

RESOLUTION 06-145

Introduced by Councilor Fjelstad

Seconded by Councilor Marin

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 adjacent to Broadway Avenue is requesting annexation of a parcel in the SW ¼ NW ¼ Section 21-T102N-R21W consisting of 33.43 acres; and

WHEREAS, the City Council accepted the annexation request of the Albert Lea Port Authority following a public hearing at its meeting of May 22, 2006; 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 SW ¼ NW ¼ Section 21-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southwest corner of the NW ¼ of said Section 21;  
thence North 00°36'45" West a distance of 508.00 feet, on an assumed  
bearing on the west line of said NW ¼, to the point of beginning;

thence North 89°43'19" East a distance of 538.74 feet, on a line parallel  
with the south line of said NW ¼;

thence South 00°36'45" East a distance of 508.00 feet, on a line parallel  
with the west line of said NW ¼, to a point on the south line of said NW  
¼;

thence North 89°43'19" East a distance of 779.51 feet, on the south line  
of said NW ¼, to the southeast corner of said SW ¼ NW ¼;

thence North 00°34'50" West a distance of 1,324.47 feet, on the east line  
of said SW ¼ NW ¼, to the northeast corner thereof;

thence South 89°42'32" West a distance of 1,268.99 feet, on the north  
line of said SW ¼ NW ¼, to a point 50.00 feet east of the northwest  
corner of said SW ¼ NW ¼;

thence South 00°36'45" East a distance of 328.50 feet, on a line parallel with and 50.00 feet east of the west line of said NW ¼;

thence South 89°42'32" West a distance of 50.00 feet, to a point on the west line of said SW ¼ NW ¼;

thence South 00°36'45" East a distance of 487.28 feet, on the west line of said SW ¼ NW ¼, to the point of beginning.

Containing 33.43 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 ¼ NW ¼ Section 21-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the southwest corner of the NW ¼ of said Section 21; thence North 00°36'45" West a distance of 508.00 feet, on an assumed bearing on the west line of said NW ¼, to the point of beginning;

thence North 89°43'19" East a distance of 538.74 feet, on a line parallel with the south line of said NW ¼;

thence South 00°36'45" East a distance of 508.00 feet, on a line parallel with the west line of said NW ¼, to a point on the south line of said NW ¼;

thence North 89°43'19" East a distance of 779.51 feet, on the south line of said NW ¼, to the southeast corner of said SW ¼ NW ¼;

thence North 00°34'50" West a distance of 1,324.47 feet, on the east line of said SW ¼ NW ¼, to the northeast corner thereof;

thence South 89°42'32" West a distance of 1,268.99 feet, on the north line of said SW ¼ NW ¼, to a point 50.00 feet east of the northwest corner of said SW ¼ NW ¼;

thence South 00°36'45" East a distance of 328.50 feet, on a line parallel with and 50.00 feet east of the west line of said NW ¼;

thence South 89°42'32" West a distance of 50.00 feet, to a point on the west line of said SW ¼ NW ¼;

thence South 00°36'45" East a distance of 487.28 feet, on the west line of said SW ¼ NW ¼, to the point of beginning.

Containing 33.43 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 owned by the Albert Lea Port Authority included in this annexation shall be zoned I-2 (Industrial 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:

  
City Clerk

By:   
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:

Monty A. Rabe  
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.

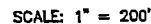
Dated October 26, 2006

City Clerk Shirley Slater Schulte

By authorized deputy \_\_\_\_\_

IN SW1/4 NW1/4 SECTION 21-T102N-R21W  
ALBERT LEA, FREEBORN COUNTY, MINNESOTA

IN SW1/4 NW1/4 SECTION 21-T102N-R21W  
ALBERT LEA, FREEBORN COUNTY, MINNESOTA



by JONES, HAUGH & SMITH

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<p><b>LOCATION MAP</b></p> <div style="text-align: center;"> </div> <p style="text-align: center;">Scale: 1"=4000'</p>	<p><b>MONUMENTS:</b></p> <p>○ = 5/8" x 16" iron stake monument (Capped RLS 13807)—Placed</p> <p>● = iron stake monument—Found</p> <p>⊗ = DRILL HOLE</p>	<p>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.</p> <div style="text-align: right;"> <p>JOHN H. SCHULTE IV Date: 3-8-06      Reg. No. 13807</p> </div>
<p style="text-align: center;"><b>SURVEY FOR:</b> <b>ALBERT LEA PORT AUTHORITY</b></p>		<p>Date of survey: NONE Revised date: — Drawn by: ADM      Survey: — Book: —      Page: — Coord-System: 1996 Job No: 06-108</p>
<p style="text-align: center;"><b>JONES, HAUGH &amp; SMITH INC.</b> Civil Engineers &amp; Land Surveyors Albert Lea, Minnesota</p>		