

RESOLUTION 09-176

Introduced by Councilor Kehr

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 territory described below is not presently within the corporate limits of any incorporated city, and

WHEREAS, the area proposed for annexation is 60% or more bordered by land already within the corporate limits of the City of Albert Lea and is not appropriate for annexation by ordinance pursuant to Minnesota Statutes § 414.033, Subd. 2(3); 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:

DESCRIPTION FOR ANNEXATION PURPOSES
IN SECTIONS 6 & 7-T102N-R21W
FREEBORN COUNTY, MN

CITY OF ALBERT LEA
George Dress Property

Commencing at the southeast corner of the NW¼ Section 6-T102N-R21W, Freeborn County; thence South 00°28'33" East a distance of 100.00 feet, on the east line of the SW¼ of said Section 6; thence South 00°28'33" East a distance of 971.74 feet, on an assumed bearing on the east line of the SW¼ of said Section 6, to a point on the northeasterly right-of-way line of the former Chicago & Northwestern Transportation Company (now Union Pacific Railroad), which is the point of beginning;

thence Southeasterly a distance of 1932 feet more or less, on the northeasterly right-of-way line of said former Chicago & Northwestern Transportation Company (now Union Pacific Railroad), to the south line of the SE¼ of said Section 6;

thence South 46°41'40" West a distance of 101.00 feet, to a point on the southwesterly right-of-way line of said former Chicago & Northwestern Transportation Company (now Union Pacific Railroad);

thence South 00°34'32" East a distance of 2703 feet more or less, to a point on the south right-of-way line of the former Chicago, Milwaukee & St. Paul Railroad (now Iowa, Chicago & Eastern Railroad Corporation;

thence Northwesterly a distance of 2365 feet more or less, on the south right-of-way line of said former Chicago, Milwaukee, St. Paul & Pacific Railroad (now Iowa, Chicago & Eastern Railroad Corporation), to the west line of the E½ NW¼ Section 7-T102N-R21W;

thence North a distance of 2185 feet more or less, on the west line of the E½ NW¼ of said Section 7 and the east line of Chapeau Shores Seventh Addition and the east line of Chapeau Shores Fifth Addition, as the same are platted and recorded in the office of the County Recorder of Freeborn County, Minnesota, to the northwest corner of the E½ NW¼ of said Section 7;

thence East a distance of 1182.57 feet, on the north line of the E½ NW¼ of said Section 7, to a point 114.12 feet west of the northeast corner of the NW¼ of said Section 7;

thence northeasterly a distance of 42.94 feet, to a point 109.12 feet west of the east line of the SW¼ of said Section 6;

WHEREAS, the area proposed for annexation abuts upon the corporate limits of the City of Albert Lea, Minnesota; and

WHEREAS, the area proposed for annexation is unincorporated, abuts on the city's Western boundary, and is not included within any other municipality; and

WHEREAS, the area proposed for annexation is approximately 147.84 acres in size; and

WHEREAS, the reason for the proposed annexation is to bring land into the city for urban development and to connect a street system for public safety; and.

WHEREAS, the nature of the area proposed for annexation is residential; and

WHEREAS, the area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes § 414.0325, nor in any other proceeding currently pending before the Office of Administrative Hearings - Municipal Boundary Adjustments; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL:

Sec. 1. That we hereby serve a Notice of Intent to annex the above-described property into the corporate limits of the City of Albert Lea, Minnesota on Albert Lea Township; Freeborn County; and the Office of Administrative Hearings.

Sec. 2. That the City of Albert Lea agrees to pay the Township of Albert Lea an amount equal to 5 years of existing taxes derived from the area subject to annexation.

Sec. 3. That reading of this resolution is waived by council consent.

Sec. 4. That publication of this resolution shall be dispensed with under provisions of Section 3.08 of the Charter of the City of Albert Lea.

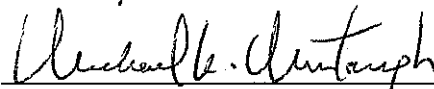
That the motion for the adoption of the foregoing resolution was duly seconded by Councilor Baker, and upon a vote being taken thereon, the following voted in favor thereof: Councilors Rasmussen, Baker, Kehr, Olson, Anderson, Brooks and Mayor Murtaugh

and the following voted against the same: None.

