

RESOLUTION 06-144

Introduced by Councilor Erdman

Seconded by Councilor Severtson

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 owner in the West Half of the Northwest Quarter of Section 5-T102N-R21W and the East Half of the Northeast Quarter of Section 6-T102N-R21W are requesting annexation of the remaining 46.9 acre tract of a property known as the Albert Lea Country Club; 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 Tract A, Registered Land Survey No. 12, as the same is filed in the office of the Registrar of Titles of Freeborn County, Minnesota; described as follows:

Commencing at the northeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 6;

thence South 89°44'18" West a distance of 25.00 feet, on an assumed bearing on the north line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, to Judicial Landmark 1 (JM 1, 7-5-94);

thence South 89°44'18" West a distance of 1294.87 feet, to Judicial Landmark 2 (JM 2, 7-5-94), on the north line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, to the northwest corner thereof;

thence South 00°08'20" East a distance of 1039.50 feet, to Judicial Landmark 3 (JM 3, 7-5-94), on the west line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$;

thence South 40°28'07" East a distance of 229.73 feet, to Judicial Landmark 4 (JM 4, 7-5-94);

thence South 76°41'36" East a distance of 530.69 feet, to Judicial Landmark 5 (JM 5, 7-5-94);

thence South 69°06'19" East a distance of 184.58 feet, to Judicial Landmark 6 (JM 6, 7-5-94);

thence South 47°41'26" East a distance of 210.25 feet, to Judicial Landmark 7 (JM 7, 7-5-94);

thence South 36°15'56" East a distance of 197.16 feet, to Judicial Landmark 8 (JM 8, 7-5-94);

thence South 16°37'06" East a distance of 217.95 feet, to Judicial Landmark 9 (JM 9, 7-5-94);

thence South 40°47'21" West a distance of 131.09 feet, to Judicial Landmark 10 (JM 10, 7-5-94);

thence South 63°54'18" West a distance of 97.72 feet, to Judicial Landmark 11 (JM 11, 7-5-94);

thence South 58°46'21" West a distance of 47.71 feet, to Judicial Landmark 12 (JM 12, 7-5-94);

thence South 14°40'56" West a distance of 63.27 feet, to Judicial Landmark 13 (JM 13, 7-5-94);

thence South 01°34'34" West a distance of 94.75 feet, to Judicial Landmark 14 (JM 14, 7-5-94);

thence South 54°32'43" East a distance of 212.65 feet, to Judicial Landmark 15 (JM 15, 7-5-94);

thence North 86°56'34" East a distance of 196.97 feet, to a point on the east line of the E½ NE¼ Section 6-T102N-R21W;

thence North 00°11'26" East a distance of 1643.34 feet, on the east line of said E½ NE¼, to Judicial Landmark 25 (JM 25, 7-5-94);

thence North 89°02'26" East a distance of 990.63 feet, to a point on the centerline of Richway Drive;

thence North 54°56'27" West a distance of 85.03 feet, to Judicial Landmark 23 (JM 23, 7-5-94);

thence South 89°02'26" West a distance of 920.85 feet, to Judicial Landmark 24 (JM 24, 7-5-94);

thence North 00°11'26" East a distance of 660.00 feet, to the point of beginning.

Consisting of 46.9 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 Tract A, Registered Land Survey No. 12, as the same is filed in the office of the Registrar of Titles of Freeborn County, Minnesota; described as follows:

Commencing at the northeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 6;

thence South 89°44'18" West a distance of 25.00 feet, on an assumed bearing on the north line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, to Judicial Landmark 1 (JM 1, 7-5-94);

thence South 89°44'18" West a distance of 1294.87 feet, to Judicial Landmark 2 (JM 2, 7-5-94), on the north line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, to the northwest corner thereof;

thence South 00°08'20" East a distance of 1039.50 feet, to Judicial Landmark 3 (JM 3, 7-5-94), on the west line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$;

thence South 40°28'07" East a distance of 229.73 feet, to Judicial Landmark 4 (JM 4, 7-5-94);

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thence South 54°32'43" East a distance of 212.65 feet, to Judicial Landmark 15 (JM 15, 7-5-94);

thence North 86°56'34" East a distance of 196.97 feet, to a point on the east line of the E½ NE¼ Section 6-T102N-R21W;

thence North 00°11'26" East a distance of 1643.34 feet, on the east line of said E½ NE¼, to Judicial Landmark 25 (JM 25, 7-5-94);

thence North 89°02'26" East a distance of 990.63 feet, to a point on the centerline of Richway Drive;

thence North 54°56'27" West a distance of 85.03 feet, to Judicial Landmark 23 (JM 23, 7-5-94);

thence South 89°02'26" West a distance of 920.85 feet, to Judicial Landmark 24 (JM 24, 7-5-94);

thence North 00°11'26" East a distance of 660.00 feet, to the point of beginning.

Consisting of 46.9 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 there is no population of the area.

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 owned by Eagles Rest Development, LLC included in this annexation shall be zoned R-1 (single family residence).

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: [Signature]
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:

[Signature]
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.

