

RESOLUTION 03-105

Introduced by Councilor Kron

Seconded by Councilor Brooks

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, Sharon Astrup-Scott has 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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11-T102N-R21W, the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12-T102N-R21W and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northeast corner of the plat of Trails Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County Minnesota; thence North $00^{\circ}33'45''$ West a distance of 80.26 feet, on the west line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 2, to a point on the north right-of-way line of County State Aid Highway No. 46 (formerly Trunk Highway No. 16); thence South $89^{\circ}34'45''$ East a distance of 123.01 feet, on the north right-of-way line of said County State Aid Highway No. 46; thence North $89^{\circ}47'52''$ East a distance of 1,195.18 feet, on the north right-of-way line of said County State Aid Highway No. 46, to a point on the west line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 1; thence South $00^{\circ}28'54''$ East a distance of 25.07 feet, on the west line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, to the point of beginning;

Thence North $89^{\circ}45'08''$ East a distance of 330.03 feet, on the north right-of-way line of said County State Aid Highway No. 46;

Thence South $00^{\circ}26'45''$ East a distance of 250.00 feet;

Thence South $89^{\circ}45'08''$ West a distance of 330.00 feet, to a point on the east line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 11;

Thence South $00^{\circ}26'45''$ East a distance of 1,121.11 feet, on the east line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, to the southeast corner thereof;

Thence South 89°46'49" West a distance of 494.02 feet, on the south line of said NE ¼ NE ¼;

Thence North 00°24'05" West a distance of 1,242.84 feet, to a point on the south right-of-way line of said County State Aid Highway No. 46;

Thence Easterly a distance of 198.81 feet, on the south right-of-way line of said County State Aid Highway No. 46, on a nontangential curve concave to the south with a radius of 5,654.58 feet, a central angle of 02°00'52" and a chord bearing of North 88°47'26" East;

Thence North 89°47'52" East a distance of 294.27 feet, on a tangential line to a point on the east line of said NE ¼ NE ¼ Section 11;

Thence North 00°26'45" West a distance of 74.93 feet, on the east line of said NE ¼ NE ¼, to the northeast corner thereof;

Thence North 00°28'54" West a distance of 50.00 feet, on the west line of said SW ¼ SW ¼, to the point of beginning;

Together with the SE ¼ NE ¼ Section 11-T102N-R21W.

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 NE ¼ NE ¼ Section 11-T102N-R21W, the NW ¼ NW ¼ Section 12-T102N-R21W and the SW ¼ SW ¼ Section 1-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northeast corner of the plat of Trails Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County Minnesota; thence North 00°33'45" West a distance of 80.26 feet, on the west line of the SE ¼ SE ¼ of said Section 2, to a point on the north right-of-way line of County State Aid Highway No. 46 (formerly Trunk Highway No. 16); thence South 89°34'45" East a distance of 123.01 feet, on the north right-of-way line of said County State Aid Highway No. 46; thence North 89°47'52" East a distance of 1,195.18 feet, on the north right-of-way line of said County State Aid Highway No. 46, to a point on the west line of the SW ¼ SW ¼ of said Section 1; thence

South 00°28'54" East a distance of 25.07 feet, on the west line of said SW ¼ SW ¼ Section 1, to the point of beginning;

Thence North 89°45'08" East a distance of 330.03 feet, on the north right-of-way line of said County State Aid Highway No. 46;

Thence South 00°26'45" East a distance of 250.00 feet;

Thence South 89°45'08" West a distance of 330.00 feet, to a point on the east line of the NE ¼ NE ¼ of said Section 11;

Thence South 00°26'45" East a distance of 1,121.11 feet, on the east line of said NE ¼ NE ¼, to the southeast corner thereof;

Thence South 89°46'49" West a distance of 494.02 feet, on the south line of said NE ¼ NE ¼;

Thence North 00°24'05" West a distance of 1,242.84 feet, to a point on the south right-of-way line of said County State Aid Highway No. 46;

Thence Easterly a distance of 198.81 feet, on the south right-of-way line of said County State Aid Highway No. 46, on a nontangential curve concave to the south with a radius of 5,654.58 feet, a central angle of 02°00'52" and a chord bearing of North 88°47'26" East;

Thence North 89°47'52" East a distance of 294.27 feet, on a tangential line to a point on the east line of said NE ¼ NE ¼ Section 11;

Thence North 00°26'45" West a distance of 74.93 feet, on the east line of said NE ¼ NE ¼, to the northeast corner thereof;

Thence North 00°28'54" West a distance of 50.00 feet, on the west line of said SW ¼ SW ¼, to the point of beginning;

Together with the SE ¼ NE ¼ Section 11-T102N-R21W.

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 \$2500 per year for a five-year period subject to annexation.

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

Introduced, read and passed May 12, 2003.

