

RESOLUTION 95-72

Introduced by Councilor Kron

Seconded by Councilor McPherson

A JOINT RESOLUTION OF ALBERT LEA TOWNSHIP AND THE CITY OF ALBERT LEA DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION AND CONFERRING JURISDICTION OVER SAID AREA TO THE MINNESOTA MUNICIPAL BOARD PURSUANT TO M.S. §414.0325

WHEREAS, the Township of Albert Lea and the City of Albert Lea hereby jointly agree to the following; now, therefore

THE CITY OF ALBERT LEA RESOLVES:

Sec. 1. That the following described area in Albert Lea Township is subject to orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto designate this area for orderly annexation:

The SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  Section 3-T102N-R21W, Freeborn County, Minnesota, less all that part thereof which lies east of the westerly right-of-way of County State Aid Highway No. 45;

together with the East 90 feet of the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Section 3;

and together with all that part of the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Section 3, described as follows:

Commencing at the southwest corner of the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Section 3; thence North 89°54'11" East a distance of 1260 feet more or less, on an assumed bearing on the south line of said NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , to a point on the westerly right-of-way of County State Aid Highway No. 45;

thence North 00°13'14" West a distance of 755.17 feet, on said westerly right-of-way line;

thence South 89°46'46" West a distance of 16.88 feet;

thence North 60°27'45" West a distance of 63.3 feet;

thence North 87°46'28" West a distance of 736.6 feet;

thence South 43°03'28" West a distance of

776.5 feet;

thence South 02°05'30" West a distance of 250 feet, to a point on the south line of said NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;

thence North 89°54'11" East a distance of 90 feet, to the point of beginning.

Containing 60.8 acres more or less.

Sec. 2. That the area described is in need of orderly annexation and no alteration of the stated boundaries is appropriate, that this resolution sets conditions for annexation and municipal board consideration is not necessary.

Sec. 3. That the Township of Albert Lea does, upon passage of this resolution and its adoption by the City Council of the City of Albert Lea, Minnesota, and upon acceptance by the Municipal Board, confer jurisdiction upon the Minnesota Municipal Board over the various provisions contained in this agreement.

Sec. 4. That certain properties abutting the City of Albert Lea are presently urban or suburban in nature or about to become so. Further, the City of Albert Lea is capable of providing services to this area within a reasonable time, or the existing township form of government is not adequate to protect the public health, safety or welfare, or the annexation would be in the best interests of the area proposed for annexation. Therefore, these properties would be immediately annexed to the City of Albert Lea. This area is described as follows:

The SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  Section 3-T102N-R21W, Freeborn County, Minnesota, less all that part thereof which lies east of the westerly right-of-way of County State Aid Highway No. 45;

together with the East 90 feet of the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Section 3;

and together with all that part of the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Section 3, described as follows:

Commencing at the southwest corner of the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of said Section 3; thence North 89°54'11" East a distance of 1260 feet more or less, on an assumed bearing on the south line of said NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , to a point on the westerly right-of-way of County State Aid Highway No. 45;

thence North 00°13'14" West a distance of 755.17 feet, on said westerly right-of-way line;

thence South 89°46'46" West a distance of 16.88 feet;

thence North 60°27'45" West a distance of 63.3 feet;

thence North 87°46'28" West a distance of 736.6 feet;

thence South 43°03'28" West a distance of 776.5 feet;

thence South 02°05'30" West a distance of 250 feet, to a point on the south line of said NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ ;

thence North 89°54'11" East a distance of 90 feet, to the point of beginning.

Containing 60.8 acres more or less.

Sec. 5. That the City agrees to investigate the possibility of sharing facilities, equipment, and personnel with the township to forestall the duplication of facilities and to reduce the overall costs of government in the area.

Sec. 6. That the effect of annexations on population shall be resolved whenever possible by agreement of parties. If there is failure to reach such agreement, the question shall be resolved by the Minnesota Municipal Board.

Sec. 7. 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.


Sec. 8. That any person owning lands annexed to the City pursuant to this agreement shall have all rights provided by statute and Resolution 94-173 of the City of Albert Lea governing special assessments. That the customary hookup charge approved for property in the City shall be used for connection to City utilities.

Sec. 9. That reading of this resolution is waived by council consent.

Sec. 10. That publication of this resolution shall be dispensed with under provisions of Section 3.08 of the Charter of the City of Albert Lea.

