

RESOLUTION 06-143

Introduced by Councilor Severtson

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 MUNICIPAL BOUNDARY ADJUSTMENTS OFFICE OF THE OFFICE OF ADMINISTRATIVE HEARINGS PURSUANT TO M.S.414.0325

WHEREAS, the property owners adjacent to C.S.A.H. 46 (formerly T.H. 16) are requesting annexation of property in the SW ¼ Section 2-T102N-R21W and the NW ¼ Section 11-T102N-R21W consisting of 47.44 acres; 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 SW¼ Section 2-T102N-R21W and the NW¼ Section 11-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southwest corner of said Section 2;

thence East a distance of 33.00 feet, on the south line of said SW¼, to the northwest corner of Block 1 in the plat of Chadwick Market Place Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence East a distance of 1286.50 feet, on the north line of Block 1 in said plat of Chadwick Market Place Addition, to the northeast corner thereof;

thence South a distance of 2580.24 feet, on the east line of Block 1 in said plat of Chadwick Market Place Addition, to a point on the north right-of-way line of County Highway No. 91;

thence East a distance of 398.43 feet, on the north right-of-way line of said County Highway No. 91, to a point on the westerly right-of-way line of Interstate Highway No. 35;

thence Northeasterly a distance of 23.16 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly a distance of 700.00 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northerly a distance of 203.96 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly a distance of 200.00 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly a distance of 205.07 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly a distance of 334.70 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly a distance of 73.82 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly and Northerly a distance of 192.7 feet more or less, on a curve concave to the west on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northwesterly a distance of 383.3 feet more or less, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northwesterly a distance of 426.6 feet more or less, on the westerly right-of-way line of said Interstate Highway No. 35, to Monument B1, as shown on State of Minnesota Right-Of-Way Plat No. 24-2, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence Westerly a distance of 200 feet, on the southerly right-of-way line of Trunk Highway No. 16 (now County State Aid Highway No. 46), to Monument B2, as shown on said Right-Of-Way Plat No. 24-2;

thence Northeasterly a distance of 35.0 feet, on the southerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to Monument B3, as shown on said Right-Of-Way Plat No. 24-2;

thence Westerly a distance of 325 feet, on the south right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to Monument B4, as shown on said Right-Of-Way Plat No. 24-2;

thence Northeasterly a distance of 15.0 feet, on the southerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to Monument B5, as shown on said Right-Of-Way Plat No. 24-2;

thence Westerly a distance of 225 feet, on the southerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to Monument B6, as shown on said Right-Of-Way Plat No. 24-2;

thence Westerly a distance of 180 feet more or less, on the southerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to the point of beginning of a curve;

thence Westerly a distance of 855.40 feet, on the southerly right-of-way line of Trunk Highway No. 16 (now County State Aid Highway No. 46), to a point 133 feet east of the west line of the SW $\frac{1}{4}$ of said Section 2;

thence Southwesterly a distance of 149 feet more or less, on the southerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to a point 33 feet east of the west line of the SW $\frac{1}{4}$ of said Section 2;

thence South a distance of 138 feet more or less, on said southerly right-of-way line, a line parallel with and 33 feet east of the west line of said SW $\frac{1}{4}$ Section 2, to the point of beginning.

Containing 47.44 acres more or less.

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 Municipal Boundary Adjustments Office of the Office of Administrative Hearings, confer jurisdiction upon the Municipal Boundary Adjustments Office of the Office of Administrative Hearings 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 $\frac{1}{4}$ Section 2-T102N-R21W and the NW $\frac{1}{4}$ Section 11-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southwest corner of said Section 2;

thence East a distance of 33.00 feet, on the south line of said SW $\frac{1}{4}$, to the northwest corner of Block 1 in the plat of Chadwick Market Place Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence East a distance of 1286.50 feet, on the north line of Block 1 in said plat of Chadwick Market Place Addition, to the northeast corner thereof;

thence South a distance of 2580.24 feet, on the east line of Block 1 in said plat of Chadwick Market Place Addition, to a point on the north right-of-way line of County Highway No. 91;

thence East a distance of 398.43 feet, on the north right-of-way line of said County Highway No. 91, to a point on the westerly right-of-way line of Interstate Highway No. 35;

thence Northeasterly a distance of 23.16 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly a distance of 700.00 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northerly a distance of 203.96 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly a distance of 200.00 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly a distance of 205.07 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly a distance of 334.70 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly a distance of 73.82 feet, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northeasterly and Northerly a distance of 192.7 feet more or less, on a curve concave to the west on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northwesterly a distance of 383.3 feet more or less, on the westerly right-of-way line of said Interstate Highway No. 35;

thence Northwesterly a distance of 426.6 feet more or less, on the westerly right-of-way line of said Interstate Highway No. 35, to Monument B1, as shown on State of Minnesota Right-Of-Way Plat No. 24-2, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

thence Westerly a distance of 200 feet, on the southerly right-of-way line of Trunk Highway No. 16 (now County State Aid Highway No. 46), to Monument B2, as shown on said Right-Of-Way Plat No. 24-2;

