

RESOLUTION 98-244

Introduced by Councilor Sorenson

Seconded by Councilor Kron

A 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:

All that part of the N 1/2 SW 1/4 Section 6-T102N-R21W, Freeborn County,
Minnesota, described as follows:

Commencing at the northeast corner of the SW 1/4 of said Section 6;
thence South 89°43'01" West a distance of 618.22 feet, on an assumed
bearing on the north line of said SW 1/4, to a point on the westerly right-
of-way line of the Minneapolis & St. Louis Railway Company (now the
Dakota, Minnesota & Eastern Railroad);

thence South 89°43'01" West a distance of 669.88 feet, on the north line of
said SW 1/4;

thence South 38°36'49" West a distance of 62.76 feet;

thence South 21°09'45" East a distance of 480.38 feet;

thence South 01°04'12" West a distance of 283.90 feet;

thence South 89°39'13" West a distance of 1241.65 feet;

thence Southeasterly a distance of 231.74 feet, on a nontangential curve,
concave to the northeast, with a radius of 1035.14 feet, a central angle of
12°49'37" and a chord bearing of South 37°17'42" East;

thence South 47°00'56" East a distance of 309.27 feet, on a tangential line;

thence Southeasterly a distance of 405.84 feet, on a tangential curve, concave to the northeast, with a radius of 541.97 feet and a central angle of 42°54'16", to a point on the south line of said N 1/2 SW 1/4 Section 6-T102N-R21W;

thence South 89°55'11" East a distance of 1676.74 feet, on a tangential line on the south line of said N 1/2 SW 1/4 of said Section 6, to the southeast corner thereof;

thence North 00°28'34" West a distance of 34.89 feet, on the east line of said N 1/2 SW 1/4, to a point on the north right-of-way line of said former Minneapolis & St. Louis Railway Company (now Dakota, Minnesota & Eastern Railroad);

thence Northwesterly a distance of 179.98 feet, on a spiral curve concave to the northeast, with a spiral angle of 01°45'38" and a chord bearing of North 26°12'17" West;

thence North 25°46'37" West a distance of 1263.76 feet, on the west right-of-way line of said Dakota, Minnesota & Eastern Railroad, to the point of beginning.

Sec. 2. 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. 3. 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:

Commencing at the northeast corner of the SW 1/4 of said Section 6; thence South 89°43'01" West a distance of 618.22 feet, on an assumed bearing on the north line of said SW 1/4, to a point on the westerly right-of-way line of the Minneapolis & St. Louis Railway Company (now the Dakota, Minnesota & Eastern Railroad);

thence South 89°43'01" West a distance of 669.88 feet, on the north line of said SW 1/4;

thence South 38°36'49" West a distance of 62.76 feet;

thence South 21°09'45" East a distance of 480.38 feet;

thence South 01°04'12" West a distance of 283.90 feet;

thence South 89°39'13" West a distance of 1241.65 feet;

thence Southeasterly a distance of 231.74 feet, on a nontangential curve, concave to the northeast, with a radius of 1035.14 feet, a central angle of 12°49'37" and a chord bearing of South 37°17'42" East;

thence South 47°00'56" East a distance of 309.27 feet, on a tangential line;

thence Southeasterly a distance of 405.84 feet, on a tangential curve, concave to the northeast, with a radius of 541.97 feet and a central angle of 42°54'16", to a point on the south line of said N 1/2 SW 1/4 Section 6-T102N-R21W;

thence South 89°55'11" East a distance of 1676.74 feet, on a tangential line on the south line of said N 1/2 SW 1/4 of said Section 6, to the southeast corner thereof;

thence North 00°28'34" West a distance of 34.89 feet, on the east line of said N 1/2 SW 1/4, to a point on the north right-of-way line of said former Minneapolis & St. Louis Railway Company (now Dakota, Minnesota & Eastern Railroad);

thence Northwesterly a distance of 179.98 feet, on a spiral curve concave to the northeast, with a spiral angle of 01°45'38" and a chord bearing of North 26°12'17" West;

thence North 25°46'37" West a distance of 1263.76 feet, on the west right-of-way line of said Dakota, Minnesota & Eastern Railroad, to the point of beginning.

Sec. 4. 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. 5. That the effect of annexation 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. 6. That no alteration of the area is appropriate, that this resolution sets conditions for annexation and municipal board consideration is not necessary.

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. That the property included in this annexation shall be zoned R-1.

Sec. 8. That any person owning lands annexed to the City pursuant to this agreement shall have all rights provided by statute and Resolution 87-46 of the City of Albert Lea governing special assessments. That the customary hookup charges 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 October 12, 1998.

Attest:

Sandi Behrens
City Clerk

By: Marv Wengen
Mayor

TOWNSHIP OF ALBERT LEA

Passed and adopted by the Township Board of the Township of Albert Lea this 3rd day of November, 1998.

Attest:

Marilyn A. Roche
Township Clerk

By: Larry Festend
Chair

STATE OF MINNESOTA }
COUNTY OF FREEBORN } ss
CITY OF ALBERT LEA }

I hereby certify that I have compared the within instrument with the original now on file in my office and that it is a true and correct copy of the same and of the whole thereof.

