

RESOLUTION NO. 10340

JOINT RESOLUTION
FOR ORDERLY ANNEXATION

The Township of Austin and the City of Austin hereby jointly agree to the following:

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

Legal Description

(9.55 Ac.) SW 1/4, NE 1/4, SE 1/4 & (2.57 Ac.) SW Cor. SE 1/4, NE 1/4, SW of St., Bk. 346-594, Sec. 5

Lot 10, Cresthaven 3rd Addition (.97 Ac.)

Lot 11, Cresthaven 3rd Addition (.61 Ac.)

Starting at the Southeast Corner of the Northeast Quarter of Section 5, Township 102 North, Range 18 West; thence 400.43' West on the South line of said one-quarter section; thence 310.76' Northerly at a deflection angle of 90 degrees 01.5' right, to a point hereinafter called the point of beginning; thence 277.46' Northerly on an extension of the last described line; thence 10.00' Westerly at a deflection angle of 95 degrees 45' left; thence 345.27' Southwesterly on a curve of 330.44' radius and through a central angle of 59 degrees 52' left to the end point on said curve; thence 88.07' Southwesterly along the tangent to said curve at said end point; thence 314.26' Easterly at a deflection angle of 113 degrees 41' left, to the point of beginning, containing 1.42 acres and being a part of the Southeast Quarter of the Northeast Quarter of Section 5, Township 102 North, Range 18 West; Mower County, Minnesota.

O.L. 7, Cresthaven Addition (1.19 Ac.)

O.L. 5 Cresthaven Addition (.45 Ac.) & (0.63 Ac.) in N. 1/2, NW 1/4, Sec. 4, T-102-N, R-18-W, S. of Road & Adj. O.L. 5

Lot 18, Cresthaven 3rd Addition (1.12 Ac.)

Lot 4, Cresthaven 2nd Addition (02-047-0040) (1.11 Ac.)

Lot 5 Cresthaven 2nd Addition (02-047-0050) (1.33 Ac.)

Lot 26 Exc. Hwy. Norman Park 1st Addition, (02-059-0260), (5.21 Ac.)

| | |
|-------------------------|-------------|
| <u>Total Acreage</u> | 26.16 Acres |
| <u>Total Population</u> | 20 Persons |

2. That the Town Board of the Township of Austin and the City Council of the City of Austin, upon passage and adoption of this resolution and upon the acceptance by the Municipal Board, confer jurisdiction upon the Municipal Board over the various provisions contained in this Agreement.
3. That these certain properties which abut the City of Austin are presently urban or suburban in nature or are about to become so. Further, the City of Austin is capable of providing services to this area within a reasonable time, and the annexation is in the best interest of the area proposed for annexation. Therefore, these properties would be immediately annexed to the City of Austin, to wit:

Legal Description

(9.55 Ac.) SW 1/4, NE 1/4, SE 1-90 & (2.57 Ac.) SW Cor. SE 1/4, NE 1/4, SW of St., Bk. 346-594, Sec. 5

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Lot 26 Exc. Hwy. Norman Park 1st Addition, (02-059-0260), (5.21 Ac.)

4. The City of Austin agrees to spread assessment for sanitary sewer and water over the life of the outstanding bonds, and street improvements over at least a fifteen (15) year period of time, charging for the improvements & interest. Upon annexation, all platted and developed properties shall commence assessment payments for existing services.

Requests for the installation & installation charges for water, natural gas & electricity shall be in accordance with Austin Utility's Policy which is attached hereto and marked "Exhibit A".

5. Upon annexation, all platted properties and non-platted developed properties in the orderly annexation area shall be required to connect to City sanitary sewer and water within three (3) years from the approval of the Orderly Annexation Resolution.

All undeveloped properties in unplatted areas shall have their sanitary sewer and water assessments deferred until such time that their properties are developed. At such time of development, the property(s) will be required to connect to City sanitary sewer and water. After connection to municipal sewer, all current septic tanks shall be removed or pumped and crushed and/or filled with approved aggregate material.

6. Abandonment of wells shall be in accordance with regulations of the Minnesota Department of Health (MHD218) as amended from time to time when a well is abandoned and not capped, the City of Austin has the authority to order the work completed and the costs assessed to the property owner.