Introduced, read and passed September 14, 2009

Attest:


City Clerk

By: 
Mayor Michael K. Murtaugh

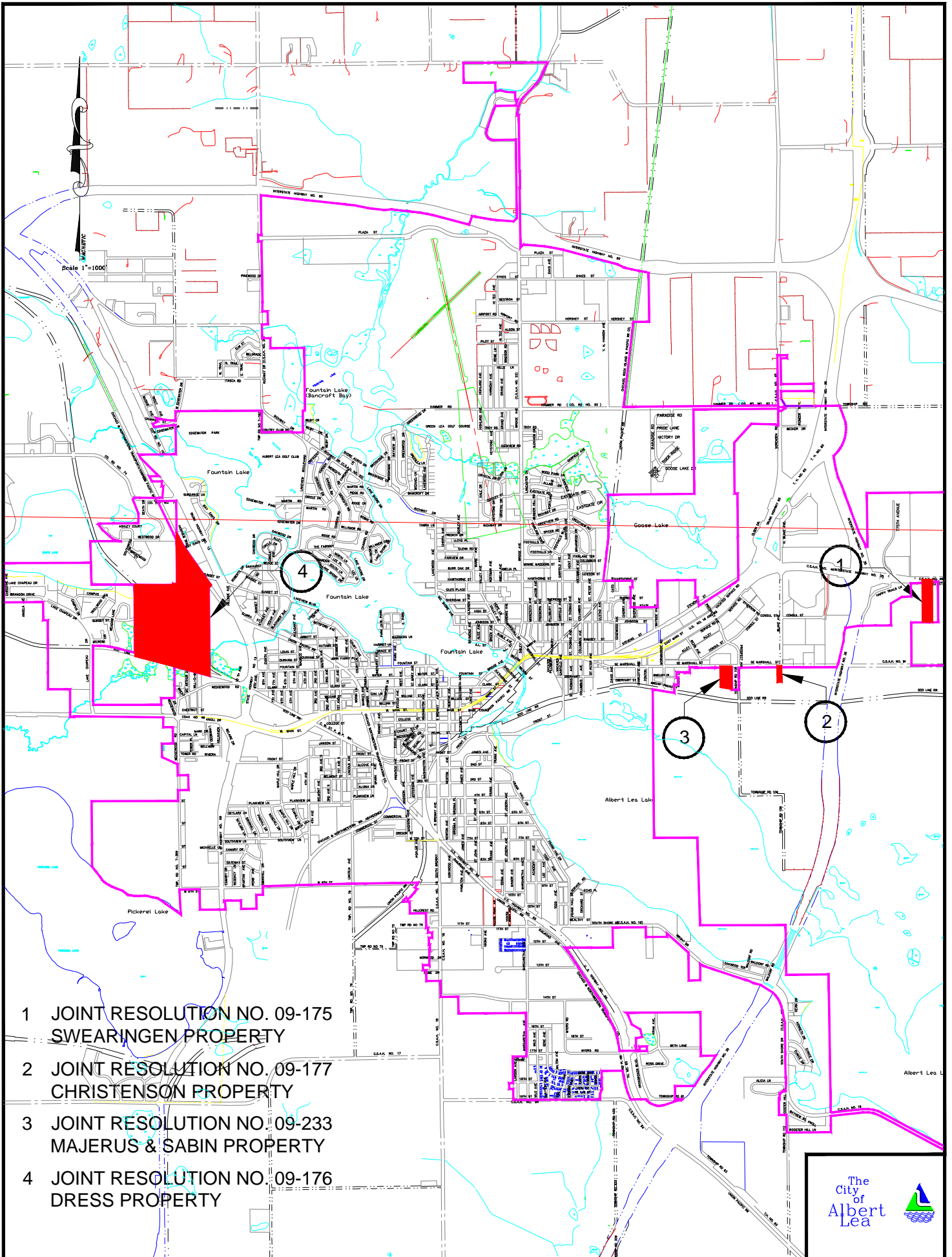
TOWNSHIP OF ALBERT LEA

8th Passed and adopted by the Township Board of the Township of Albert Lea this
day of March, 2009. 10 10 M.E.

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