

REC'D BY
M.M.B.

DEC 17 2007

JOINT RESOLUTION NO. 13321

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY
OF AUSTIN AND THE TOWNSHIP OF LANSING
PURSUANT TO MINNESOTA STATUTES §414.0325**

WHEREAS, the City of Austin and the Township of Lansing designate for orderly annexation, the following described lands located within the Township of Lansing, County of Mower, Minnesota:

LEGAL DESCRIPTION (SEE ATTACHED EXHIBIT "A")

and,

WHEREAS, the City of Austin (the "City") and the Township of Lansing (the "Township") are in agreement as to the orderly annexation of the unincorporated land described; that both believe it will be to their benefit and to the benefit of their respective residents; and

WHEREAS, Minnesota Statutes §414.0325 provides a procedure whereby the City of Austin and the Township of Lansing may agree on a process of orderly annexation of a designated area; and

WHEREAS, on December 3, 2007 the City of Austin and on December 5, 2007, the Township of Lansing conducted public hearings pursuant to the requirements of Minnesota Statutes §414.0333, preceded by a Notice of Intent to Designate an Area duly published pursuant to the requirements of Minnesota Statutes §414.0325 Subd. 1b; and

WHEREAS, the City of Austin and the Township of Lansing have agreed to all the terms and conditions for the annexation of the above-described lands within this document and the signatories hereto agree that no consideration by the Office of Administrative Hearings - Municipal Boundary Adjustments is necessary; that the Office may review and comment, but shall within 30 days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, joint by the City Council of the City of Austin and the Township Board of the Township of Lansing as follows:

1. That the following described lands in the Township of Lansing are subject to orderly annexation pursuant to Minnesota Statutes §414.0325, and that the parties hereto designate those areas for orderly annexation, to wit:

LEGAL DESCRIPTION (SEE ATTACHED EXHIBIT "A")

LEGAL DESCRIPTION (SEE ATTACHED LEGAL DESCRIPTION)

2. That the designated area consists of approximately 41.95 acres, the population in the subject area is zero, and the land type is urban.
3. That the Township of Lansing does, upon passage of this resolution and its adoption by the City Council of the City of Austin, and upon acceptance by the Municipal boundary Adjustment Unit of the Office of Administrative Hearings, confer jurisdiction upon Municipal boundary Adjustments so as to accomplish said orderly annexation in accordance with the terms of this resolution.
4. That the above-described property is urban or suburban or about to become so, and since the City of Austin is capable of providing services to this area within a reasonable time, the annexation would be in the best interest of the area.
5. Property in the area would not be annexed immediately upon the final approval of the Minnesota Department of Administration Boundary and Adjustments.
6. The City of Austin would provide municipal services as determined when it is financially feasible.
7. The City shall reimburse the Township for the taxable property of parcels lost to annexation for a period of six (6) years following the last year in which the Township would receive real estate for this property following annexation, and shall be paid according to the schedule as follows:

Year 1:	100%	of the Real Estate Tax paid to the Township in the year of annexation
Year 2:	80%	" " "
Year 3:	60%	" " "
Year 4:	40%	" " "
Year 5:	20%	" " "
Year 6:	10%	" " "
Year 7 and thereafter	0%	" " "
8. The City of Austin and the Township of Lansing agree that upon receipt of this resolution, passed and adopted by each party, the Office of Administrative hearings/Municipal Boundary Adjustments, or its successor, may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this resolution.
9. The real estate described shall be zoned "R-1" Single-Family Residence District,



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Adopted by affirmative vote of all the members of the Lansing Township Board of Supervisors this 5 day of December, 2007.

TOWNSHIP OF LANSING

By: Beverly Derby
Chairperson
Board of Supervisors

By: Ann M Mayfield
Clerk
Lansing Township

Adopted by affirmative vote of the City Council of Austin, this 3rd day of December, 2007.

YEAS 7

NAYS 0

CITY OF AUSTIN

By: Thomas H. [Signature]
Mayor

ATTEST:

By: Tam [Signature]
City Recorder

Exhibit "A"

September 21, 2007

DESCRIPTION

IN NW¼ SW¼ & SW¼ SW¼ SECTION 33-T103N-R18W
MOWER COUNTY, MN
(Hopkins Property)

All that part of the NW¼ SW¼ & SW¼ SW¼ Section 33-T103N-R18W, Mower County, Minnesota; described as follows:

Commencing at the northwest corner of the SW¼ of said Section 33; thence North 89°02'01" East a distance of 509.22 feet, on an assumed bearing on the north line of said SW¼, to the point of beginning;

thence North 89°02'01" East a distance of 804.80 feet, on the north line of said SW¼, to northeast corner of said NW¼ SW¼;

thence South 00°24'55" East a distance of 1080.87 feet, on the east line of said NW¼ SW¼, to a point on the northwesterly right-of-way of Interstate Highway No. 90 (formerly Trunk Highway No. 252);

thence South 45°56'36" West a distance of 736.85 feet, on the northwesterly right-of-way of said Interstate Highway No. 90 (formerly Trunk Highway No. 252), to a point on the south line of the North 8.00 Acres of said SW¼ SW¼;

thence South 89°05'02" West a distance of 784.21 feet, on the south line of the North 8.00 Acres of said SW¼ SW¼, to a point on the west line of said SW¼;

thence North 00°17'23" West a distance of 1101.91 feet, on the west line of said SW¼, to a point which is 481.71 feet south of the northwest corner of said SW¼;

thence North 45°56'35" East a distance of 705.08 feet, to the point of beginning;

subject to easements of record.