Introduced, read and passed March 27, 1995.

ATTEST:

  
City Clerk

CITY OF ALBERT LEA, MINNESOTA

  
Mayor

TOWNSHIP OF ALBERT LEA

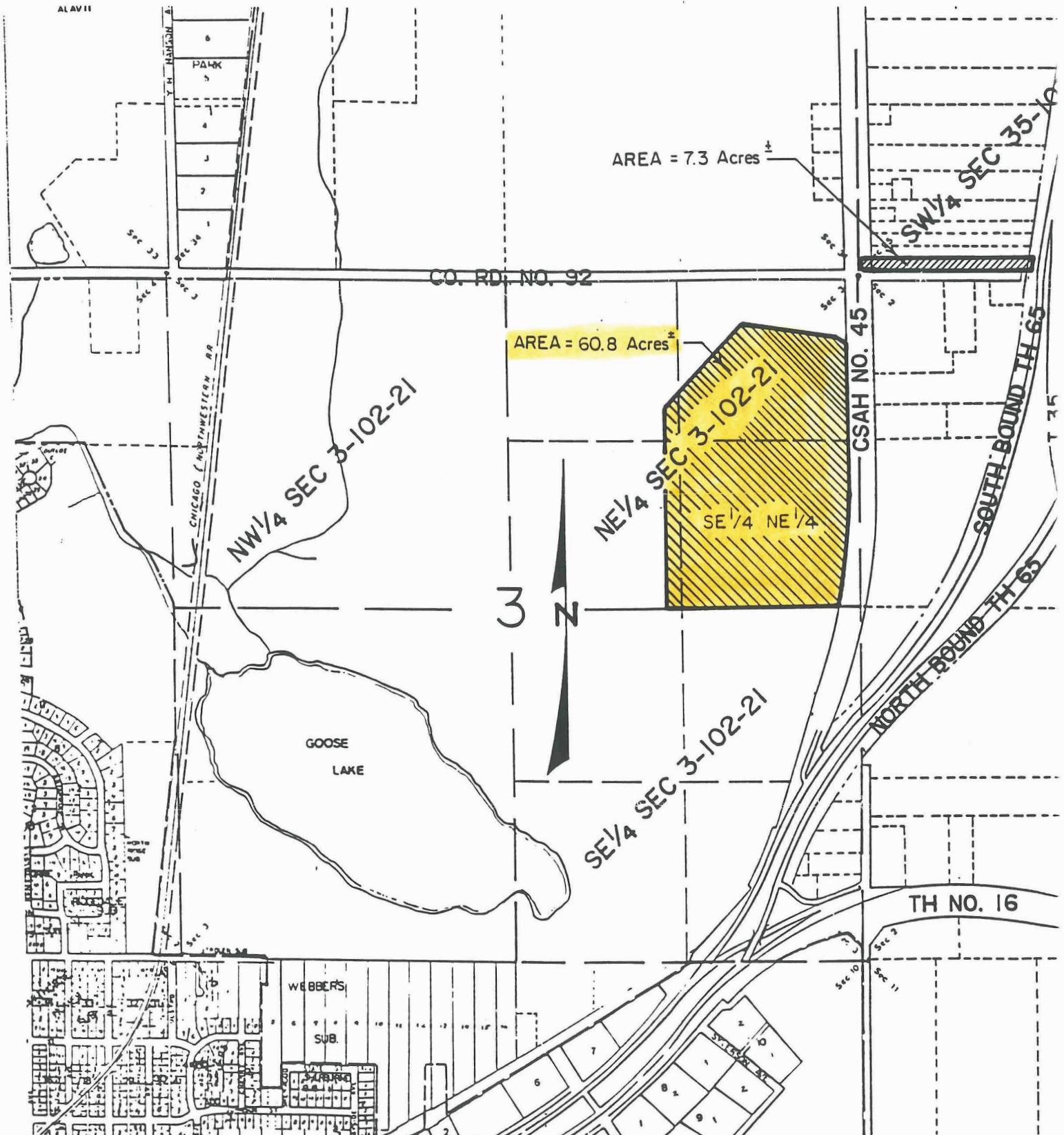
Passed and adopted by the Township Board of the Township of  
Albert Lea this 4<sup>th</sup> day of April, 1995.

ATTEST:

  
Township Clerk

  
Township Chair

REC'D. BY APR 28 1995  
M M R





APR 28 1995

