

RESOLUTION NO. 12516**JOINT RESOLUTION FOR ORDERLY ANNEXATION****IN THE MATTER OF THE JOINT RESOLUTION OF THE TOWNSHIP
OF AUSTIN AND THE CITY OF AUSTIN DESIGNATING AN
UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION
AND CONFERRING JURISDICTION OVER SAID AREA TO THE
DEPARTMENT OF ADMINISTRATION PURSUANT TO M.S. 414.0325**

The Township of Austin and the City of Austin hereby jointly agree to the following:

1. That the following described area in Austin Township is subject to orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto designate this area for orderly annexation to with:

See Exhibit A.

2. That the Town Board of Austin and the City Council of the City of Austin, upon passage and adoption of this resolution and upon the acceptance by the Department of Administration, confer jurisdiction upon the Department of Administration over the various provisions contained in this agreement.
3. That these certain properties which abut the City of Austin are presently urban or suburban in nature or are about to become so. Further, the City of Austin is capable of providing services to this area within a reasonable time, and the annexation is in the best interest of the area proposed for annexation. Therefore, these properties would be immediately annexed to the City of Austin, to wit:

See Exhibit A.

4. Upon annexation, the City shall zone as "R-1" Single Family Residential.
5. Both the Township of Austin and the City of Austin agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, each party agrees that no consideration by the Department of Administration is necessary. Upon receipt of this resolution, passed and adopted by each party, the Department of Administration may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this joint resolution.

Approved by the Township of Austin this 19th day of April, 2004.

YEAS 5

NAYS 0

TOWNSHIP OF AUSTIN, MINNESOTA

By: Richard Epley
Town Board Chair

By: Miriam Looch
Town Board Clerk

Approved by the Austin City Council this 5th day of April, 2004.

YEAS 5

NAYS 0

ATTEST:

APPROVED:

Tom Deat
City Recorder

Bonnie Bass Riech
Mayor

EXHIBIT "A"

RECD BY
MMB

APR 26 2004

That part of the Northwest Quarter of the Southeast Quarter of Section 10, Township 102 North, Range 18 West, lying East of Kenwood Avenue of the City of Austin, Minnesota, and Northeast of Turtle Creek and Northwest of the Cedar River, excepting therefrom that part of the said premises heretofore platted as Rosenthal Addition in the Northwest Quarter of the Southeast Quarter of Section 10, Township 102 North, Range 18 West, Mower County, Minnesota, described as follows, to-wit:

Commencing at the Northwest Corner of the Northwest Quarter of the Southeast Quarter of Section 10, Township 102 North, Range 18 West; thence 478.10 feet south along the west line of the Southeast Quarter of said Section 10; thence 119.60 feet east at a deflection angle of $90^{\circ}00'$ left to a point hereinafter called the point of beginning:

thence 300.00 feet northeasterly at a deflection angle of $6^{\circ}43'$ left from the last described line;

thence 93.00 feet east at a deflection angle of $7^{\circ}15'30''$ right;

thence 846.61 feet south at a deflection angle of $90^{\circ}01'03''$ right to a point on the north bank of the Cedar River;

thence 124.05 feet southeasterly at a deflection angle of $5^{\circ}18'33''$ left to a point in the center of the Cedar River;

thence 159.80 feet southwesterly along the center of the Cedar River at a deflection angle of $31^{\circ}36'$ right to the intersection of the center of the Cedar River and Turtle Creek;

* Thence 562.40 feet northwesterly along the center of Turtle Creek at a deflection angle of $118^{\circ}58'$ right;

thence 378.20 feet northeasterly along the center of Turtle Creek at a deflection angle of $39^{\circ}23'$ right;

thence 113.40 feet northwesterly along the center of Turtle Creek at a deflection angle of $57^{\circ}08'$ left;

thence 174.40 feet northeasterly at a deflection angle of $68^{\circ}39'$ right to the point of beginning;

said parcel containing 7.850 acres. Grantors herewith reserve an Easement for driveway purposes over and across the northerly 10 feet of the above conveyed parcel, it being the intention of the parties hereto that said driveway Easement shall be perpetual in nature and run with the land, and that the use of said Easement hereby reserved shall be for the benefit of both Grantors and Grantees hereof, their heirs and assigns.

TOTAL= 10.02 ACRES

