

RESOLUTION 02-210

Introduced by Councilor Kron

Seconded by Councilor Amundson

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, Dennis and Patrice Arendt, 2213 Stevens Street, have petitioned the City for annexation and they are requesting permission to hook-up to City utilities as soon as possible; 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 the NW ¼ NE ¼ Section 10-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the Northwest corner of the NE ¼ of said Section 10; thence South 00°19'45" East a distance of 534.00 feet, on an assumed bearing on the West line of said NE ¼, to the point of beginning;

Thence North 89°40'15" East a distance of 70.00 feet;

Thence South 07°46'45" East a distance of 253.58 feet, to a point on the Southeasterly right-of-way line of Stevens Street (formerly Trunk Highway No. 1) and the Northwesterly line of Block 6, Buschbom Fourth Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

Thence South 57°19'02" West a distance of 121.79 feet, on said Southeasterly right-of-way line of Stevens Street, to the point of intersection with the West line of said NE ¼;

Thence North 00°19'45" West a distance of 316.62 feet, on the West line of said NE ¼, 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 the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the Northwest corner of the NE $\frac{1}{4}$ of said Section 10; thence South $00^{\circ}19'45''$ East a distance of 534.00 feet, on an assumed bearing on the West line of said NE $\frac{1}{4}$, to the point of beginning;

Thence North $89^{\circ}40'15''$ East a distance of 70.00 feet;

Thence South $07^{\circ}46'45''$ East a distance of 253.58 feet, to a point on the Southeasterly right-of-way line of Stevens Street (formerly Trunk Highway No. 1) and the Northwesterly line of Block 6, Buschbom Fourth Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

Thence South $57^{\circ}19'02''$ West a distance of 121.79 feet, on said Southeasterly right-of-way line of Stevens Street, to the point of intersection with the West line of said NE $\frac{1}{4}$;

Thence North $00^{\circ}19'45''$ West a distance of 316.62 feet, on the West line of said NE $\frac{1}{4}$, 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 the owners are hereby authorized to connect to City utilities under the direction of the Public Works Director.

Sec. 11. That reading of this resolution is waived by Council consent.

Introduced, read and passed October 14, 2002.

Attest:

Saudi Behrens
City Clerk

By: Bob Houboos
Mayor

TOWNSHIP OF ALBERT LEA

Passed and adopted by the Township Board of the Township of Albert Lea this
_____ day of _____, 2002.

Attest:

Martin A. Raabe
Township Clerk

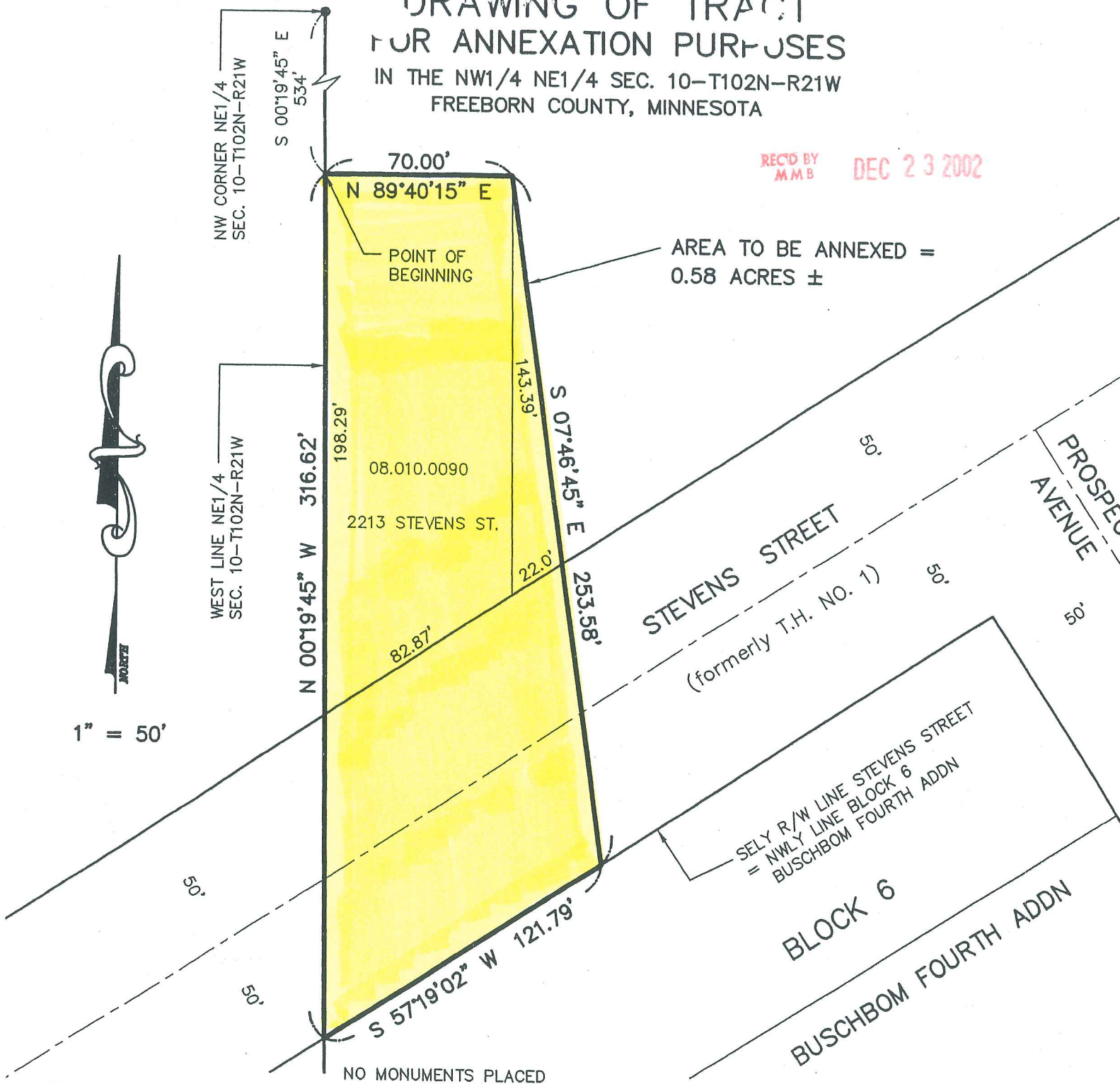
By: [Signature]
Chair

DRAWING OF TRACT FOR ANNEXATION PURPOSES

IN THE NW1/4 NE1/4 SEC. 10-T102N-R21W
FREEBORN COUNTY, MINNESOTA

REC'D BY
MMB

DEC 23 2002



AREA TO BE ANNEXED =
0.58 ACRES ±

NO MONUMENTS PLACED

LOCATION MAP

NW1/4		NW1/4 NE1/4
10		
SW1/4	SE1/4	R21W
T102N		

Scale: 1"=4000'

MONUMENTS

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

**SURVEY FOR
CITY OF ALBERT LEA**

Date of survey: DWG=5/03/01
 Revised date: —
 Drawn by: GEB Survey: NONE
 Book: — Page: —
 Drawing name: 01-170

I hereby certify that this plan, specification, 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.

[Signature]

JOHN H. SCHULTE IV
 Date: 5-5-01 Reg. No. 13807

JONES, HAUGH & SMITH INC.
 Civil Engineers & Land Surveyors
 Albert Lea, Minnesota