Attest:

Sandi Behrens
City Clerk

By: Jim Catr
Mayor

TOWNSHIP OF ALBERT LEA

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

Attest:

Martin A. Roche
Township Clerk

By: [Signature]
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 September 24 2003
City Clerk Sandi Behrens

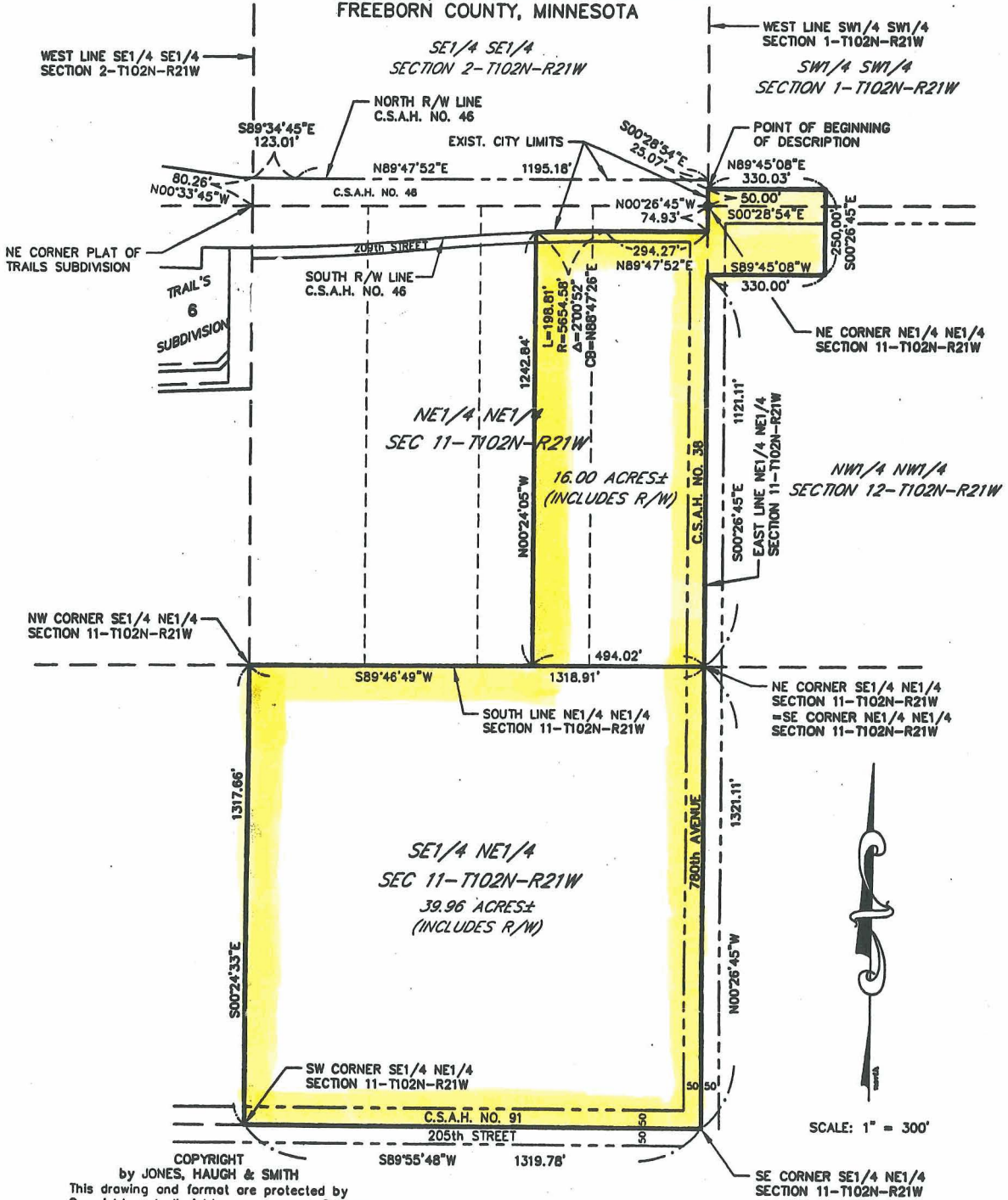
By authorized deputy _____

DRAWING OF TRACT

REC'D BY
MAMB

SEP 29 2003

FOR ANNEXATION PURPOSES
IN NE1/4 SECTION 11-T102N-R21W & SW1/4 SW1/4 SECTION 1-T102N-R21W
AND NW1/4 NW1/4 SECTION 12-T102N-R21W
FREEBORN COUNTY, MINNESOTA



SCALE: 1" = 300'

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Copyright and all rights are reserved. The use
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TOTAL AREA = 55.96 ACRES±

<p>LOCATION MAP</p> <p>Scale: 1"=4000' T102N</p>	<p>MONUMENTS</p> <ul style="list-style-type: none"> ○ = 5/8" x 16" Iron stake monument (Capped RLS 13807)-Placed ● = Iron stake monument-Found ⊗ = DRILL HOLE <p>SURVEY FOR: CITY OF ALBERT LEA</p> <p>Date of survey: - Revised date: - Drawn by: ADM Survey: - Book: - Page: - DCA: - Drawing name: - TRD: - Job No: 03-095</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><i>John H. Schulte IV</i> JOHN H. SCHULTE IV Date: 3-10-03 Reg. No. 13807</p> <p>JONES, HAUGH & SMITH INC. Civil Engineers & Land Surveyors Albert Lea, Minnesota</p>
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