

RECEIVED	DATE	CLASS
1965	12 1	23113
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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 SE ¼ Section 2-T102N-R21W consisting of 78.44 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:

Parcel No.: 08-002-0250

All that portion of the Southeast Quarter of the Southeast Quarter of Section 2, Township 102 North, Range 21 West of the 5th P.M. described as follows:

Commencing 500 feet West of the intersection of the North boundary line of County Road 46 (formerly U.S. Highway 16) and the East boundary line of Section 2; thence North 130 feet; thence East 135 feet; thence South 130 feet; thence West 135 feet along the Northerly line of County Road 46 (formerly U.S. Highway 16) to the place of beginning.

ALSO

All that portion of the Southeast Quarter of the Southeast Quarter of Section 2, Township 102 North, Range 21 West of the 5th P.M. lying South of the above described tract subject to easement for highway purposes.

Parcel No.: 08-002-0490

Commencing 595 West of the intersection of the North boundary of County Road 46 (formerly U.S. Highway 16) and the East boundary of Section 2, Township 102 North, Range 21 West Freeborn County, Minnesota; thence North 130 feet, thence East 95, thence South 130 feet, thence West 95 feet along the Northerly line of County Road 46 (formerly U.S. Highway 16) to the place of beginning.

Parcel No.: 08-002-0500

A tract of land in the East Half of the Southeast Quarter of Section 2, Township 102 North, Range 21 West, Freeborn County, Minnesota, less the West 33 ½ acres thereof, which tract is described as follows:

Commencing 595 feet West of the intersection of the North boundary of U.S. Highway 16 (now County Road 46) and the East boundary of said Section 2; thence North 130 feet; thence West to the West boundary of the aforesaid described tract; thence South to the North boundary line of U.S. Highway 16 (now County Road 46), thence East along the North boundary line of U.S. Highway 16 (now County Road 46) to the point of beginning.

Parcel No.: 08-002-0260

The West 33 ½ acres of the East Half of the Southeast Quarter of Section 2, Township 102 North, Range 21 West of the 5th P.M.

Parcel No.: 08-002-0240

The East Half of the Southeast Quarter of Section 2, Township 102 North, Range 21 West of the 5th P.M. Freeborn County, Minnesota except the West 33 ½ acres thereof, subject to easement of record, and EXCEPT the following described tracts:

(1)

Commencing 500 feet West of the intersection of the North boundary line of County Road 46 (formerly U.S. Highway 16) and the East boundary line of said Section 2; thence North 130 feet; thence East 135 feet; thence South 130 feet; thence West 135 feet along the Northerly line of County Road 46 (formerly U.S. Highway 16) to the place of beginning; ALSO all that portion of the Southeast Quarter of the Southeast Quarter of Section 2, Township 102 North, Range 21 West of the 5th P.M. lying South of the above described tract, subject to easement for highway purposes.

(2)

A tract of land in the East Half of the Southeast Quarter of said Section 2, Township 102 North, Range 21 West Freeborn County, Minnesota, LESS THE West 33 ½ acres thereof, which tract is described as follows:

Commencing 595 feet West of the intersection of the North boundary of County Road 46 (formerly U.S. Highway 16) and the East boundary of said Section 2; thence North 130 feet; thence West to the West boundary of the aforesaid described tract; thence South to the North boundary line of County Road 46 (formerly U.S. Highway 16), thence East along the North boundary line of County Road 46 (formerly U.S. Highway 16) to the point of beginning.

(3)

Commencing 595 feet West of the intersection of the North boundary of County Road 46 (formerly U.S. Highway 16) and the East boundary of said Section 2, Township 102 North, Range 21 West Freeborn County, Minnesota; thence North 130 feet, thence East 95 feet, thence South 130

feet, thence West 95 feet along the Northerly line of County Road 46 (formerly U.S. Highway 16) to the place of beginning.

Containing 78.44 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:

Parcel No.: 08-002-0250

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ALSO

All that portion of the Southeast Quarter of the Southeast Quarter of Section 2, Township 102 North, Range 21 West of the 5th P.M. lying South of the above described tract subject to easement for highway purposes.

