

RESOLUTION 01-293

Introduced by Councilor Kron

Seconded by Councilor Sorenson

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 PLANNING OFFICE PURSUANT TO M.S.414.0325

WHEREAS, it is necessary for the City to annex the area along Southeast Marshall and the roadway to have municipal control over the street, allowing us to use municipal standards for the installation of fire hydrants and lighting; and

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 Section 10 & 11-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northwest corner of the SE $\frac{1}{4}$  of said Section 10;

thence East a distance of 430.50 feet, on the north line of said SE $\frac{1}{4}$ ;

thence North a distance of 260.56 feet, on the east line of Lots 3 & 4, Block 5, Buschbom Third Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota, and a southerly extension of said line, to the southerly-most corner of Lot 5 in said Block 5;

thence Northeasterly a distance of 227.33 feet, on the southeasterly line of said Lot 5, Block 5;

thence South a distance of 73.3 feet;

thence East a distance of 214.95 feet;

thence North a distance of 74.2 feet, to a point on the south line of Lot 6 in said Block 5;

thence East a distance of 229.04 feet, on the south line of Lots 6, 7 & 9 in said Block 5, to the northwest corner of Lot 10 in said Block 5;

thence South a distance of 380.44 feet, on the west line of Lots 10 & 11 in said Block 5 and a southerly extension thereof, to a point on the north line of said SE $\frac{1}{4}$ ;

thence East a distance of 278.12 feet, on the north line of said SE $\frac{1}{4}$ , to a point on the east line of Prospect Avenue;

thence North a distance of 50.00 feet, on the east line of said Prospect Avenue;

thence East a distance of 1277.53 feet, on a line parallel with and 50 feet north of the north line of said SE $\frac{1}{4}$ , to a point on the west line of the NW $\frac{1}{4}$  of said Section 11;

thence North a distance of 587.97 feet, on the west line of said NW $\frac{1}{4}$ ;

thence East a distance of 993.48 feet, on the south line of Lots 1 & 2 of Block 1, Chadwick Marketplace Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota; and a westerly extension of said south line, to the northwest corner of Lot 4 in said Block 1;

thence South a distance of 587.97 feet, on the west line of said Lot 4, to the southwest corner thereof;

thence East a distance of 729.94 feet, on a line parallel with and 50 feet north of the south line of said NW $\frac{1}{4}$ , to a point on the westerly right-of-way line of Interstate Highway No. 35;

thence Southwesterly a distance of 107.64 feet, on the westerly right-of-way line of said Interstate Highway No. 35, to a point on a line parallel with and 50 feet south of the south line of said NW $\frac{1}{4}$ ;

thence West a distance of 1684.15 feet, on a line parallel with and 50 feet south of the south line of said NW $\frac{1}{4}$ , to a point on the west line of the SW $\frac{1}{4}$  of said Section 11;

thence West a distance of 2625.03 feet, on a line parallel with and 50 feet south of the north line of the SE $\frac{1}{4}$  of said Section 10, to a point on the west line of said SE $\frac{1}{4}$ ;

thence North a distance of 17.0 feet, on the west line of said SE $\frac{1}{4}$ ;

thence West a distance of 185.5 feet, on a line parallel with and 33 feet south of the north line of the SW $\frac{1}{4}$  of said Section 10;

thence North a distance of 33.0 feet, to a point on the north line of said SW $\frac{1}{4}$ ;

thence East a distance of 185.5 feet, on the north line of said SW $\frac{1}{4}$ , 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 Minnesota Office of Strategic and Long-Range Planning, confer jurisdiction upon the Minnesota Office of Strategic and Long-Range Planning 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:

All that part of Section 10 & 11-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northwest corner of the SE $\frac{1}{4}$  of said Section 10;

thence East a distance of 430.50 feet, on the north line of said SE $\frac{1}{4}$ ;

thence North a distance of 260.56 feet, on the east line of Lots 3 & 4, Block 5, Buschbom Third Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota, and a southerly extension of said line, to the southerly-most corner of Lot 5 in said Block 5;

thence Northeasterly a distance of 227.33 feet, on the southeasterly line of said Lot 5, Block 5;

thence South a distance of 73.3 feet;

thence East a distance of 214.95 feet;

thence North a distance of 74.2 feet, to a point on the south line of Lot 6 in said Block 5;

thence East a distance of 229.04 feet, on the south line of Lots 6, 7 & 9 in said Block 5, to the northwest corner of Lot 10 in said Block 5;

thence South a distance of 380.44 feet, on the west line of Lots 10 & 11 in said Block 5 and a southerly extension thereof, to a point on the north line of said SE $\frac{1}{4}$ ;

thence East a distance of 278.12 feet, on the north line of said SE $\frac{1}{4}$ , to a point on the east line of Prospect Avenue;

thence North a distance of 50.00 feet, on the east line of said Prospect Avenue;

thence East a distance of 1277.53 feet, on a line parallel with and 50 feet north of the north line of said SE $\frac{1}{4}$ , to a point on the west line of the NW $\frac{1}{4}$  of said Section 11;

