

## RESOLUTION 03-92

Introduced by Councilor Erdman

Seconded by Councilor Amundson

A RESOLUTION OF BANCROFT 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, Crossroads Evangelical Free Church has petitioned the City for annexation; and

WHEREAS, the Township of Bancroft 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 Bancroft 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 NW¼ Section 28-T103N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southwest corner of Lot 4, Block 1, Samaritan Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County;

thence South 24°49'10" West a distance of 145.40 feet, on the southeasterly line of Stadheim Second Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County;

thence South 19°51'00" West a distance of 645.88 feet, on the southeasterly line of said Stadheim Second Subdivision and a southwesterly extension thereof;

thence Southeasterly a distance of 170.08 feet, on the northerly right-of-way line of Hoeger Lane, on a tangential curve concave to the northeast with a radius of 217.12 feet, and a central angle of 44°53'01";

thence South 25°02' East a distance of 17.55 feet, on a tangential line on the northerly right-of-way line of said Hoeger Lane;

thence Southeasterly a distance of 239.61 feet, on the northerly right-of-way line of said Hoeger Lane, on a tangential curve concave to the northeast with a radius of 213.13 feet, a central angle of 64°24'49";

thence North 00°33'11" East a distance of 5.00 feet, on a nontangential line on the northerly right-of-way line of said Hoeger Lane;

thence South 89°26'49" East a distance of 682.61 feet, on the northerly right-of-way line of said Hoeger Lane, to a point on the west right-of-way line of County State Aid Highway No. 22, as shown on Freeborn County Right Of Way Plat No. 4, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence Northerly a distance of 1046.61 feet, on the westerly right-of-way line of said Freeborn County Right-Of-Way Plat No. 4, to a point on the south line of said Samaritan Subdivision;

thence North 90°00'00" West a distance of 627.06 feet, on the south line of said Samaritan Subdivision, to the point of beginning.

Sec. 2. That the Township of Bancroft 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 NW¼ Section 28-T103N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southwest corner of Lot 4, Block 1, Samaritan Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County;

thence South 24°49'10" West a distance of 145.40 feet, on the southeasterly line of Stadheim Second Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County;

thence South 19°51'00" West a distance of 645.88 feet, on the southeasterly line of said Stadheim Second Subdivision and a southwesterly extension thereof;

thence Southeasterly a distance of 170.08 feet, on the northerly right-of-way line of Hoeger Lane, on a tangential curve concave to the northeast with a radius of 217.12 feet, and a central angle of 44°53'01";

thence South 25°02' East a distance of 17.55 feet, on a tangential line on the northerly right-of-way line of said Hoeger Lane;

thence Southeasterly a distance of 239.61 feet, on the northerly right-of-way line of said Hoeger Lane, on a tangential curve concave to the northeast with a radius of 213.13 feet, a central angle of 64°24'49";

thence North 00°33'11" East a distance of 5.00 feet, on a nontangential line on the northerly right-of-way line of said Hoeger Lane;

thence South 89°26'49" East a distance of 682.61 feet, on the northerly right-of-way line of said Hoeger Lane, to a point on the west right-of-way line of County State Aid Highway No. 22, as shown on Freeborn County Right Of Way Plat No. 4, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence Northerly a distance of 1046.61 feet, on the westerly right-of-way line of said Freeborn County Right-Of-Way Plat No. 4, to a point on the south line of said Samaritan Subdivision;

thence North 90°00'00" West a distance of 627.06 feet, on the south line of said Samaritan Subdivision, 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 Bancroft 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.

Introduced, read and passed April 28, 2003.

Attest:

Sandi Behren  
City Clerk

By: Jason B. Etn  
Mayor

TOWNSHIP OF BANCROFT

5<sup>th</sup> Passed and adopted by the Township Board of the Township of Bancroft this  
day of August, 2003.

Attest:

Judith Selli  
Township Clerk

By: Jack McCornack  
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 August 21, 2003

City Clerk Sandi Behren

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



AUG 25 2003