7. Both the town of Austin and the City of Austin agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, each party agrees that no consideration by the Municipal Board is necessary. Upon receipt of this resolution, passed and adopted by each party, the Municipal Board may review and comment, but shall, within thirty (30) days, order the annexation in accordance within the terms of this joint resolution.

Approved by the Town of Austin this 17th day of April, 1995.

Town of Austin

BY: Oliver Hallie

BY: Miriam Lock

Approved by the City of Austin this 1st day of May, 1995.

YEAS 7

NAYS 0

City of Austin

APPROVED:

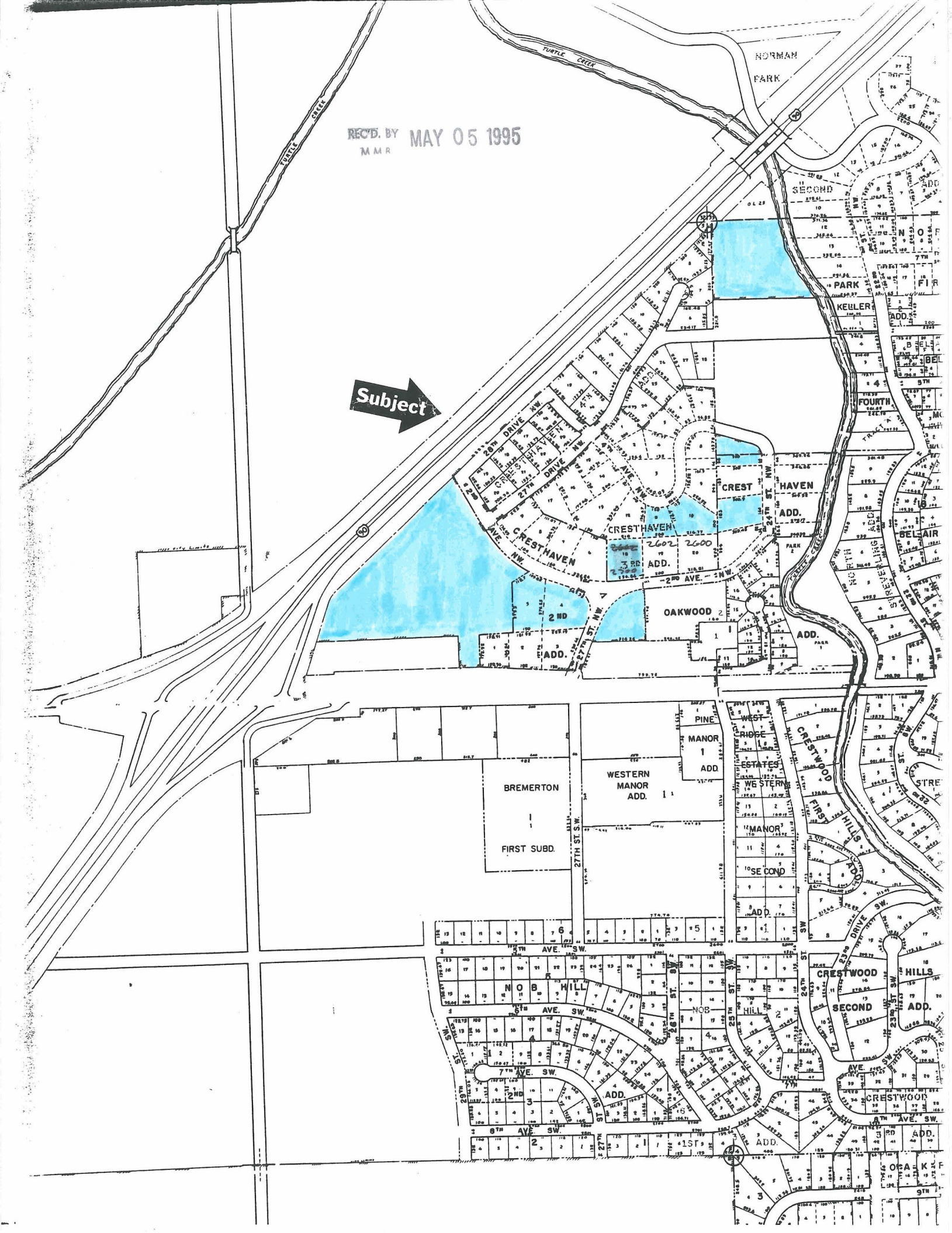
BY: John O'Leary

Mayor

ATTEST:

Daryl E. Sulander
City Recorder

Subject



REC'D. BY MAR 01 1996
HMR

Exhibit A

Subject

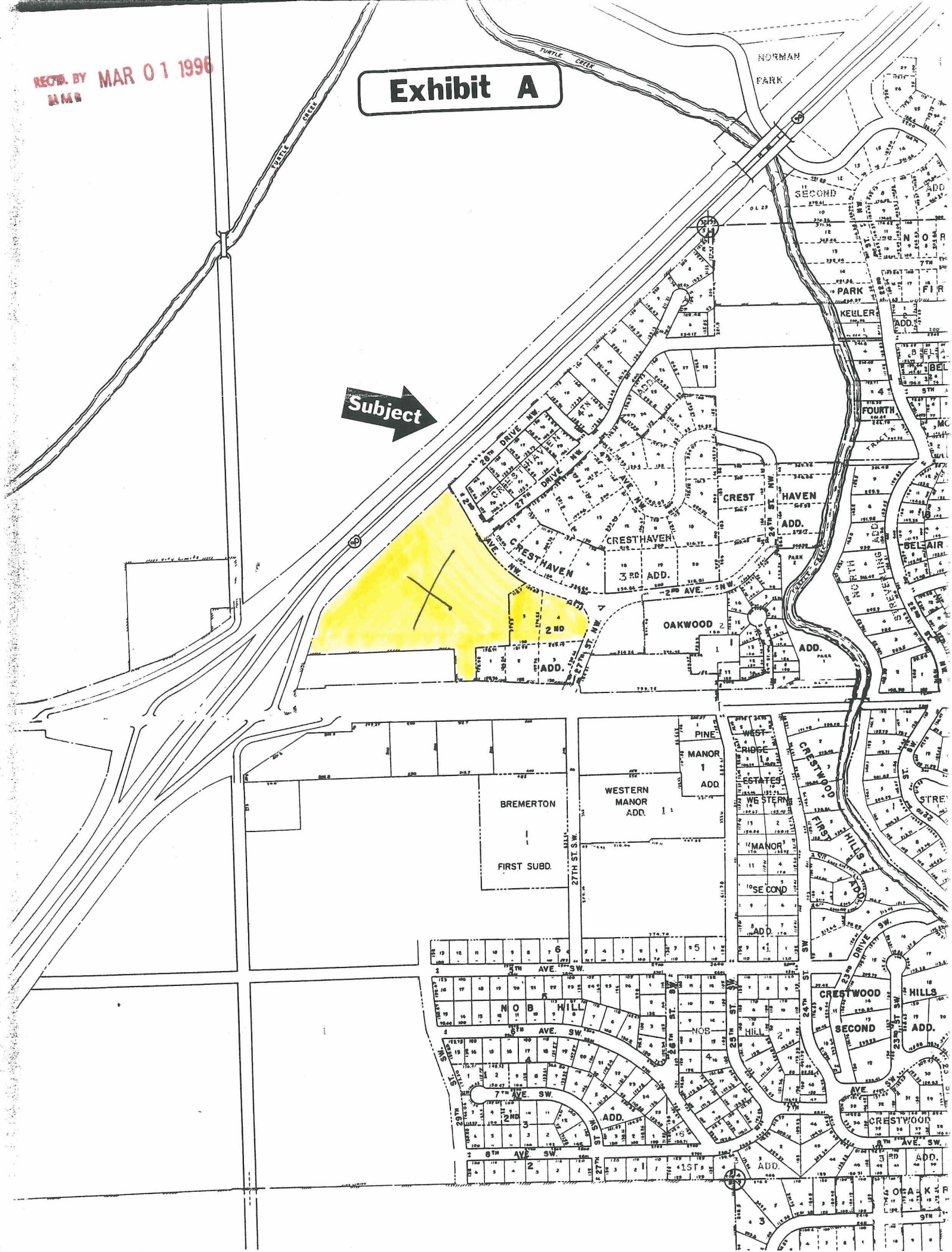
