

RESOLUTION 06-224

Introduced by Councilor Brooks

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, Duane and Pamela Virchow, in NW¼ SE¼ Section 10-T102N-R21W, Freeborn County, Minnesota are requesting annexation of 3.24 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:

The NW¼ SE¼ Section 10-T102N-R21W, Freeborn County, Minnesota;
the following described tract;

The North 726.00 feet of the East 208.80 feet of the NW¼ SE¼ Section 10

Consisting of 3.24 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, the above described property would be immediately annexed to the City of Albert Lea.

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 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. 6. 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 Duane and Pamela Virchow included in this annexation shall be zoned R-1 (single family residence).

Sec. 7. 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. 8. 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. 9. That reading of this resolution is waived by Council consent.

Introduced, read and passed September 11, 2006.

Attest:

Shirley Slater Schulte
City Clerk

By: Alan Larson
Mayor

TOWNSHIP OF ALBERT LEA

24th Passed and adopted by the Township Board of the Township of Albert Lea this day of October, 2006.

Attest:

Martin A. Roche
Township Clerk

By: C. Haas
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

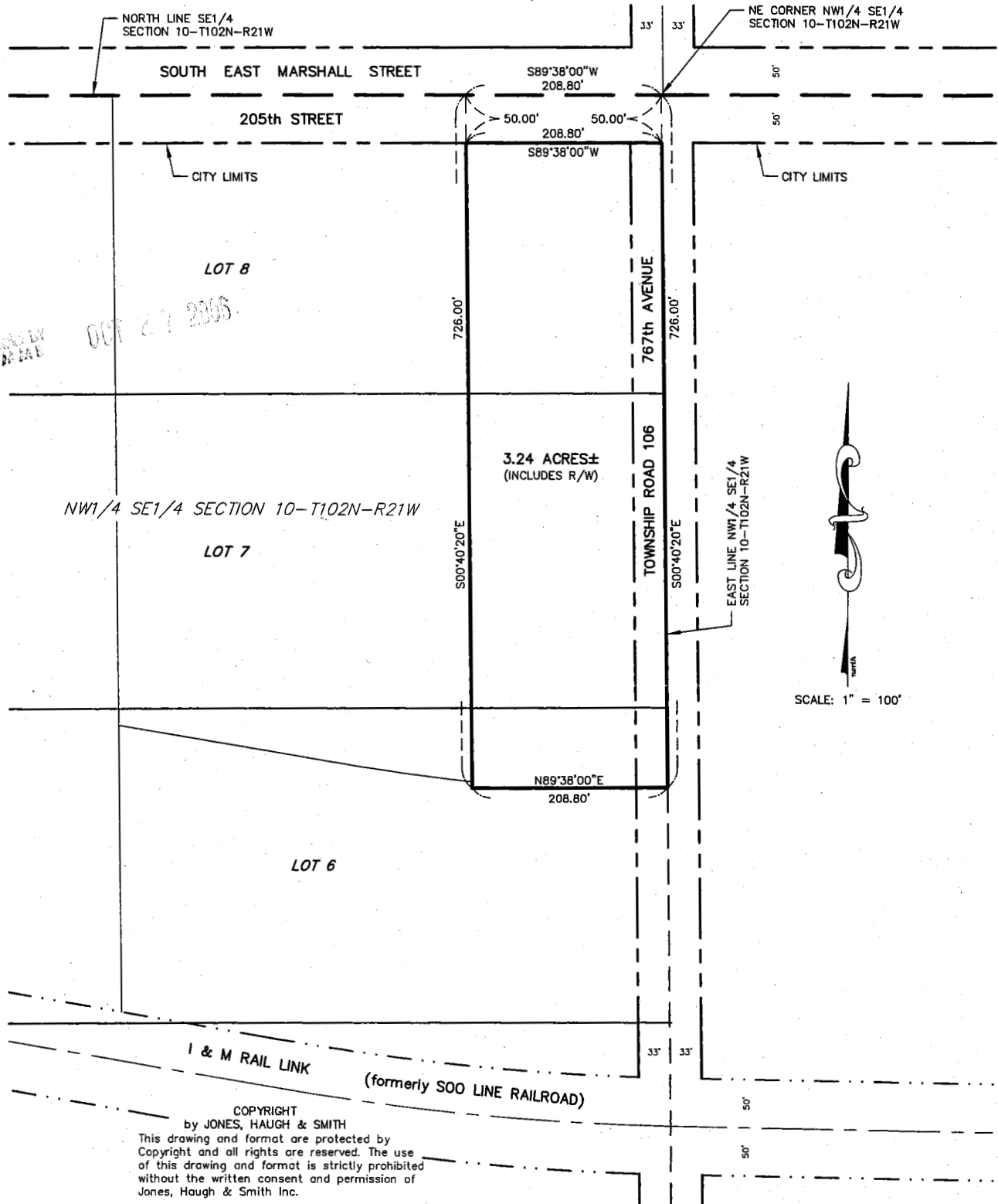
City Clerk Shirley Slater Schulte

By authorized deputy _____

Resolution 06-224

DRAWING FOR ANNEXATION PURPOSES

IN NW1/4 SE1/4 SECTION 10-T102N-R21W
FREEBORN COUNTY, MINNESOTA



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<p>LOCATION MAP</p> <p>Scale: 1"=4000'</p>	<p>MONUMENTS</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>SURVEY FOR: CITY OF ALBERT LEA</p> <p>Date of survey: NONE Revised date: — Drawn by: ADM Book: — Coord-System: 1996 Job No: 06-407</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> <p><i>John H. Schulte IV</i></p> <p>JOHN H. SCHULTE IV Date: 9-1-06 Reg. No. 13807</p> <p>JONES, HAUGH & SMITH INC. Civil Engineers & Land Surveyors Albert Lea, Minnesota</p>
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