

ORDINANCE 20-228

Introduced by Councilor Olson

**AN ORDINANCE OF THE CITY OF ALBERT LEA, MINNESOTA ANNEXING  
LAND LOCATED IN BANCROFT TOWNSHIP, FREEBORN COUNTY, MINNESOTA PURSUANT TO  
MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE**

THE CITY COUNCIL OF ALBERT LEA, MINNESOTA ORDAINS:

WHEREAS, a petition signed by all the property owners, requesting that property legally described herein be annexed to the City of Albert Lea, Minnesota, was duly presented to the Council of the City of Albert Lea on the 15<sup>th</sup> day of August, 2019; and

WHEREAS, said property is unincorporated and abuts the City of Albert Lea on its West boundary; is less than 120 acres; and city water and sewer facilities are available adjacent to the property; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently agriculture in nature and annexation is requested to facilitate the commercial development of the property; and

WHEREAS, the City of Albert Lea held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on February 24, 2020, following thirty (30) days written notice by certified mail to the Town of Bancroft and to all landowners within and contiguous to the area legally described herein, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban in nature in that a commercial use is being proposed for said property and the construction of which requires city services, including public water sewer facilities.

2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.

3. The corporate limits of the City of Albert Lea, Minnesota, are hereby extended to include the following described property, said land abutting the City of Albert Lea and being 120 acres or less in area, and public water and sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

All that part of the NE1/4 Section 28-T103N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southwest corner of the SE1/4 of said Section 28; thence North 00°41'11" West a distance of 3038.15 feet on an assumed bearing on the North-South line of said Section 28, to the northwest corner of a tract described in Book 182 of Deeds at Page 441 in

the office of the Freeborn County Recorder, which is the point of beginning;

thence South 89°32'11" East a distance of 1089.00 feet, to the northeast corner of said tract;

thence North 00°41'11" West a distance of 137.29 feet, parallel with the said west line;

thence North 89°59'52" East a distance of 613.89 feet, parallel with the south line of said NE1/4;

thence North 00°33'57" West a distance of 571.55 feet, to the north line of the South 1100.58 feet of said NE1/4;

thence South 89°59'52" West a distance of 1703.95 feet, to the northwest corner of said South 1100.58 feet;

thence South 00°41'11" East a distance of 700.00 feet on said west line, to the point of beginning;

subject to highway easement on the west side thereof.

The above described property consists of a total of 25.67 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area legally described herein and hereby annexed is zero.

5. The City of Albert Lea, pursuant to Minnesota Statute §414.036 that with respect to the property taxes payable on the area legally described, herein, hereby annexed, shall make a cash payment to the Town of Bancroft in accordance with the following:

- a. Beginning the year in which the annexation becomes effective, the amount equal to \$34.06 each year for two years.

6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein there are no special assessments or debt incurred by Bancroft Township on the subject are for which reimbursement is required.

7. That the City Clerk of the City of Albert Lea is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Freeborn County Auditor, and the Bancroft Township Clerk.

8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

That the motion for the adoption of the foregoing ordinance was duly seconded by Councilor Baker, and upon a vote being taken thereon, the following voted in favor thereof: Councilors Baker, Olson, Rasmussen, Brooks and Mayor Rasmussen Jr.;

And, the following voted against the same: None. Councilors Murray and Howland were absent.

Introduced the first time on this 24<sup>th</sup> day of February, 2020.

Introduced the second time on this 9<sup>th</sup> day of March, 2020



Mayor Vern Rasmussen Jr.

