

RESOLUTION 09-175

Introduced by Councilor Anderson

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, Billy L. Swearingen and Diane L. Swearingen, the property owners of the property located at 77847 209th Street consisting of 9.99 acres more or less are requesting annexation of this property in the NE ¼ Section 11-T102N-R21W, Freeborn County; and

WHEREAS, the City of Albert Lea received a petition for annexation from 100% of the property owners; 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.: 08-011-0200

Commencing at a point 330 feet East of the Northwest corner of the East Half of the Northeast Quarter of Section 11, Township 102 North, Range 21 West of the 5th P.M.; thence South 1320 feet more or less to a point on the south line of the Northeast Quarter of the Northeast Quarter of said Section 11; thence East 330 feet; thence North 1320 feet more or less to the North line of the East Half of the Northeast Quarter of said Section 11; thence West to the point of beginning; subject to and together with the benefits and burdens of a roadway easement 30 feet in width lying South of and adjoining the south right-of-way line of former Minnesota Trunk Highway No. 16 and running along the Northerly side of the East Half of the Northeast Quarter of said Section 11; subject to highway and easements of record, if any.

Sec. 2. 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. 3. 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 Billy L. Swearingen and Diane L. Swearingen included in this annexation shall be zoned I-2.

Sec. 4. That the City of Albert Lea agrees to pay the Township of Albert Lea an amount equal to five (5) years of existing taxes derived from the area subject to annexation.

Sec. 5. That Albert Lea Township will own and maintain 209th Street as a Township Road until the remainder of the property is annexed.

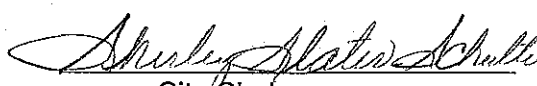
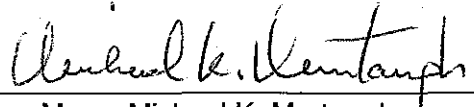
Sec. 6. That reading of this resolution is waived by Council consent.

Sec. 7. That publication of this resolution shall be dispensed with under provisions of Section 3.08 of the Charter of the City of Albert Lea.

That the motion for the adoption of the foregoing resolution was duly seconded by Councilor Olson and upon a vote being taken thereon, the following voted in favor thereof: Councilors Rasmussen, Baker, Kehr, Olson, Anderson, Brooks and Mayor Murtaugh and the following voted against the same: None.

Introduced, read and passed September 14, 2009

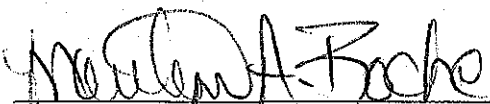
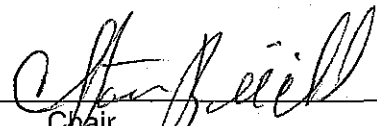
Attest:

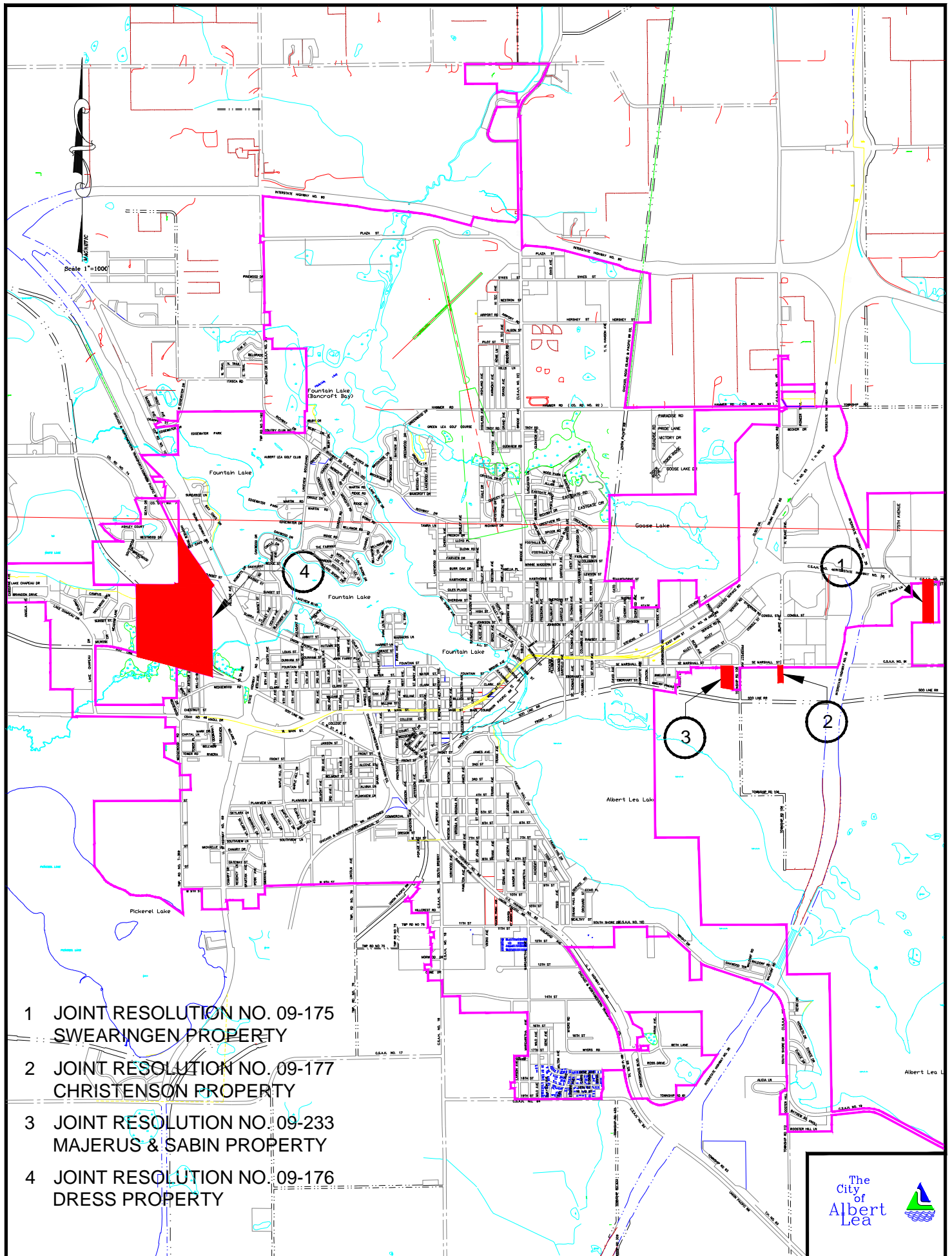

City Clerk By: 
Mayor Michael K. Murtaugh

TOWNSHIP OF ALBERT LEA

8th Passed and adopted by the Township Board of the Township of Albert Lea this
day of March, 2009. 2010
M.R.

Attest:


Township Clerk By: 
Chair



- 1 JOINT RESOLUTION NO. 09-175
SWEARINGEN PROPERTY
- 2 JOINT RESOLUTION NO. 09-177
CHRISTENSON PROPERTY
- 3 JOINT RESOLUTION NO. 09-233
MAJERUS & SABIN PROPERTY
- 4 JOINT RESOLUTION NO. 09-176
DRESS PROPERTY