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Containing 78.44 acres more or less.

100 2 7 2007

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 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 six 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 February 26, 2007

Attest:


City Clerk

By: 
Mayor Randall Erdman

TOWNSHIP OF ALBERT LEA

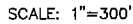
6th Passed and adopted by the Township Board of the Township of Albert Lea this
day of March, 2007

Attest:

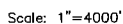

Township Clerk

By: 
Chair

IN E1/2 SE1/4 SECTION 2-T102N-R21W
FREEBORN COUNTY, MINNESOTA



LOCATION MAP



○ = 5/8" x 16" iron stake monument
(Capped RLS 13807)-Placed
● = Iron stake monument-Found

 = DRILL HOLE

SURVEY FOR:
CITY OF ALBERT LEA

Date of survey: 3-15-07
Revised date: -
Drawn by: EJM Survey: JHS
Book: - Page: -
Coord-System: 1996
Job No: 07-077

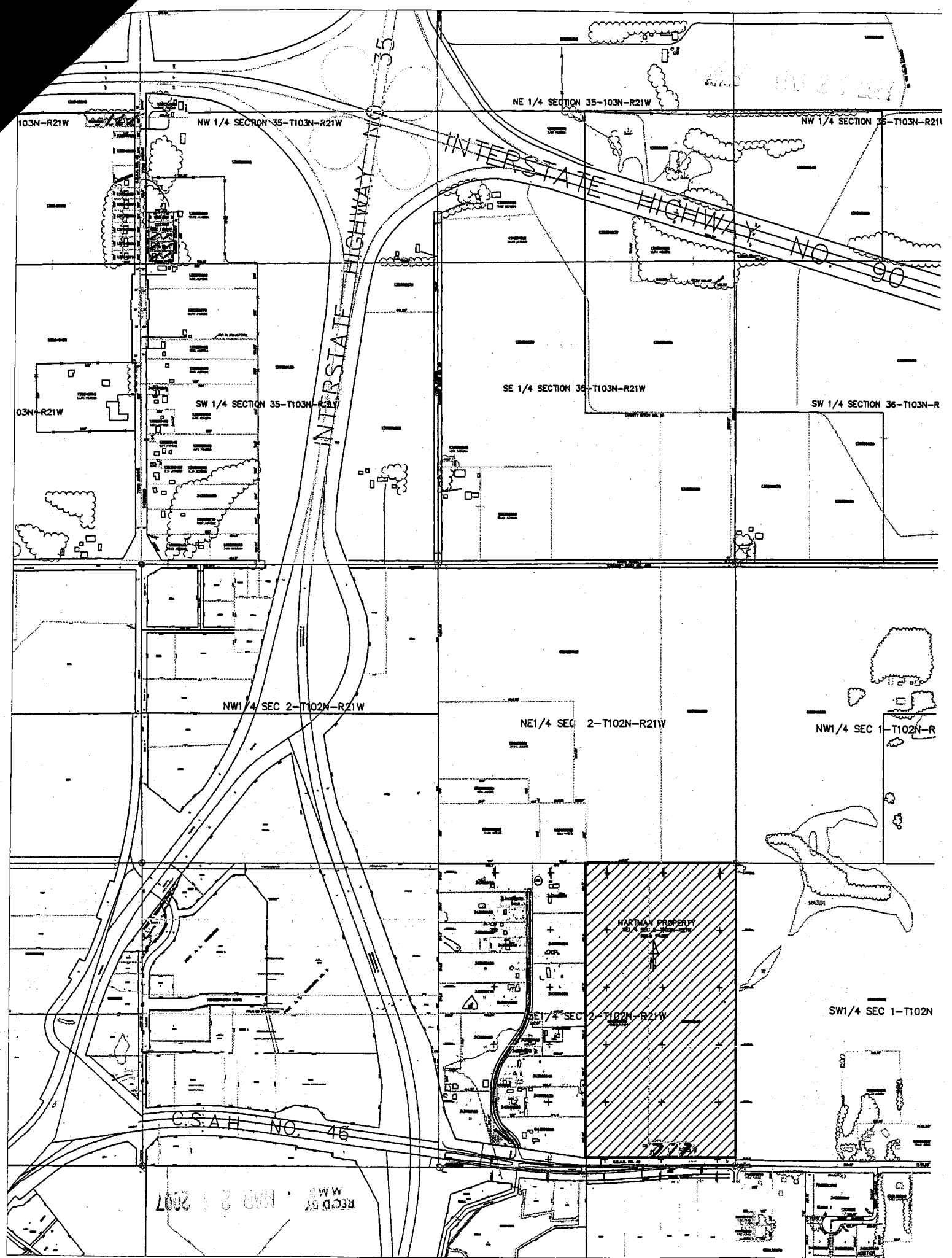
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.