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MAB

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MURPHY PROPERTY

KEHRET PROPERTY

TARGET

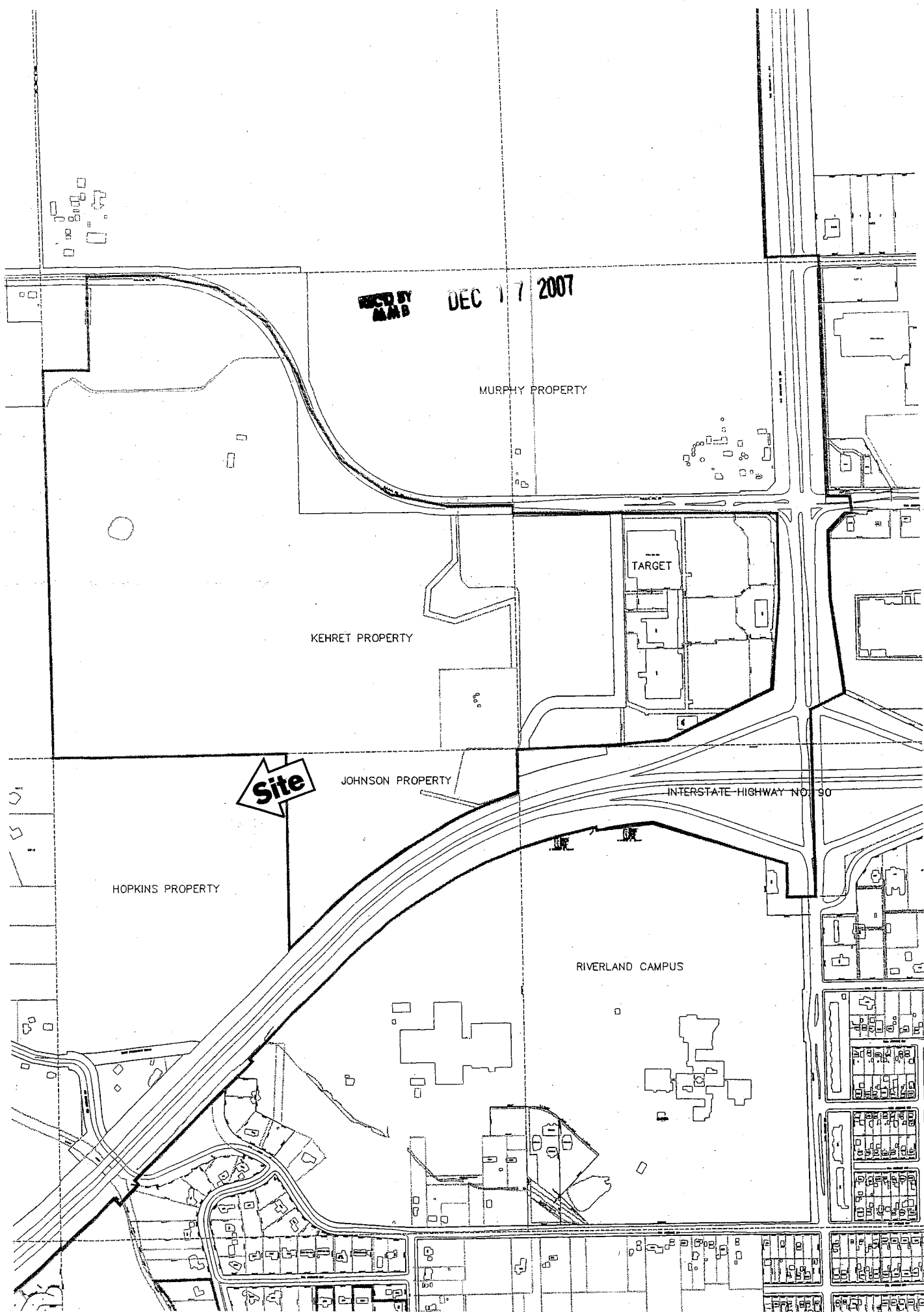
JOHNSON PROPERTY

INTERSTATE-HIGHWAY NO. 90

Site

HOPKINS PROPERTY

RIVERLAND CAMPUS



ALTA/ACSM LAND TITLE SURVEY
IN NW1/4 & SW1/4 SECTION 33-T103N-R18W
MOWER COUNTY, MINNESOTA

ITEMS PURSUANT TO SCHEDULE B SECTION II
1. A VETNE & VIRGINIA (TRACT 1) AND FLORA HOPKINS (TRACT 2)

- [illegible]

ITEMS PURSUANT TO SCHEDULE B SECTION II
CROSS & JOHNSON & MENARD, INC.