thence North a distance of 587.97 feet, on the west line of said NW $\frac{1}{4}$ ;

thence East a distance of 993.48 feet, on the south line of Lots 1 & 2 of Block 1, Chadwick Marketplace Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota; and a westerly extension of said south line, to the northwest corner of Lot 4 in said Block 1;

thence South a distance of 587.97 feet, on the west line of said Lot 4, to the southwest corner thereof;

thence East a distance of 729.94 feet, on a line parallel with and 50 feet north of the south line of said NW $\frac{1}{4}$ , to a point on the westerly right-of-way line of Interstate Highway No. 35;



thence Southwesterly a distance of 107.64 feet, on the westerly right-of-way line of said Interstate Highway No. 35, to a point on a line parallel with and 50 feet south of the south line of said NW¼;

thence West a distance of 1684.15 feet, on a line parallel with and 50 feet south of the south line of said NW¼, to a point on the west line of the SW¼ of said Section 11;

thence West a distance of 2625.03 feet, on a line parallel with and 50 feet south of the north line of the SE¼ of said Section 10, to a point on the west line of said SE¼;

thence North a distance of 17.0 feet, on the west line of said SE¼;

thence West a distance of 185.5 feet, on a line parallel with and 33 feet south of the north line of the SW¼ of said Section 10;

thence North a distance of 33.0 feet, to a point on the north line of said SW¼;

thence East a distance of 185.5 feet, on the north line of said SW¼, 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 Office of Strategic and Long-Range Planning.

Sec. 6. That no alteration of the area is appropriate, that this resolution provides for annexation of a designated area, and no consideration by Minnesota Planning is necessary, no alteration of the agreed upon boundaries is appropriate, all conditions for annexation have been stated in this resolution and Minnesota Planning may review and comment, but shall, within 30 days of receipt of the joint resolution, order the annexation.

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 the City of Albert Lea agrees to pay the Township of Albert Lea an amount equal to two and one-half years of existing taxes derived from the area subject to annexation.

Sec. 10. That reading of this resolution is waived by Council consent.



REC'D BY  
MMB

APR 26 2002

Introduced, read and passed December 20, 2001.

Attest:

Saudi Behrens By: Bob Hancock  
City Clerk Mayor

TOWNSHIP OF ALBERT LEA

Passed and adopted by the Township Board of the Township of Albert Lea this 5<sup>TH</sup>  
day of March, 2002.

Attest:

Martin A. Pohl By: Chris Reed  
Township Clerk Chair

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

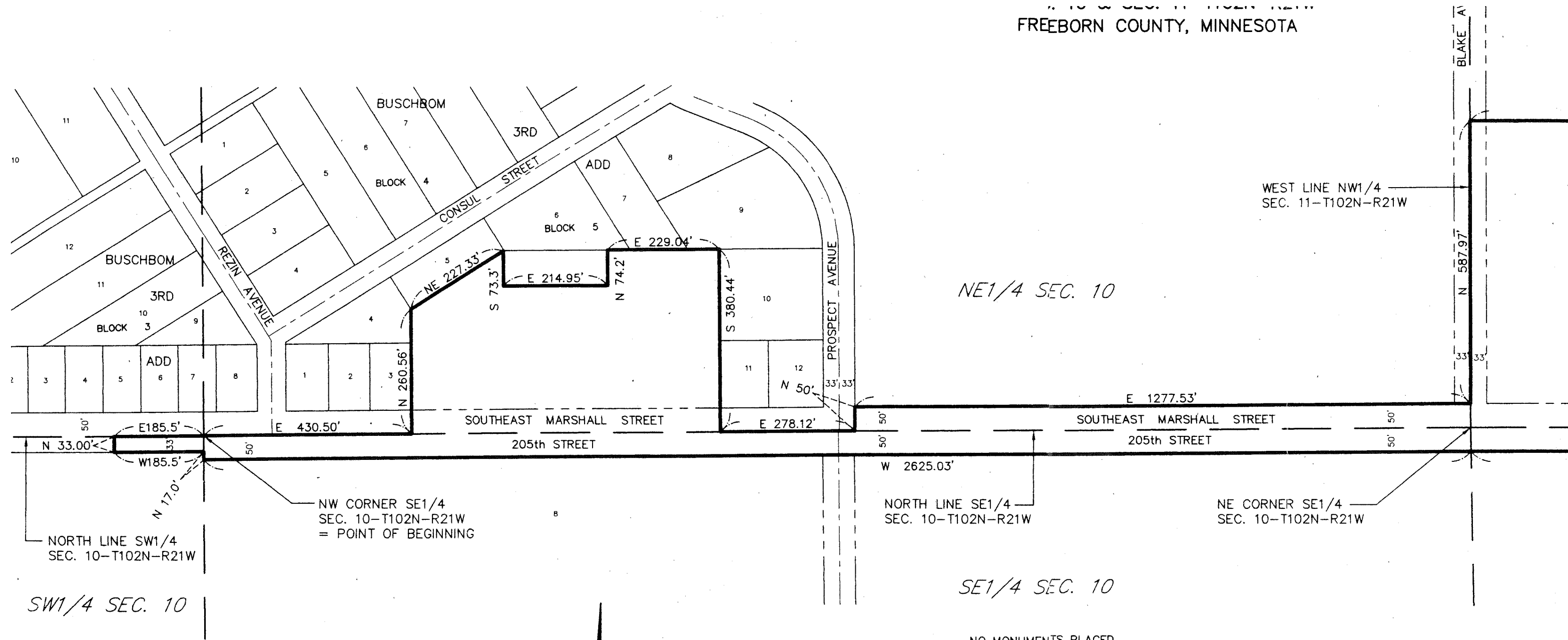
I hereby certify that I have compared the  
within instrument with the original now on file  
in my office and that it is a true and correct  
copy of the same and of the whole thereof.

