52°50'41" East; thence North 00°46'39" West, a distance of 125.60 feet, to the point of beginning.

The above described conveyance contains 1.14 acres, more or less, and is subject to any easements, covenants, and restrictions of record.

1. There is 1 property owner in the area proposed for annexation, primary address:  
Jerry Fuertsenberg  
CCI Granite  
1407 10<sup>th</sup> Dr SE  
Austin, MN 55912

2. The area to be annexed is not presently served by public wastewater facilities.
3. Said property is unincorporated and is not included within any other municipality.
4. The area of land proposed for annexation is 1.14 acres, more or less.
5. The reason for the requested annexation is to facilitate the extension of city services to the property, and for continued development of the parcel under City zoning criterion.
6. PETITIONERS REQUEST: That the property described herein be annexed to and included within the City of Austin, Minnesota.

Dated: 2-22-26

Signature: 