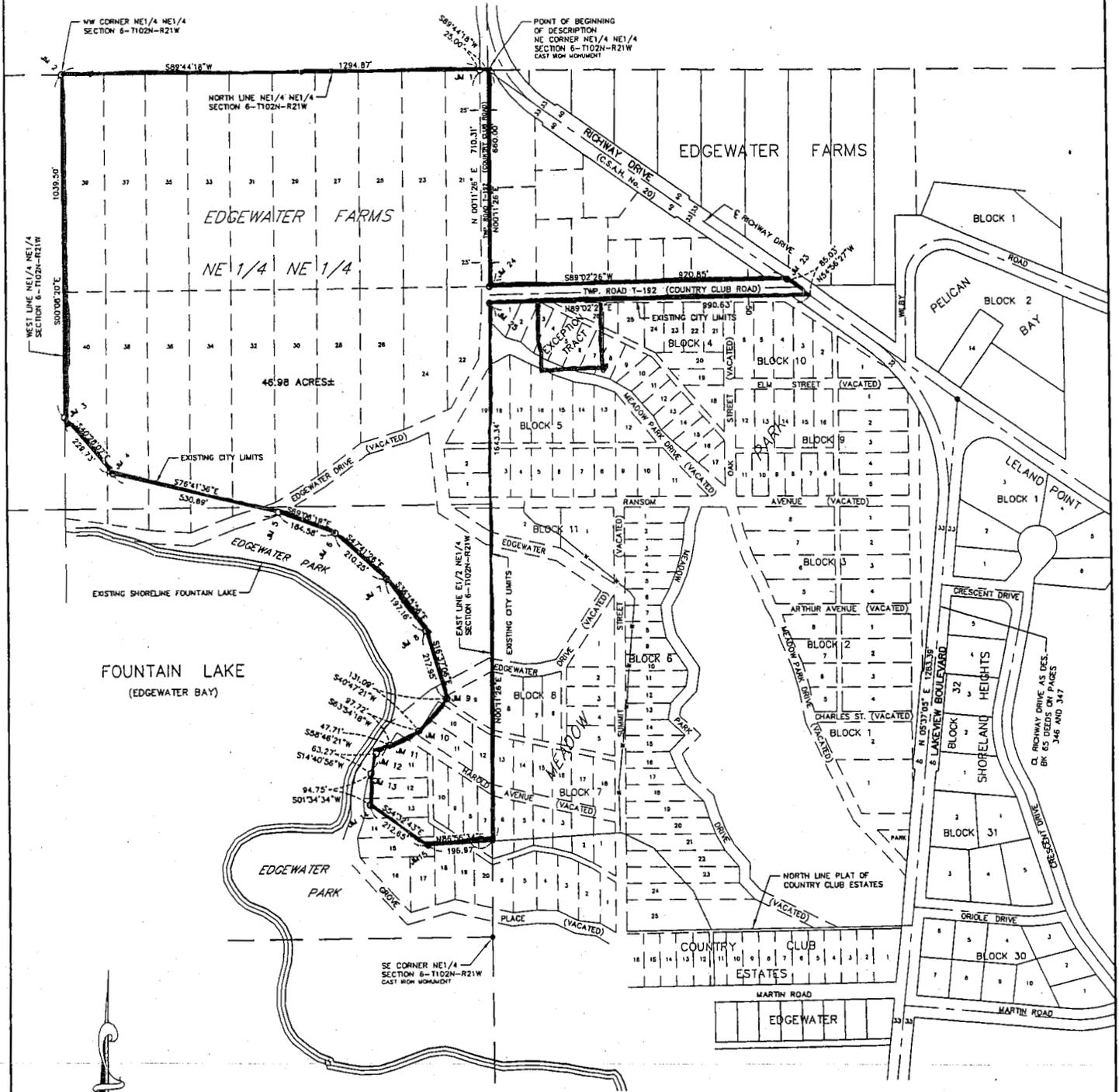
Dated October 26, 2006

City Clerk [Signature]

By authorized deputy _____

ANNEXATION SURVEY

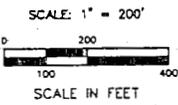
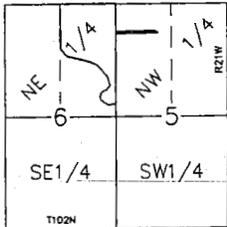
IN THE W1/2 NW1/4 SECTION 5 AND IN THE E1/2 NE1/4 SECTION 6-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MINNESOTA



FOUNTAIN LAKE
(EDGEWATER BAY)

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: _____

Reg. No. 13807

ANNEXATION SURVEY IN THE W1/2 NW1/4 SECTION 5 AND IN THE E1/2 NE1/4 SECTION 6-T102N-R21W ALBERT LEA, FREEBORN COUNTY, MINNESOTA FOR: CITY OF ALBERT LEA		
D6-247 Drawn: ADM Checked: JHS Date: NONE Revised:	JONES, HAUGH & SMITH INC. CONSULTING ENGINEERS LAND SURVEYORS PH. 507-373-4876 415 SOUTH WASHINGTON AVENUE ALBERT LEA, MINNESOTA 56007	Scale: 1"=200' Datum: JHS Survey: JHS Book: - Page: -