Dated April 11, 2002

City Clerk Saudi Behrens

By authorized deputy \_\_\_\_\_

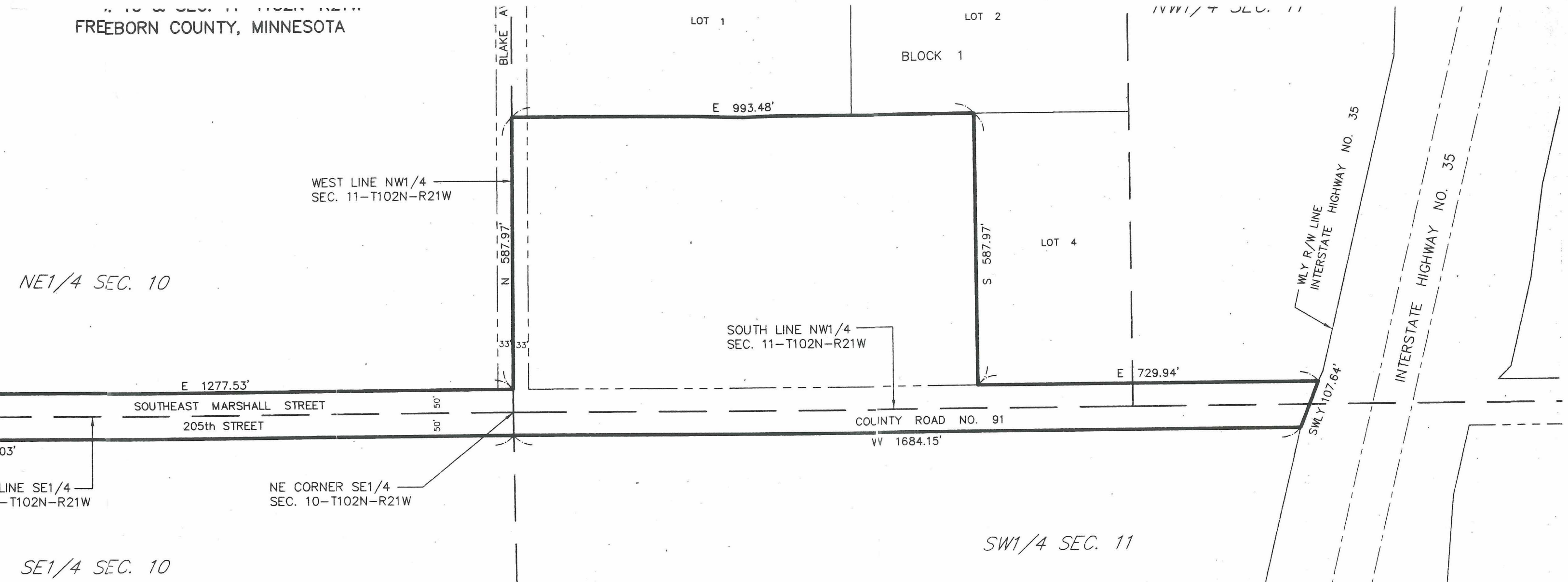
FREEBORN COUNTY, MINNESOTA



NO MONUMENTS PLACED

<b>LOCATION MAP</b> 	<b>MONUMENTS</b> ○ = 5/8" x 16" iron stake monument (Capped FLS 13807)-Placed ● = Iron stake monument-Found ⊗ = DRILL HOLE	I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.   JOHN H. SCHULTE IV Date: 12-26-07 Reg. No. 13807
	<b>SURVEY FOR</b> CITY OF ALBERT LEA	

FREEBORN COUNTY, MINNESOTA



NO MONUMENTS PLACED

MONUMENTS

- = 5/8" x 16" iron stake monument  
(Capped FLS 13807)-Placed
- = Iron stake monument-Found
- ⊗ = DRILL HOLE

I hereby certify that this survey, plan, or report  
was prepared by me or under my direct supervision  
and that I am a duly Registered Land Surveyor under  
the laws of the State of Minnesota.

JOHN H. SCHULTE IV

Date: 12-26-07 Reg. No. 13807

SURVEY FOR  
CITY OF ALBERT LEA

AREA TO BE ANNEXED = 25.3 ACRES ±

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