

RESOLUTION 05-88

REC'D BY  
MMB

JUN 02 2005

Introduced by Councilor Severtson

Seconded by Councilor Rasmussen

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, property owners adjacent to Hammer Road are requesting annexation of property on Hammer Road in Section 3-T102N-R21W; and

WHEREAS, City staff is requesting annexation of the 220 acres north of Stevens Street, south of Hammer Road, east of Bridge Avenue and west of Sorensen Road to even out the City boundary in that area; 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:

The NW¼ Section 3-T102N-R21W; the East 40 Acres of the N½ NE¼ Section 4-T102N-R21W, less the North 50 feet thereof and all that part of the SE¼ NE¼ Section 4-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southeast corner of the SE¼ NE¼ of said Section 4; thence North a distance of 54.06 feet, on the east line of said NE¼, to the point of beginning;

thence Northwesterly a distance of 364 feet, on the northeasterly line of the plat of Larryland, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence Northwesterly a distance of 287.00 feet, on the northeasterly line of the plat of said Larryland;

thence Northwesterly a distance of 791.42 feet more or less, on the northeasterly line of the plat of said Larryland, to a point on the north line of the SE¼ NE¼ of said Section 4;

thence East a distance of 660.00 feet, on the north line of said SE¼ NE¼, to the northeast corner thereof;

thence South a distance of 1262.00 feet, on the east line of said SE¼ NE¼, to the point of beginning.

And

All that part of Lots 10, 11 & 12, Webber's Subdivision of the NW¼ Section 10-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at a point which is 193.00 feet west of the east line of Lot 13 in Webber's Subdivision of the NW¼ of Section 10-T102N-R21W, which point is 33 Rods 11 feet and 4 inches north of the east-west 1/16<sup>th</sup> line of said NW¼ Section 10;

thence West a distance of 434.00 feet, to the point of intersection with a northerly extension of the east line of Sherburne's Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence South a distance of 763.38 feet, on the east line of said Sherburne's Subdivision and said northerly extension thereof, to a point on the south line of Stevens Street;

thence Northeasterly a distance of 297.19 feet, on the south line of said Stevens Street;

thence Southeasterly a distance of 10.00 feet, on the south line of said Stevens Street;

thence Northeasterly a distance of 194.79 feet, on the south line of said Stevens Street, to a point 193.00 feet west of the east line of said Lot 13;

thence North a distance of 530.80 feet, to the point of beginning.

And

Commencing at a point at the intersection of the south line of Highway No. 65 (now Stevens Street) and the east line of Lot 16, Webber's Subdivision, Section 1, Township 102 North Range 21, West, Freeborn County, Minnesota; thence southwesterly along the south line of said Stevens Street, 77.07 feet; thence north and parallel to the east line of said Lot 16, 247.59 feet; thence east 65 feet to the east line of said Lot 16; thence south 206.07 feet along the east line of said Lot 16 to the Place of beginning.

And

The South 50 feet of the SW¼ Section 34-T103N-R21W, Freeborn County, Minnesota; lying east of the west right-of-way line of the Union Pacific Railroad (formerly the Chicago, Rock Island & Pacific Railroad).

And



The South 50 feet of the SE $\frac{1}{4}$  Section 34-T103N-R21W, Freeborn County, Minnesota; lying west of the west right-of-way line of County State Aid Highway No. 45 (Sorensen Road).

And

The North 50 feet of the NE $\frac{1}{4}$  Section 3-T103N-R21W, Freeborn County, Minnesota; lying west of the west right-of-way line of County State Aid Highway No. 45 (Sorensen Road).

Containing 220 Acres more or less.

In NW  $\frac{1}{4}$  Section 3-T102N-R21W & E  $\frac{1}{2}$  NE  $\frac{1}{4}$  Section 4-T102N-R21W & Lots 10, 11, 12 & 16, Webber's Subdivision & S  $\frac{1}{2}$  Section 34-T103N-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:

The NW $\frac{1}{4}$  Section 3-T102N-R21W; the East 40 Acres of the N $\frac{1}{2}$  NE $\frac{1}{4}$  Section 4-T102N-R21W, less the North 50 feet thereof and all that part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 4-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southeast corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 4; thence North a distance of 54.06 feet, on the east line of said NE $\frac{1}{4}$ , to the point of beginning;

thence Northwesterly a distance of 364 feet, on the northeasterly line of the plat of Larryland, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence Northwesterly a distance of 287.00 feet, on the northeasterly line of the plat of said Larryland;

thence Northwesterly a distance of 791.42 feet more or less, on the northeasterly line of the plat of said Larryland, to a point on the north line of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 4;

thence East a distance of 660.00 feet, on the north line of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , to the northeast corner thereof;

thence South a distance of 1262.00 feet, on the east line of said SE $\frac{1}{4}$  NE $\frac{1}{4}$ , to the point of beginning.

