

RESOLUTION NO. 12313

JOINT RESOLUTION FOR ORDERLY ANNEXATION

IN THE MATTER OF THE JOINT RESOLUTION OF THE TOWNSHIP
OF AUSTIN AND THE CITY OF AUSTIN DESIGNATING AN
UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION
AND CONFERRING JURISDICTION OVER SAID AREA TO THE
DEPARTMENT OF ADMINISTRATION PURSUANT TO M.S. 414.0325

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:

See Exhibit A.

2. That the Town Board of Austin and the City Council of the City of Austin, upon passage and adoption of this resolution and upon the acceptance by the Department of Administration, confer jurisdiction upon the Department of Administration 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:

See Exhibit A.

4. Upon annexation, the City shall zone as "R-1" Single Family Residential.
5. Both the Township 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 Department of Administration is necessary. Upon receipt of this resolution, passed and adopted by each party, the Department of Administration may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this joint resolution.

Approved by the Township of Austin this 5th day of May, 2003.

TOWNSHIP OF AUSTIN, MINNESOTA

By: *Richard Epley*
Town Board Chair

By: *Miriam Lock*
Town Board Clerk

Approved by the Austin City Council this 5th day of May, 2003.

YEAS

NAYS

ATTEST:

APPROVED:

Tom Dahl
City Recorder

Bonnie Bess Riech
Mayor

JUN 04 2003

STEVEN D. DAMMEN PROPERTY
2007 4TH DRIVE SW

That part of the Southeast Quarter of the Southwest Quarter of Section 10, Township 102 North, Range 18 West, bounded by the west by the center line of Mower County State Road No. 23, on the east by the center line of Red Cedar River, and on the north and south by the following described lines: The North line is described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter (being the same corner as the Northeast Quarter of the Southeast Quarter of the Southwest Quarter) of Section 10, Township 102 North, Range 18 West, thence West along the South line of said Northeast Quarter of the Southwest Quarter a distance of 540.75 feet, thence in a Southwesterly direction at a deflection angle left 64°03' a distance of 493.0 feet to the point of commencement of said North line, said point being at the center line of said Mower County State Aid Road, thence in a Southeasterly

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:
 ***direction at a deflection angle left 90°55' to the center line of the Red Cedar River, and there terminating. The South line is described as follows: Commencing at the point of beginning of the North line, thence continuing in a Southwesterly direction along the center line of Mower County State Aid Road a distance of 171.35 feet to the point of commencement of the South line, thence in a Southeasterly direction at a deflection angle left of 90°33' to the center line of Red Cedar River and there terminating; Mower County, MN.

GREGORY & CYNTHIA LOW PROPERTY
2307 9th AVENUE SW

That part of the Southeast Quarter of the Southwest Quarter of Section 10, Township 102 North, Range 18 West, Mower County, Minnesota, bounded on the west by the center line of Mower County State Aid Road No. 23, and on the east by center line of Red Cedar River, and on the North and South by the following described lines: The North line is described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Southwest Quarter (being the same corner as the Northeast corner of the Southeast Quarter of the Southwest Quarter) of Section 10, Township 102 North, Range 18 West, thence West along the South line of said Northeast Quarter of the Southwest Quarter a distance of 540.75 feet, thence in a Southwesterly direction at a deflection angle left 64 degrees 03 minutes a distance of 664.35 feet to the point of commencement of said North line, said point being the center line of said Mower County State Aid Road, thence in a Southeasterly direction at a deflection angle left of 90 degrees 33 minutes to the center line of the Red Cedar River, and there terminating. The South line is described as follows: Commencing at the point of beginning of the North line, thence continuing in a Southwesterly direction along the center line of Mower County State Aid Road a distance of 248.46 feet to the point of commencement of the South line, thence in a Southeasterly direction at a deflection angle left of 95 degrees 38 minutes to the center line of Red Cedar River and there terminating.

SUBJECT TO ALL covenants, restrictions, reservations, easements, conditions and rights appearing of record; and SUBJECT to any state of facts an accurate survey would show.

REC'D BY
MMB

JUN 04 2003

DONNA J. WILEY PROPERTY
2203 4TH DRIVE SW

Commencing at an iron post on the South line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10-102-18, 554 feet West of the SE corner thereof, thence running in a southwesterly direction in the center of the public highway 1030 feet to the point of beginning, thence South 89°45' East 256 $\frac{1}{2}$ feet to an iron post set on the West bank of the Cedar River, thence East to the center of said river, thence up the center of said river as the same winds and turns, 44 feet, thence in a Northwesterly direction to a point in the center of the highway which point is 121 $\frac{1}{2}$ feet Northeasterly of the point of beginning, thence Southwesterly in the center of the highway 121 $\frac{1}{2}$ feet to the point of beginning. RESERVING unto each of said grantors a life estate therein.

SCOTT S. BAULDER PROPERTY
2207 4TH DRIVE SW

The North 161 feet of Outlot 20 in Section 10, Township 102 North, Range 18 West, Mower County, Minnesota, EXCEPT:

Commencing at an iron post on the South line of the Northeast Quarter of the Southwest Quarter of Section 10, Township 102 North, Range 18 West, 554 feet West of the Southeast corner thereof, thence running in a Southwesterly direction in the center of the public highway 1030 feet to the point of beginning, thence South 89 degrees 45 minutes East 256.5 feet to an iron post set on the West bank of the Cedar River, thence East to the center of said river, thence up the center of said river as the same winds and turns, 44 feet, thence in a Northwesterly direction to a point in the center of the highway which point is 121.5 feet Northeasterly of the point of beginning, thence Southwesterly in the center of the highway 121.5 feet to the point of beginning.

together with all hereditaments and appurtenances belonging thereto.

GARY & PATRICIA RAY PROPERTY
2001 4TH DRIVE SW

Commencing at an iron post on the South line of the Northeast Quarter of the Southwest Quarter, Section 10, Township 102N, Range 18W, 554 feet West of the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 10, thence running in a Southwesterly direction in the center of the public highway 410 feet, thence running in a Southeasterly direction (mostly Easterly) at right angles with the general course of the said highway along the said 410 foot stretch for a distance of 233 feet, thence running in a Northeasterly direction at right angles with the Southwesterly side of the tract and parallel with the general direction of said highway for the said 410 foot stretch to the South line of the Northeast Quarter of the Southwest Quarter of said Section 10, thence running West on the South line of said forty to the place of beginning (continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

Grantor has retained ownership of a strip of land 15 feet in width which is located adjacent to and along the entire southwesterly side of the above described tract of land.

