

RESOLUTION 03-202

Introduced by Councilor Kron

Seconded by Councilor Marin

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, Freeborn Mower Cooperative Services has petitioned the City for annexation of property it owns in the NW ¼ NW ¼ of Section 12-T102N-R21W; 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 SW ¼ SW ¼ Section 1-T102N-R21W and the NW ¼ NW ¼ Section 12-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the northwest corner of the NW ¼ NW ¼ of said Section 12; thence North 00°28'54" West a distance of 50.00 feet, on an assumed bearing on the west line of the SW ¼ SW ¼ of said Section 1, to a point on the north right-of-way line of County State Aid Highway No. 46; 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, to the point of beginning;

thence North 89°45'08" East a distance of 989.23 feet, on the north right-of-way line of said County State Aid Highway No. 46, to a point on the east line of the SW ¼ SW ¼ of said Section 1;

thence South 00°29'49" East a distance of 50.00 feet, on the east line of the SW ¼ SW ¼ of said Section 1, to the northeast corner of the NW ¼ NW ¼ of said Section 12;

thence South 00°28'36" East a distance of 842.00 feet, on the east line of the NW ¼ NW ¼ of said Section 12;

thence South 89°45'08" West a distance of 690.00 feet, parallel with the north line of the NW ¼ NW ¼ of said Section 12;

thence North 00°28'36" West a distance of 792.00 feet, parallel with the east line of the NW ¼ NW ¼ of said Section 12, to a point on the south right-of-way line of said County State Aid Highway No. 46;

thence South 89°45'08" West a distance of 299.30 feet, on the south right-of-way line of said County State Aid Highway No. 46, to the point of intersection with a line bearing South 00°26'45" East, from the point of beginning;

thence North 00°26'45" West a distance of 100.00 feet, to the point of beginning;

subject to highway easement on the northerly-most side thereof.

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

Commencing at the northwest corner of the NW ¼ NW ¼ of said Section 12; thence North 00°28'54" West a distance of 50.00 feet, on an assumed bearing on the west line of the SW ¼ SW ¼ of said Section 1, to a point on the north right-of-way line of County State Aid Highway No. 46; 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, to the point of beginning;

thence North 89°45'08" East a distance of 989.23 feet, on the north right-of-way line of said County State Aid Highway No. 46, to a point on the east line of the SW ¼ SW ¼ of said Section 1;

thence South 00°29'49" East a distance of 50.00 feet, on the east line of the SW ¼ SW ¼ of said Section 1, to the northeast corner of the NW ¼ NW ¼ of said Section 12;

thence South 00°28'36" East a distance of 842.00 feet, on the east line of the NW ¼ NW ¼ of said Section 12;

thence South 89°45'08" West a distance of 690.00 feet, parallel with the north line of the NW ¼ NW ¼ of said Section 12;

thence North 00°28'36" West a distance of 792.00 feet, parallel with the east line of the NW ¼ NW ¼ of said Section 12, to a point on the south right-of-way line of said County State Aid Highway No. 46;

thence South 89°45'08" West a distance of 299.30 feet, on the south right-of-way line of said County State Aid Highway No. 46, to the point of intersection with a line bearing South 00°26'45" East, from the point of beginning;

thence North 00°26'45" West a distance of 100.00 feet, to the point of beginning;

subject to highway easement on the northerly-most side thereof.

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.

REC'D BY
MMB

NOV 26 2003

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

Introduced, read and passed October 13, 2003.

Attest:

Sandra Behrman
City Clerk

By: Jan Etn
Mayor

TOWNSHIP OF ALBERT LEA

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

Attest:

Marilyn A. Roche
Township Clerk

By: Chair
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 11/24/03

City Clerk _____

By authorized deputy Allison Folie

DRAWING OF TRACT

FOR ANNEXATION PURPOSES

SW1/4 SW1/4 SECTION 1-T102N-R21W & NW1/4 NW1/4 SECTION 12-T102N-R21W
FREEBORN COUNTY, MINNESOTA

WEST LINE SE1/4 SE1/4
SECTION 2-T102N-R21W

EAST LINE SW1/4 SW1/4
SECTION 1-T102N-R21W

SE1/4 SE1/4 SECTION 2-T102N-R21W

SW1/4 SW1/4 SECTION 1-T102N-R21W

S89°34'45"E
123.01'

NORTH RIGHT-OF-WAY LINE
C.S.A.H. NO. 46

WEST LINE SW1/4 SW1/4
SECTION 1-T102N-R21W

S00°28'54"E
25.07'

N89°45'08"E
330.03'

POINT OF BEGINNING
OF DESCRIPTION

NORTH RIGHT-OF-WAY LINE
C.S.A.H. NO. 46

S00°29'49"E
50.00'

N00°33'45"W
80.26'

N89°47'52"E

1195.18'

C.S.A.H. NO. 46

50.00'

100.00'
N00°26'45"W

N89°45'08"E

989.23'

C.S.A.H. NO. 46

(FORMERLY TRUNK HIGHWAY 16)

50' 50'

209th STREET

SERVICE ROAD

NE CORNER PLAT OF
TRAILS SUBDIVISION

NW CORNER NW1/4 NW1/4
SECTION 12-T102N-R21W

NORTH LINE NW1/4
SECTION 12-T102N-R21W

299.30'
S89°45'08"W

NE CORNER NW1/4 NW1/4
SECTION 12-T102N-R21W

SOUTH RIGHT-OF-WAY LINE
C.S.A.H. NO. 46

FREEBORN MOHAW ADDITION

14.82 ACRES±
(INCLUDES R/W)

SECTION 12-T102N-R21W

NW1/4 NW1/4

C.S.A.H. NO. 38
780th AVENUE

792.00'

N00°28'36"W

842.00'

S00°28'36"E

EAST LINE NW1/4 NW1/4
SECTION 12-T102N-R21W

S89°45'08"W

690.00'

NE1/4 NE1/4 SECTION 11-T102N-R21W

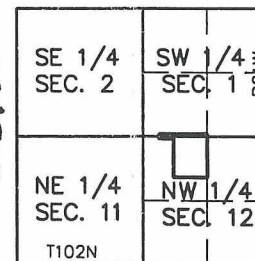


SCALE: 1" = 200'

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LOCATION MAP



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: -
Revised date: -
Drawn by: ADM Survey: -
Book: - Page: -
DCA: - Drawing name: 03-484
TRD: - Job No: 03-484

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.

JOHN H. SCHULTE IV

Date: 10-28-03

Reg. No. 13807

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

REC'D BY
MMB

NOV 26 2003