thence Northeasterly a distance of 35.0 feet, on the southerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to Monument B3, as shown on said Right-Of-Way Plat No. 24-2;

thence Westerly a distance of 325 feet, on the south right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to Monument B4, as shown on said Right-Of-Way Plat No. 24-2;

thence Northeasterly a distance of 15.0 feet, on the southerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to Monument B5, as shown on said Right-Of-Way Plat No. 24-2;

thence Westerly a distance of 225 feet, on the southerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to Monument B6, as shown on said Right-Of-Way Plat No. 24-2;

thence Westerly a distance of 180 feet more or less, on the southerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to the point of beginning of a curve;

thence Westerly a distance of 855.40 feet, on the southerly right-of-way line of Trunk Highway No. 16 (now County State Aid Highway No. 46), to a point 133 feet east of the west line of the SW¼ of said Section 2;

thence Southwesterly a distance of 149 feet more or less, on the southerly right-of-way line of said Trunk Highway No. 16 (now County State Aid Highway No. 46), to a point 33 feet east of the west line of the SW¼ of said Section 2;

thence South a distance of 138 feet more or less, on said southerly right-of-way line, a line parallel with and 33 feet east of the west line of said SW¼ Section 2, to the point of beginning.

Containing 47.44 acres more or less.

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 no population is affected by this annexation.

Sec. 6. That no alteration of the area is appropriate, that this resolution provides for annexation of a designated area, and no consideration by the Municipal Boundary Adjustments Office of the Office of Administrative Hearings is necessary, no alteration of the agreed upon boundaries is appropriate, all conditions for annexation have been stated in this resolution and the Municipal Boundary Adjustments Office of the Office of Administrative Hearings 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 IDD (Interstate Development District).

Sec. 8. That any person owning lands annexed to the City pursuant to this agreement shall have all rights provided by statute and Resolution 06-89 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 June 12, 2006.

Attest:

Saudi Behrens
City Clerk

By: Alvin Sumner
Mayor

TOWNSHIP OF ALBERT LEA

Passed and adopted by the Township Board of the Township of Albert Lea this
17th day of August, 2006.

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 October 26, 2006

City Clerk [Signature]