And

All that part of Lots 10, 11 & 12, Webber's Subdivision of the NW $\frac{1}{4}$  Section 10-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at a point which is 193.00 feet west of the east line of Lot 13 in Webber's Subdivision of the NW $\frac{1}{4}$  of Section 10-T102N-R21W, which point is 33 Rods 11 feet and 4 inches north of the east-west 1/16<sup>th</sup> line of said NW $\frac{1}{4}$  Section 10;

thence West a distance of 434.00 feet, to the point of intersection with a northerly extension of the east line of Sherburne's Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence South a distance of 763.38 feet, on the east line of said Sherburne's Subdivision and said northerly extension thereof, to a point on the south line of Stevens Street;

thence Northeasterly a distance of 297.19 feet, on the south line of said Stevens Street;

thence Southeasterly a distance of 10.00 feet, on the south line of said Stevens Street;

thence Northeasterly a distance of 194.79 feet, on the south line of said Stevens Street, to a point 193.00 feet west of the east line of said Lot 13;

thence North a distance of 530.80 feet, to the point of beginning.

And

Commencing at a point at the intersection of the south line of Highway No. 65 (now Stevens Street) and the east line of Lot 16, Webber's Subdivision, Section 1, Township 102 North Range 21, West, Freeborn County, Minnesota; thence southwesterly along the south line of said Stevens Street, 77.07 feet; thence north and parallel to the east line of said Lot 16, 247.59 feet; thence east 65 feet to the east line of said Lot 16; thence south 206.07 feet along the east line of said Lot 16 to the Place of beginning.

And

The South 50 feet of the SW $\frac{1}{4}$  Section 34-T103N-R21W, Freeborn County, Minnesota; lying east of the west right-of-way line of the Union Pacific Railroad (formerly the Chicago, Rock Island & Pacific Railroad).



And

The South 50 feet of the SE¼ Section 34-T103N-R21W, Freeborn County, Minnesota; lying west of the west right-of-way line of County State Aid Highway No. 45 (Sorensen Road).

And

The North 50 feet of the NE¼ Section 3-T103N-R21W, Freeborn County, Minnesota; lying west of the west right-of-way line of County State Aid Highway No. 45 (Sorensen Road).

Containing 220 Acres more or less.

In NW ¼ Section 3-T102N-R21W & E ½ NE ¼ Section 4-T102N-R21W & Lots 10, 11, 12 & 16, Webber's Subdivision & S ½ Section 34-T103N-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 Tiger Hills Development LLC and the properties along Stevens Street included in this annexation shall be zoned R-1 (single family residence). That the remaining property included in this annexation shall be zoned A.G. (agricultural).

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 May 9, 2005.

REC'D BY  
MAM

JUN 02 2005

Attest:

Allison Folie  
Acting City Clerk

By: A. D. Brooks  
Mayor Pro Tempore

TOWNSHIP OF ALBERT LEA

19<sup>th</sup> Passed and adopted by the Township Board of the Township of Albert Lea this  
day of May, 2005.

Attest:

Marilyn A. Roche  
Township Clerk

By: [Signature]  
Chair

STATE OF MINNESOTA }  
COUNTY OF FREEBORN } ss  
CITY OF ALBERT LEA

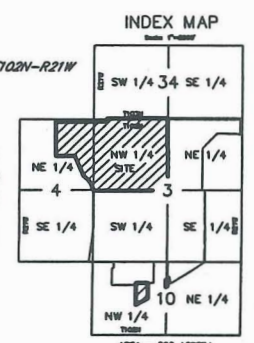
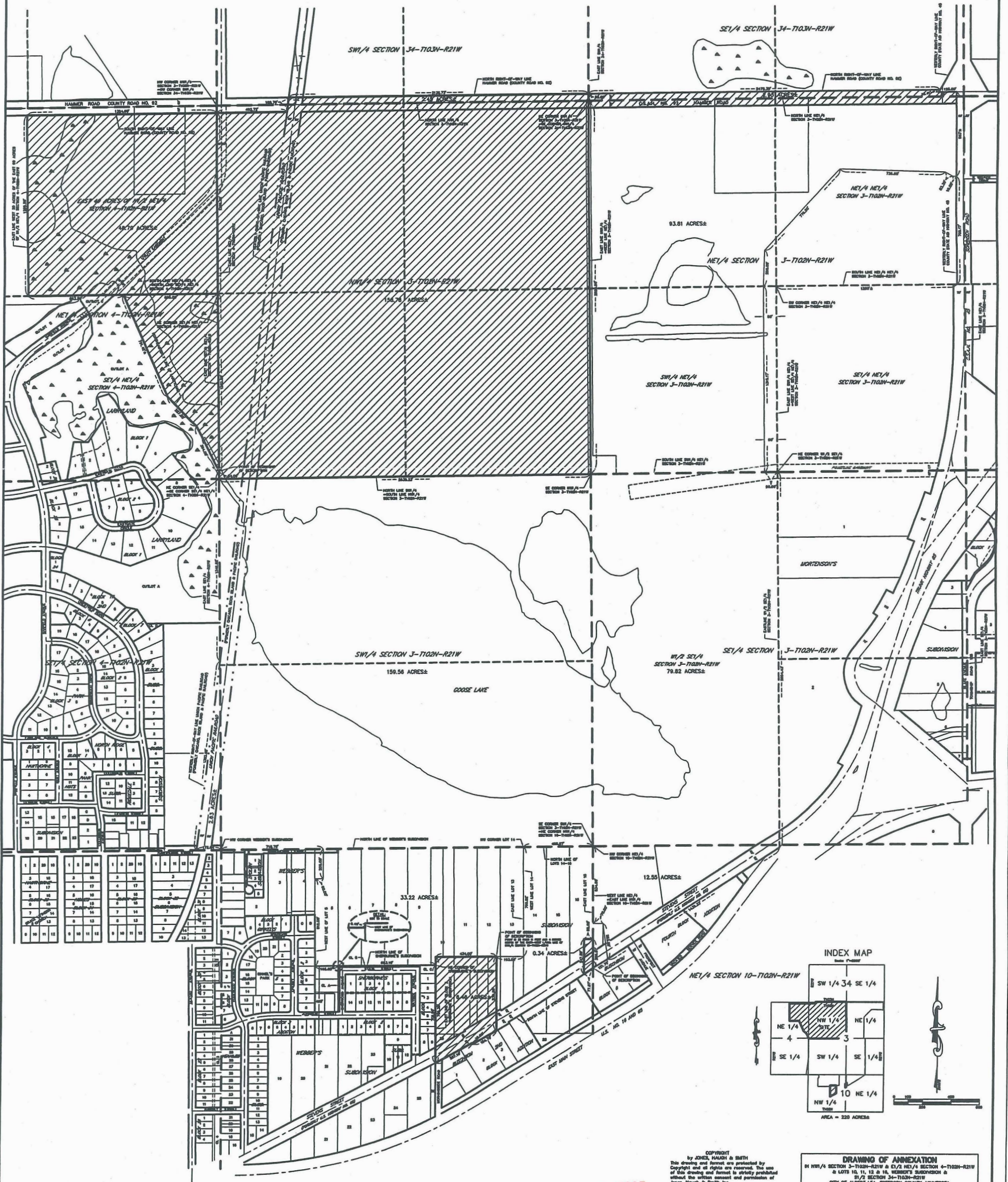
I hereby certify that I have compared the  
within instrument with the original now on file  
in my office and that it is a true and correct  
copy of the same and of the whole thereof.

Dated May 31, 2005

City Clerk \_\_\_\_\_  
By authorized deputy Allison Folie



**DRAWING OF ANNEXATION**  
IN SECTION 3-T102N-R21W & E1/2 NE1/4 SECTION 4-T102N-R21W  
& PART OF LOTS 8-13 & 28, WEBBER'S SUBDIVISION  
& NW1/4 NE1/4 SECTION 10-T102N-R21W & S1/2 SECTION 34-T103N-R21W  
CITY OF ALBERT LEA, FREEBORN COUNTY, MINNESOTA  
TRACT 2



REC'D BY  
MAM

JUN 02 2005

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Copyright and all rights are reserved. The use  
of this drawing and format is strictly prohibited  
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Jones, Haugh & Smith Inc.  
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: \_\_\_\_\_ L.S. No. 13897

DRAWING OF ANNEXATION	
IN NW1/4 SECTION 3-T102N-R21W & E1/2 NE1/4 SECTION 4-T102N-R21W & LOTS 10, 11, 12 & 14, WEBBER'S SUBDIVISION & S1/2 SECTION 34-T103N-R21W CITY OF ALBERT LEA, FREEBORN COUNTY, MINNESOTA FOR: CITY OF ALBERT LEA	
BY: JAH	JONES, HAUGH & SMITH INC.
DATE: 5/1/05	CONTRACT NO. 0500000000
SCALE: AS SHOWN	PH. 607-373-4870
BY: JAH	ALL RIGHTS RESERVED
DATE: 5/1/05	EXCEPT FOR THE RIGHTS OF THE CITY OF ALBERT LEA