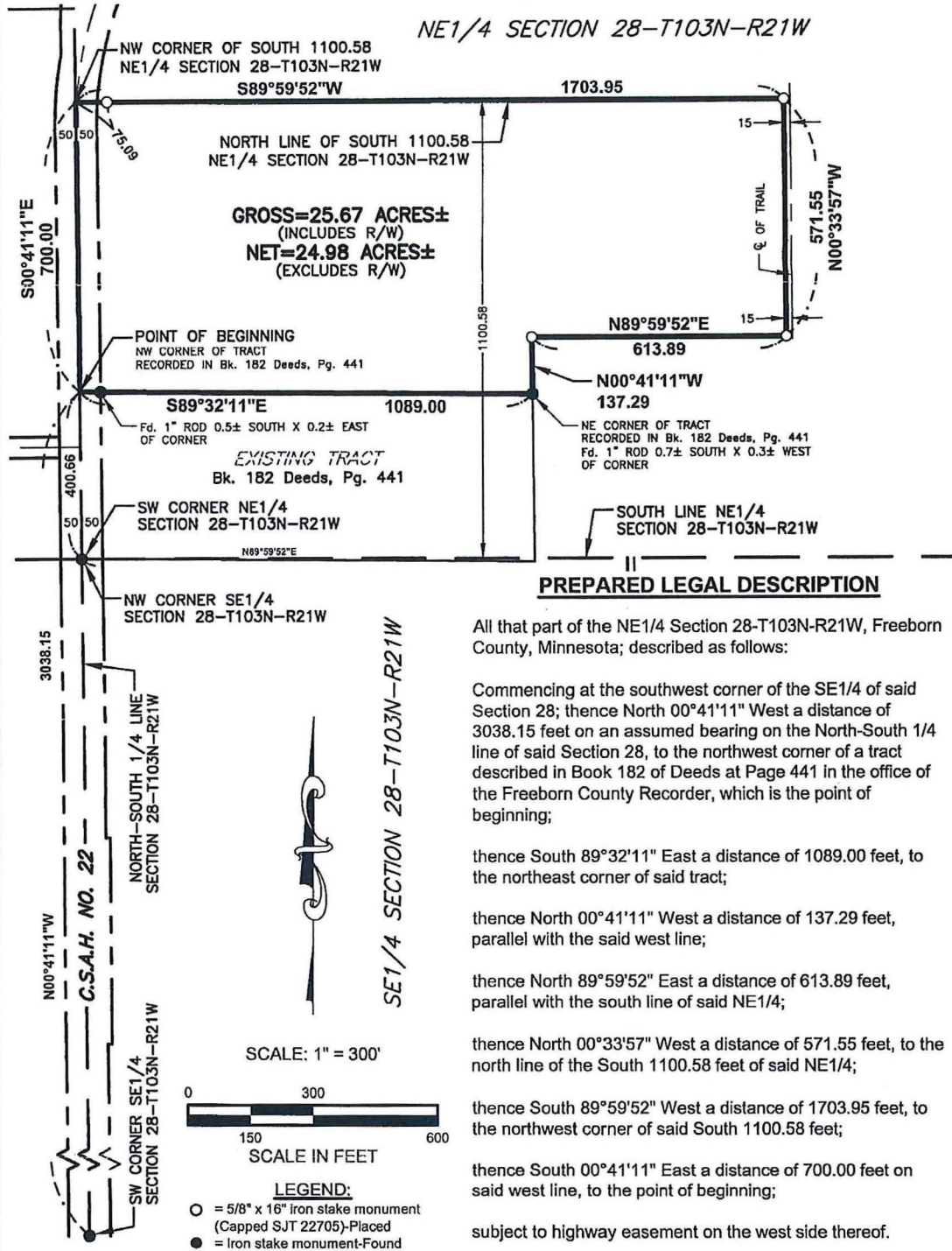
Filed and attested this 10<sup>th</sup> day of March, 2020



Secretary of the Council

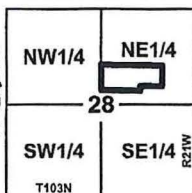
# CERTIFICATE OF SURVEY

IN NE1/4 SECTION 28-T103N-R21W  
FREEBORN COUNTY, MINNESOTA



FOR: FREEBORN/MOWER ELECTRIC

LOCATION MAP

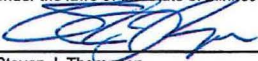


Date: 11/30/2017  
Revised date: -  
Drawn by: ADM  
Survey: MDH  
Coord-System: MNDOT CO. NAD83 2011  
Page 1 of 1  
Job No: 17-449.DWG

## COPYRIGHT

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I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

  
Steven J. Thompson, 12-12-17  
L.S. No. 22705 Date



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