- [illegible]

TITLE COMMITMENT

FILE COMMITMENT NO. 107718000, PARCEL 1, DATED AUGUST 14, 2007, AND PARCEL 2, DATED AUGUST 13, 2007, BY CHICAGO TITLE INSURANCE COMPANY.

FILE COMMITMENT NO. 107718000, JOHNSON PARCEL, DATED SEPTEMBER 4, 2007, BY CHICAGO TITLE INSURANCE

FLOOD ZONE DESIGNATION

THE SUBJECT PROPERTY LIES IN ZONE C AREA OF WINDAGE FLOODING AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP (COMMUNITY-PANEL NO. 17007) DOWNS A, EFFECTIVE DATE, JULY 14, 1979.

BENCHMARK:

in vicinity of south-west corner of Boulder Interstate Highway No. 20 and Trunk Highway No. 258, 36 feet east of north-south Trunk Highway No. 216, 21.5 feet north-south-east of north-east corner of Trunk Highway No. 218 bridge over Interstate Highway No. 20, 2.5 feet east of adjacent post.

ENCROACHMENTS

- A. Overland electric line and power poles encroachment upon the subject property from the southeast.
- B. Railroad slope encroachment upon the subject property from the southwest.
- C. West Broadway Road Right-of-way encroachment upon the subject property from the north.
- D. Interchange Highway No. 80 Right-of-way fence encroachment upon the subject property from the southwest.

NAME OF BEARING SYSTEM :

LEGAL DESCRIPTION

LAVERNE & VIRGINIA KEBBE

As the part of the southern section 31 103.94' (191.99' of County, Minnesota, described as follows:

Commencing at the southwest corner of the 1/4 of said Section 31, thence North 68° 00' 00" East a distance of 503.20' feet, to an assumed beginning on the south line of said NW1/4, to the point of beginning;

thence North 78° 00' 00" East a distance of 1673.00' feet, on the south line of said NW1/4, to a point which is 340 feet west of the southeast corner of said NW1/4;

thence North 00° 32' 30" West a distance of 48.42' feet, parallel with the east line of said NW1/4;

thence North 44° 03' 25" West a distance of 1045.77' feet;

thence North 45° 56' 35" East a distance of 595.16' feet;

thence North 20° 36' 45" East a distance of 1837.11' feet, to a point on the centerline of County State Aid Highway No. 27;

thence Northwest a distance of 66.07' feet, on the centerline of said County State Aid Highway No. 27, to a rectangular curve commencing to the northwest with a central angle of 04° 21' 30", a radius of 618.07' feet and a back bearing of North 67° 32' 30" West;

thence South 20° 36' 45" West a distance of 114.56' feet;

thence South 45° 56' 35" West a distance of 1939.68' feet, to the point of beginning;

subject to assessments of record,

and subject to highway easement on the north and north-west sides thereof.

HOPKINS PROPERTY

As that part of the *NW1/4*, *SW1/4* & *SW1/4*, *Section 33-112N31E18W, Meeker County, Minnesota*, described as follows:

Commencing at the northwest corner of the *SW1/4*, of said Section 33; thence North *89°02'01"* East a distance of 100.00 feet to an assumed bearing on the north line of said *SW1/4*, to a point *to be beginning*;

thence North *89°02'01"* East a distance of 304.40 feet, to the south line of said *SW1/4*, to the northeast corner of said *SW1/4*;

thence South *00°14'58"* East a distance of 1050.87 feet, on the east line of said *NW1/4*, *SW1/4*, to a point on the north-westerly right-of-way of Interstate Highway No. 360 (formerly State Highway No. 352);

thence South *43°50'26"* West a distance of 726.85 feet, on the north-westerly right-of-way of said Interstate Highway No. 360 (formerly State Highway No. 352), to a point on the south line of the *H1/4* of E060 feet of said *SW1/4*, *SW1/4*;

thence South *89°10'27"* West a distance of 764.21 feet, on the south line of the *H1/4* of E060 feet of said *SW1/4*, *SW1/4*, to the southwest corner of said *SW1/4*;

thence North *00°17'32"* West a distance of 1101.91 feet, on the west line of said *SW1/4*, to a point which is 111 feet south of the north-west corner of said *SW1/4*;

thence North *85°54'23"* East a distance of 705.00 feet, to the point of beginning.

subjected to easements of record.

GREGG W. JOHNSON

[illegible]

SURVEYOR'S CERTIFICATE

This is to certify that this map as plot and the survey on which it is based were made in accordance with the Minnesota Standardized Map Requirements for ALTA/ACSM Land Surveys, jointly published and adopted by ALTA and NSPS in 2000, and include Items 1, 2, 3, 4, 7, 8, 9, 10, 11(a) and 12 of Table A Form. Pursuant to the Assuring Standards on which the ALTA and NSPS standards are based, the Surveyor certifies that the map is a true and accurate representation of what was observed on the date of this certification and that the map is a true and accurate representation of what was observed and measured that which is specified therein.

ALTA/ACSM LAND TITLE SURVEY
IN NW1/4 & SW1/4 SECTION 33-T103N-R18W
WOMER COUNTY, MINNESOTA
EDIC MEYER, INC.

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MMB
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