Dated December 15, 1998

City Clerk Sandi Behrens

By authorized deputy _____



MAP OF

ALBERT LEA

REC'D BY DEC 17 1998
M1AB

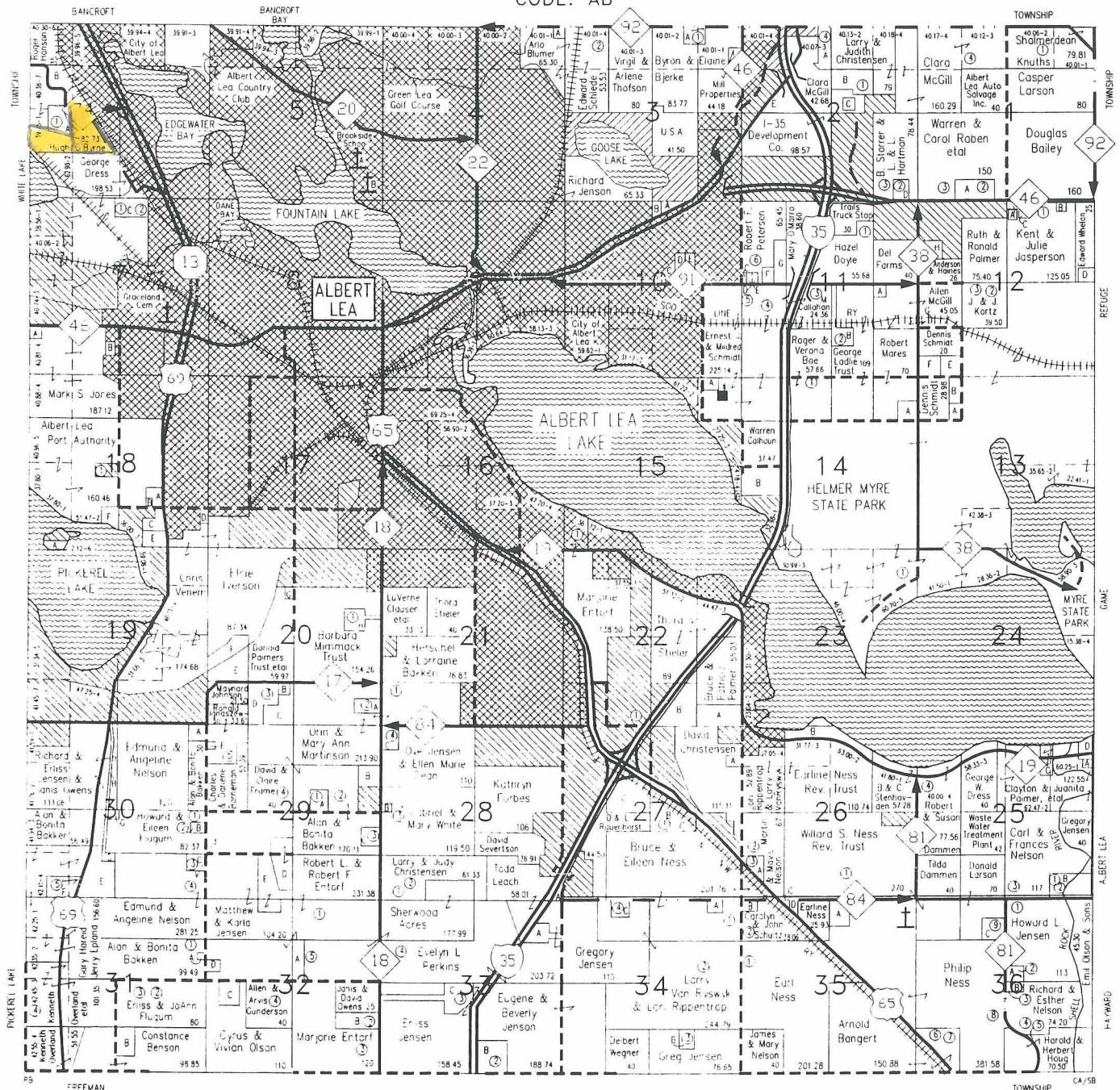


TOWNSHIP: 102 N

MIDLAND ATLAS CO. INC. COPYRIGHT 1976

RANGE: 21 W

CODE: AB



SEE SMALL TRACT OWNERS FOLLOWING TOWNSHIP MAPS.

PETERSON, SAVELKOL, SCHLICHTING & DAVIES, LTD.

LAWYERS

Real Estate, Family,
Farm and Agricultural
Law, Trusts, Wills,
Estate Planning

211 South Newton
Albert Lea, MN 56007

(507)373-6491

FREEBORN	HARTLAND	BATH	GENEVA	NEWRY
CARLTON	MANCHESTER	BANCROFT	RICELAND	MOSCOW
ALDEN	PICKEREL LAKE		HAYWARD	OAKLAND
MANSFIELD	NINDA	FREEMAN	SHELL ROCK	LONDON

REC'D BY DEC 17 1998
M.M.B.

PRELIMINARY PLAT
SUNDANCE SUBDIVISION

PLAN D, 41 LOTS
IN THE N 1/2 OF THE SW 1/4 OF SECTION 5-T102N-R21W
FREEBORN COUNTY, MINNESOTA