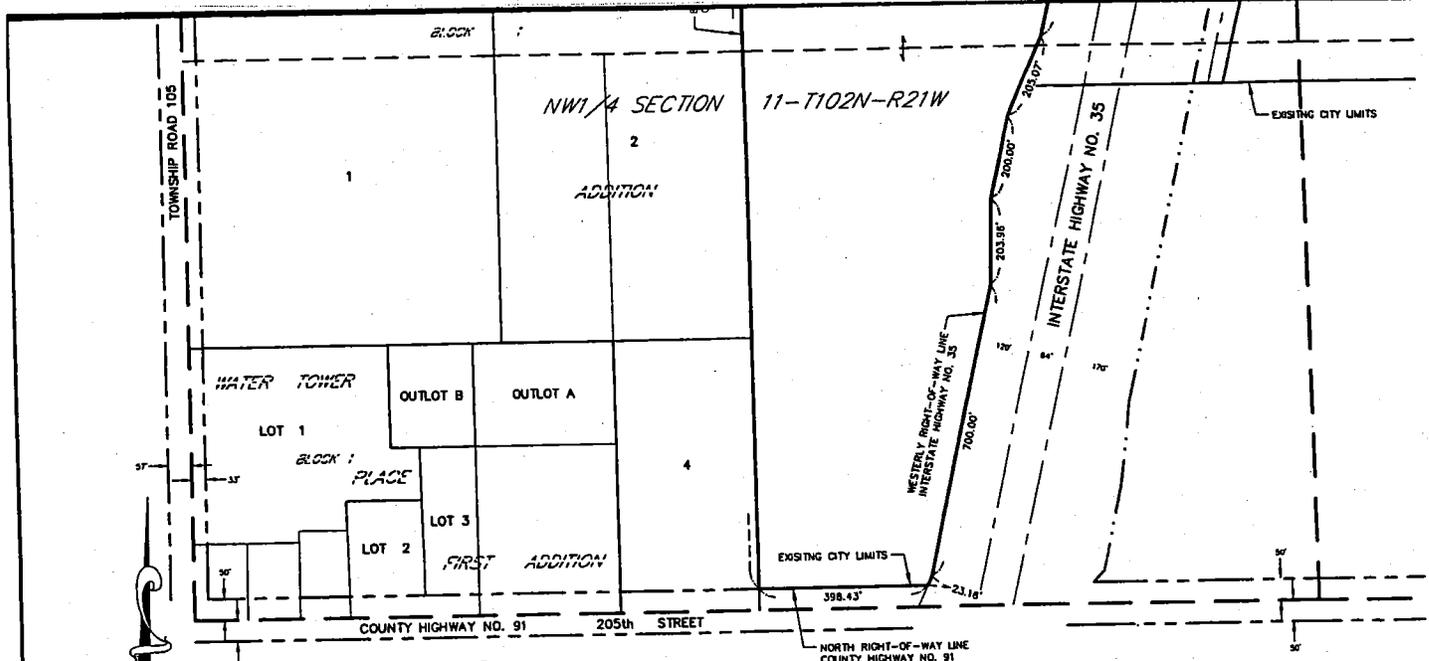
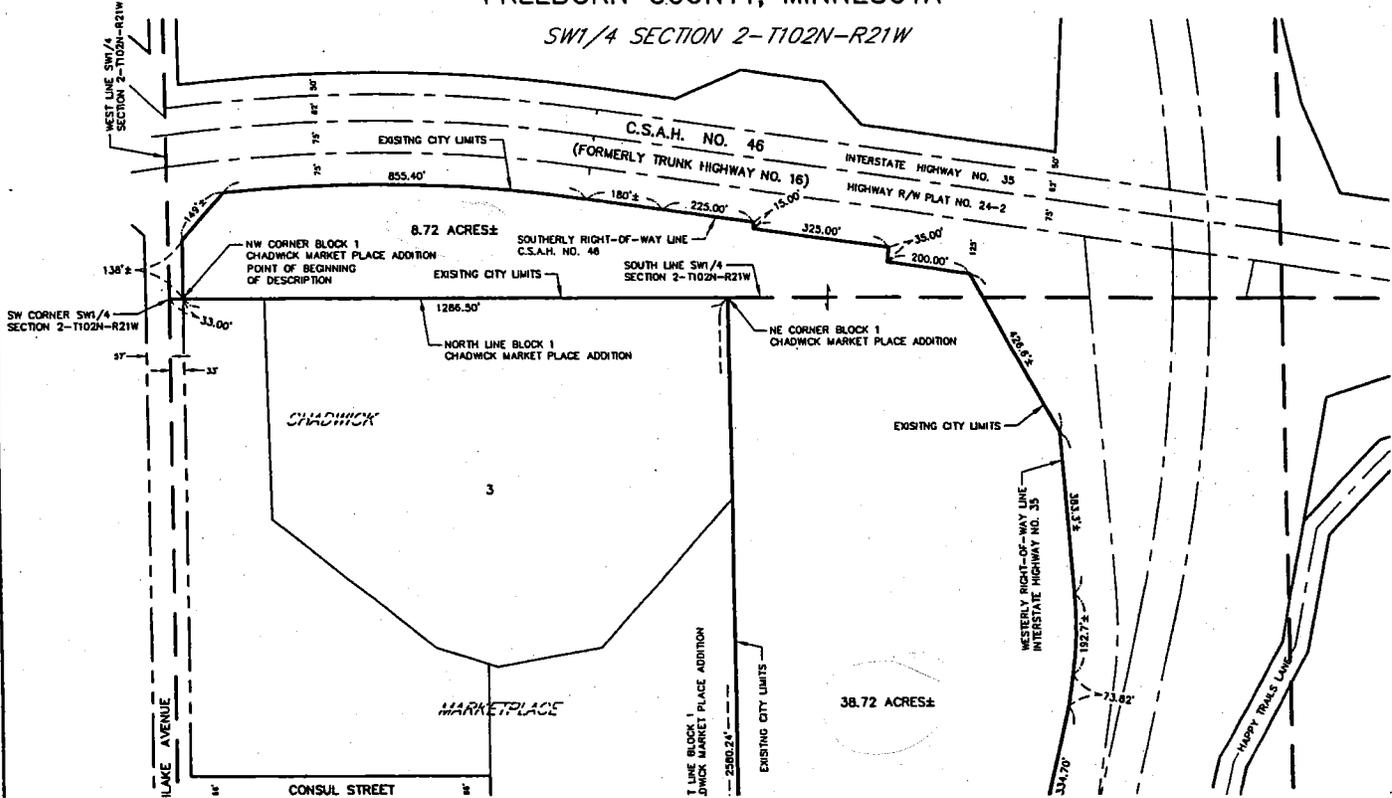
By authorized deputy _____

ANNEXATION SURVEY

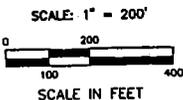
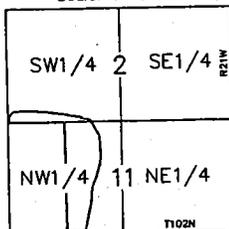
IN THE SW1/4 SECTION 2-T102N-R21W AND NW1/4 SECTION 11-T102N-R21W

FREEBORN COUNTY, MINNESOTA

SW1/4 SECTION 2-T102N-R21W



INDEX MAP
Scale: 1"=2000'



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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.

JOHN H. SCHULTE IV
Date: 5-24-06 Reg. No. 13807

ANNEXATION SURVEY IN THE SW1/4 SECTION 2-T102N-R21W AND NW1/4 SECTION 11-T102N-R21W FREEBORN COUNTY, MINNESOTA FOR: CITY OF ALBERT LEA		
06-246		Scale: 1"=200'
Drawn: ADM	JONES, HAUGH & SMITH INC. CONSULTING ENGINEERS LAND SURVEYORS PH. 507-373-4876 315 SOUTH WASHINGTON AVENUE ALBERT LEA, MINNESOTA 56007	Book: -
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