JOHN H. SCHULTE IV

Date: 3-15-07

Req. No. 13807

JONES, HAUGH & SMITH INC.
Civil Engineers & Land Surveyors
Albert Lea, Minnesota



REC'D BY MAR 2 2007

APR 21 2007

HARTMAN PROPERTY

SE 1/4 SEC 2-T102N-R21W

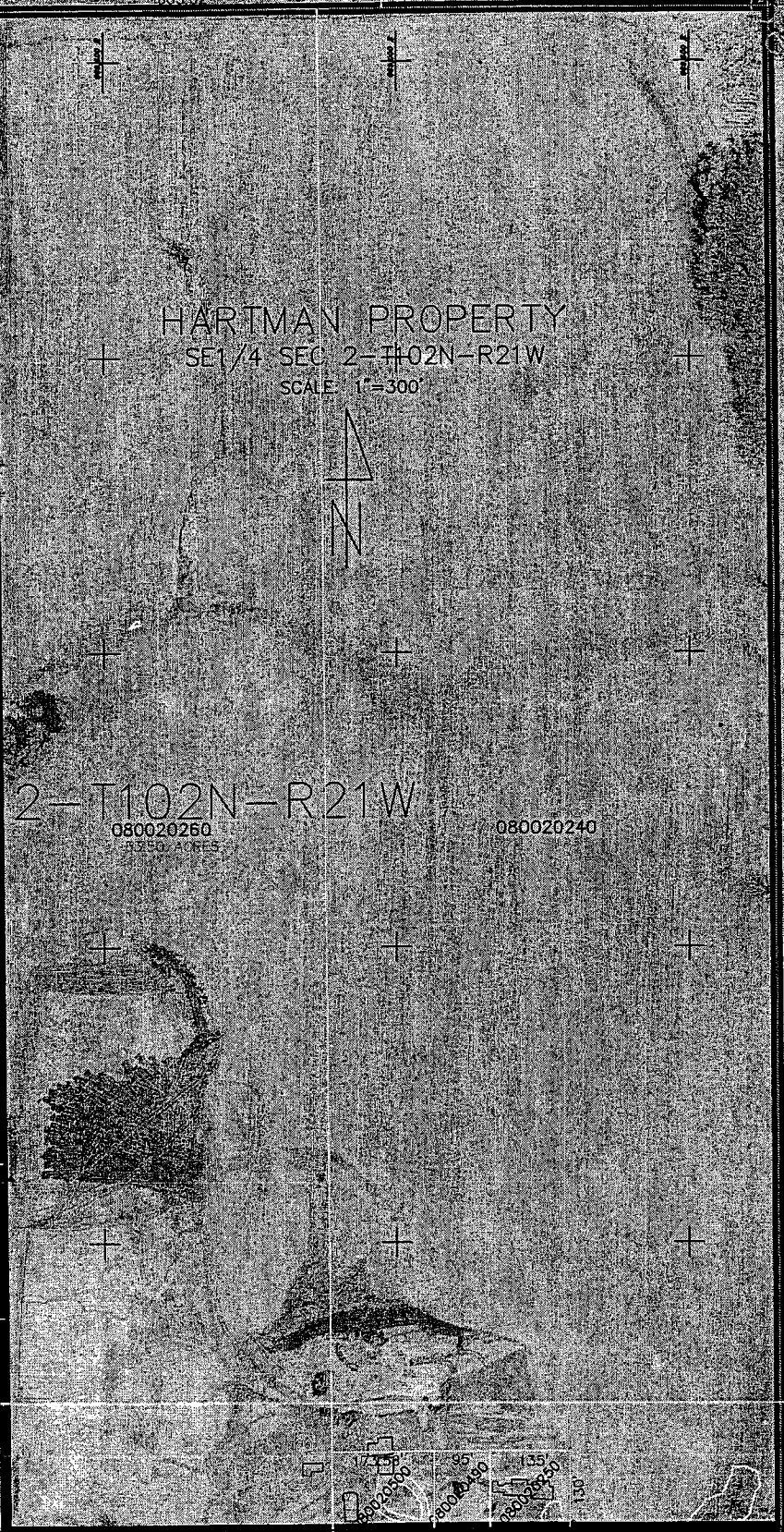
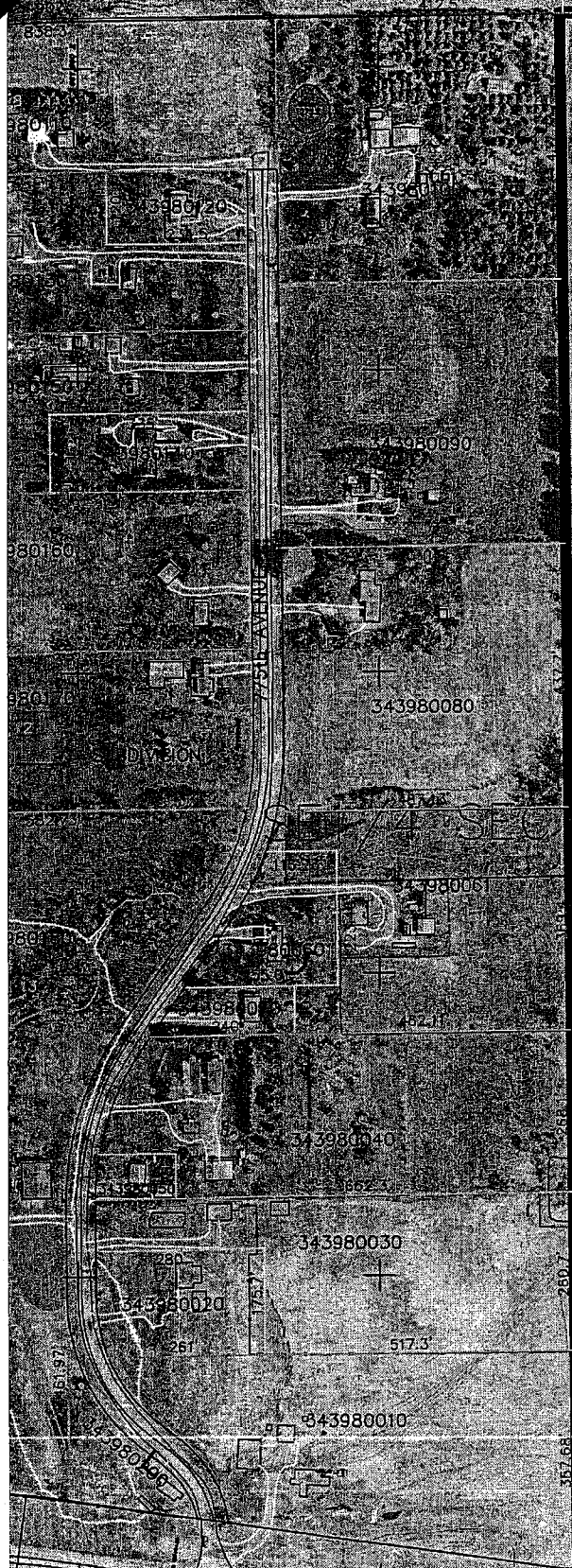
SCALE 1"=300'



SE 1/4 SEC 2-T102N-R21W

080020260
0.350 ACRES

080020240



C.S.A.H. NO. 46

209th STREET