

RESOLUTION 04-199

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, Real Estate Equities and Richard Kingstrom are requesting annexation of property on Stevens Street in Section 10-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:

Commencing at the northeast corner of Lot 16 in the plat of Webber's Subdivision of the NW¼ Section 10-T102N-R21W, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence South 00°19'44" East a distance of 644.54 feet, on an assumed bearing on the east line of said Lot 16;

thence South 89°52'11" West a distance of 65.00 feet;

thence South 00°19'57" East a distance of 247.59 feet, to a point on the south line of Stevens Street;

thence South 57°19'03" West a distance of 374.02 feet, on the south line of said Stevens Street;

thence Southwesterly a distance of 135.32 feet, on a tangential curve concave to the northwest with a radius of 11429.32 feet and a central angle of 00°40'42", on the south line of said Stevens Street, to a point on the west line of Lot 14 in said Webber's Subdivision;

thence North 00°20'20" West a distance of 117.69 feet, on the west line of said Lot 14, to a point on the north line of said Stevens Street;

thence Southwesterly a distance of 85.86 feet, on the north line of said Stevens Street, on a nontangential curve concave to the northwest with a

radius of 11329.32 feet, a central angle of 00°26'03" and a chord bearing of South 57°54'02" West;

thence North 00°20'20" West a distance of 330.00 feet, on a line parallel with the east line of Lot 13;

thence North 89°44'40" East a distance of 73.00 feet, to a point on the east line of said Lot 13;

thence North 00°20'20" West a distance of 760.52 feet, on the east line of said Lot 13, to the northeast corner thereof;

thence North 89°34'37" East a distance of 496.07 feet, on the north line of said Webber's Subdivision, to the point of beginning.

Section 10-T102N-R21W,
Freeborn County, Minnesota

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:

Commencing at the northeast corner of Lot 16 in the plat of Webber's Subdivision of the NW¼ Section 10-T102N-R21W, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence South 00°19'44" East a distance of 644.54 feet, on an assumed bearing on the east line of said Lot 16;

thence South 89°52'11" West a distance of 65.00 feet;

thence South 00°19'57" East a distance of 247.59 feet, to a point on the south line of Stevens Street;

thence South 57°19'03" West a distance of 374.02 feet, on the south line of said Stevens Street;

thence Southwesterly a distance of 135.32 feet, on a tangential curve concave to the northwest with a radius of 11429.32 feet and a central

angle of 00°40'42", on the south line of said Stevens Street, to a point on the west line of Lot 14 in said Webber's Subdivision;

thence North 00°20'20" West a distance of 117.69 feet, on the west line of said Lot 14, to a point on the north line of said Stevens Street;

thence Southwesterly a distance of 85.86 feet, on the north line of said Stevens Street, on a nontangential curve concave to the northwest with a radius of 11329.32 feet, a central angle of 00°26'03" and a chord bearing of South 57°54'02" West;

thence North 00°20'20" West a distance of 330.00 feet, on a line parallel with the east line of Lot 13;

thence North 89°44'40" East a distance of 73.00 feet, to a point on the east line of said Lot 13;

thence North 00°20'20" West a distance of 760.52 feet, on the east line of said Lot 13, to the northeast corner thereof;

thence North 89°34'37" East a distance of 496.07 feet, on the north line of said Webber's Subdivision, to the point of beginning.

Section 10-T102N-R21W,
Freeborn County, Minnesota

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 owned by Richard Kingstrom included in this annexation shall be zoned R-3. That the property owned by Real Estate Equities included in this annexation shall be zoned PD.

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.

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

Introduced, read and passed September 13, 2004.

Attest:

Sandi Behrens
City Clerk

By: Jan L. Eak
Mayor

TOWNSHIP OF ALBERT LEA

9th Passed and adopted by the Township Board of the Township of Albert Lea this
day of October, 2004.

Attest:

Marilyn A. Roche
Township Clerk

By: C. H. [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 November 29, 2004
City Clerk Sandi Behrens

By authorized deputy _____

DRAWING OF TRACT

REC'D BY
JAMB

DEC 02 2004

IN LOTS 13-16, WEBBER'S SUBDIVISION, NW1/4 SECTION 10-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MINNESOTA

NW CORNER LOT 14
= NE CORNER LOT 13

NE CORNER NW1/4
SECTION 10-T102N-R21W
= NE CORNER LOT 16

NORTH LINE OF
WEBBER'S SUBDIVISION

WEBBER'S

11.64 ACRES±
(INCLUDES R/W)

15

EAST LINE LOT 16

EXISTING CITY LIMITS

13

14

16

SUBDIVISION

EXISTING CITY LIMITS
NORTH LINE STEVENS STREET

STEVENS STREET

SOUTH LINE STEVENS STREET
EXISTING CITY LIMITS

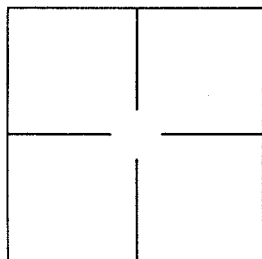
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SCALE: 1" = 200'

EXISTING CITY LIMITS

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: NONE
Revised date: -
Drawn by: ADM
Book: -
Coord-System: -
Job No: 04-477

Survey: -
Page: -

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.

JOHN H. SCHULTE IV

Date:

9-17-04

Reg. No. 13807

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