

REC'D BY
M.M.B.

AUG 25 2003

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.

RESOLUTION 03-22

Introduced by Councilor Marin

Dated August 21, 2003

Seconded by Councilor Fjelstad

City Clerk Sandi Behrens

By authorized deputy _____

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, Gary L. and Karen M. Goette, 1430 Highway 69 South, have petitioned the City for annexation; 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 SE ¼ Section 18-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the Southwest corner of Southgate Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota; thence North 00°59'12" West a distance of 33.00 feet, on an assumed bearing on the West line of said Southgate Addition, which is the point of beginning;

Thence North 00°59'12" West a distance of 727.42 feet, on the West line of said Southgate Addition, to the point of intersection with an Easterly extension of the South line of Sunnyslope First Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

Thence South 89°07'48" West a distance of 466.50 feet, on the South line of said Sunnyslope First Addition and said Easterly extension thereof, to the Southwest corner of said Sunnyslope First Addition;

Thence South 00°59'12" East a distance of 727.82 feet, on a line parallel with the West line of said Southgate Addition, to a point on the North right-of-way line of Ninth Street (Township Road No. T-458);

Thence North 89°04'52" East a distance of 466.50 feet, on the North right-of-way line of said Ninth Street (Township Road No. T-458), to the point of beginning.

Consisting of 7.79 acres more or less.

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 ¼ SE ¼ Section 18-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the Southwest corner of Southgate Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota; thence North 00°59'12" West a distance of 33.00 feet, on an assumed bearing on the West line of said Southgate Addition, which is the point of beginning;

Thence North 00°59'12" West a distance of 727.42 feet, on the West line of said Southgate Addition, to the point of intersection with an Easterly extension of the South line of Sunnyslope First Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

Thence South 89°07'48" West a distance of 466.50 feet, on the South line of said Sunnyslope First Addition and said Easterly extension thereof, to the Southwest corner of said Sunnyslope First Addition;

Thence South 00°59'12" East a distance of 727.82 feet, on a line parallel with the West line of said Southgate Addition, to a point on the North right-of-way line of Ninth Street (Township Road No. T-458);

Thence North 89°04'52" East a distance of 466.50 feet, on the North right-of-way line of said Ninth Street (Township Road No. T-458), to the point of beginning.

Consisting of 7.79 acres more or less.

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 .

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 and that the assessment for the installation of water and sewer services shall be spread over a 15-year period.

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

Introduced, read and passed January 27, 2003.

Attest:

Saudi Behrens
City Clerk

By: Juan B Esten
Mayor

TOWNSHIP OF ALBERT LEA

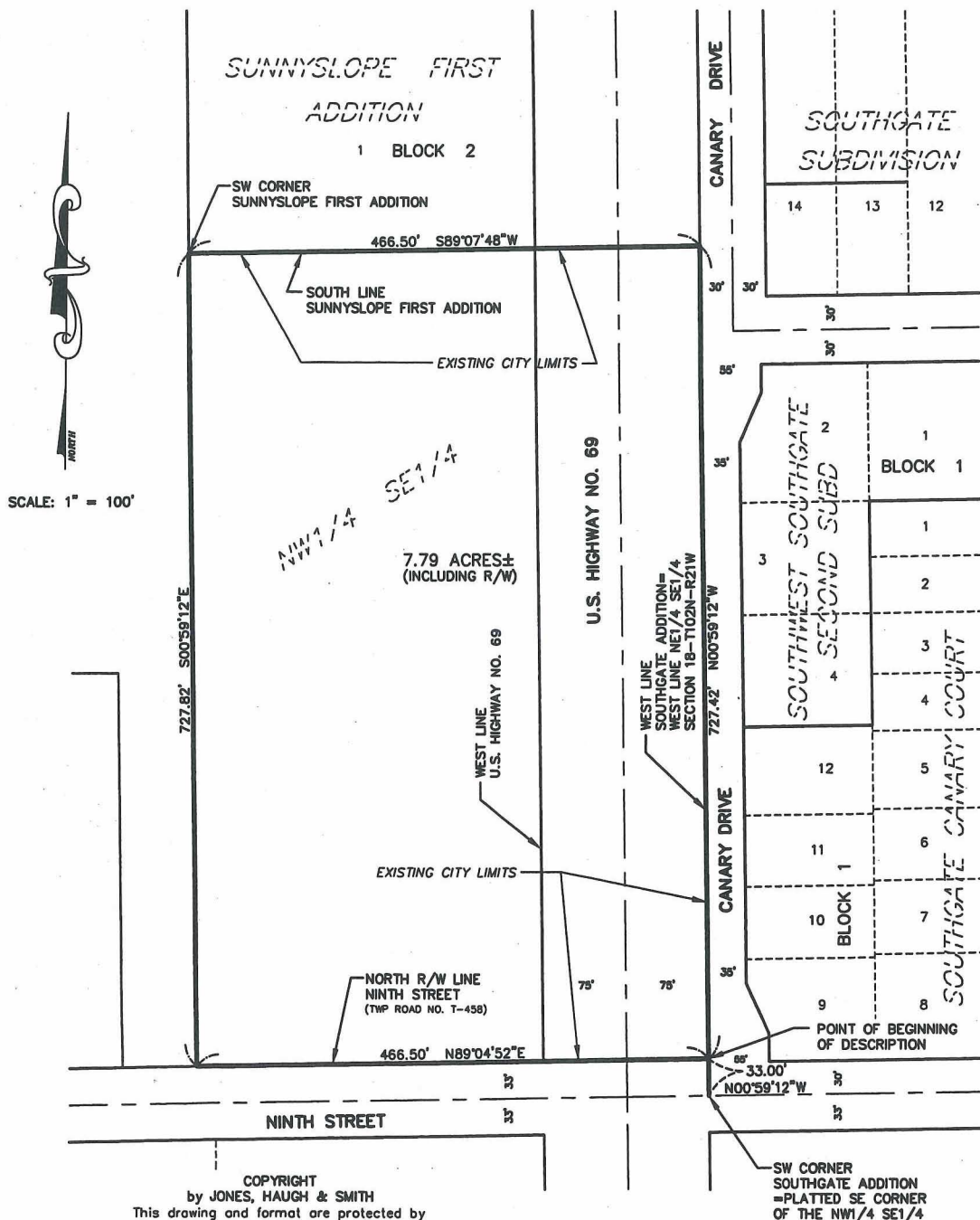
Passed and adopted by the Township Board of the Township of Albert Lea this
5 day of 6, 2003.

Attest:

Marilene A. Roche
Township Clerk

By: C. Shupert
Chair

AUG 25 2003

DRAWING OF TRACT
FOR ANNEXATION PURPOSESIN NW1/4 SE1/4 SECTION 18-T102N-R21W
FREEBORN COUNTY, MINNESOTA

SCALE: 1" = 100'

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<p>LOCATION MAP</p> <p>Scale: 1"=4000'</p>	<p>MONUMENTS</p> <p>○ = 5/8" x 16" iron stake monument (Capped RLS 13807)—Placed</p> <p>● = Iron stake monument—Found</p> <p>⊗ = DRILL HOLE</p> <p>SURVEY FOR: CITY OF ALBERT LEA</p> <p>Date of survey: JANUARY 2003 Revised date: — Drawn by: VMB Survey: NONE Book: — Page: — DCA: — Drawing name: 03-038 TRD: — Job No: 03-038</p>	<p>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.</p> <p></p> <p>JOHN H. SCHULTE IV Date: 1-29-03 Reg. No. 13807</p> <p>JONES, HAUGH & SMITH INC. Civil Engineers & Land Surveyors Albert Lea, Minnesota</p>
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