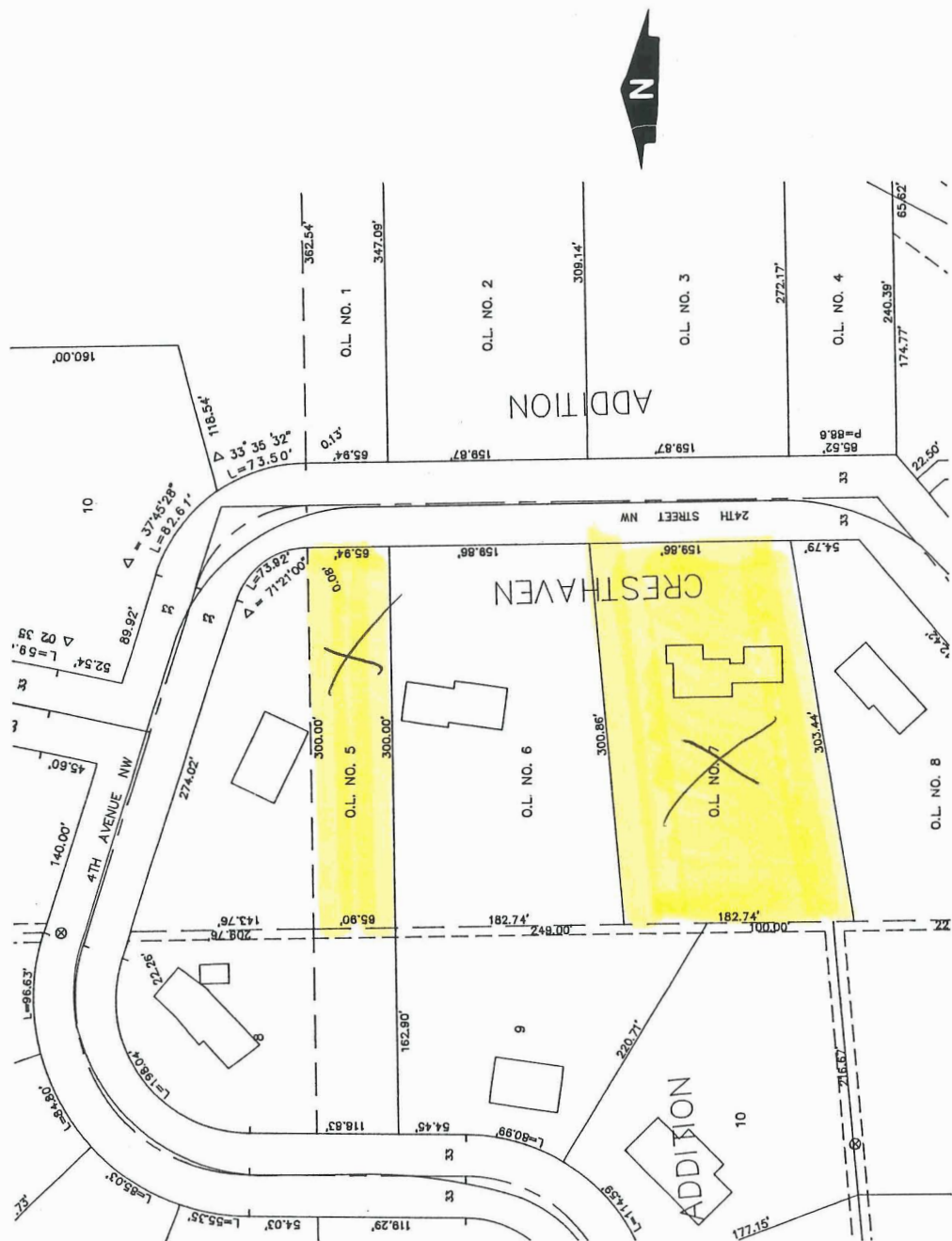


Exhibit B

RECORDED BY MAR 01 1996
31 MAR



REC'D. BY
MMB MAR 01 1996

