

**RESOLUTION NO. 13868**

REC'D BY  
MBA

NOV 03 2010

**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 Town or Lansing, County of Mower, Minnesota:

LEGAL DESCRIPTION (See 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**, 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**, jointly 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 with:

LEGAL DESCRIPTION (See Exhibit A)

2. That the designated area consists of approximately .45 acres, the subject area is a residential land-use.
3. That the Township of Lansing does, upon passage of this resolution and its adoption by the 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 petitioner's property.
5. The City of Austin would provide available municipal sanitary sewer services during the fall of 2010.
6. The City shall reimburse the Township for the taxable property (as described above) lost by annexation for a period of six (6) years following the last year in which the Township would receive real estates 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: 90% of the Real Estate Tax paid to the Township in the year of annexation
- Year 3: 80% of the Real Estate Tax paid to the Township in the year of annexation
- Year 4: 70% of the Real Estate Tax paid to the Township in the year of annexation
- Year 5: 60% of the Real Estate Tax paid to the Township in the year of annexation
- Year 6: 50% of the Real Estate Tax paid to the Township in the year of annexation
- Year 7 40% of the Real Estate Tax paid to the Township in the year of annexation
- Year 8 30% of the Real Estate Tax paid to the Township in the year of annexation
- Year 9 and thereafter 0%

- 7. 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 Administration 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.
- 8. The real estate shall be zoned "R-1" Single-Family Residence District.

Adopted by affirmative vote of all the members of the Lansing Township Board of Supervisors this 13 day of October, 2010.

**TOWNSHIP OF LANSING**

By:   
Chairperson  
Board of Supervisors

By:   
Clerk  
Lansing Township

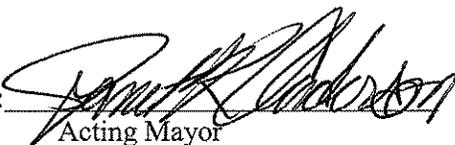
Passed by affirmative vote of the Austin City Council this 13<sup>th</sup> day of September, 2010.

YEAS 6

NAYS 0

**CITY OF AUSTIN**

**ATTEST:**

By:   
Acting Mayor

By:   
City Recorder

EXHIBIT "A"

The property involving the southwest 140ft. by 140ft. of the legally described property below

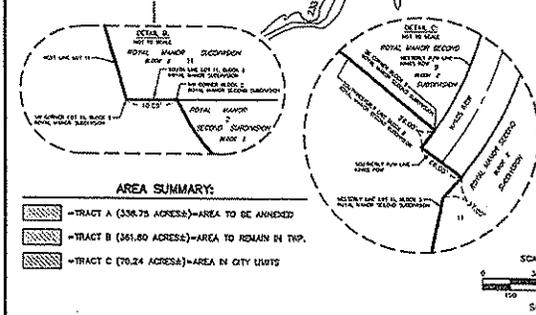
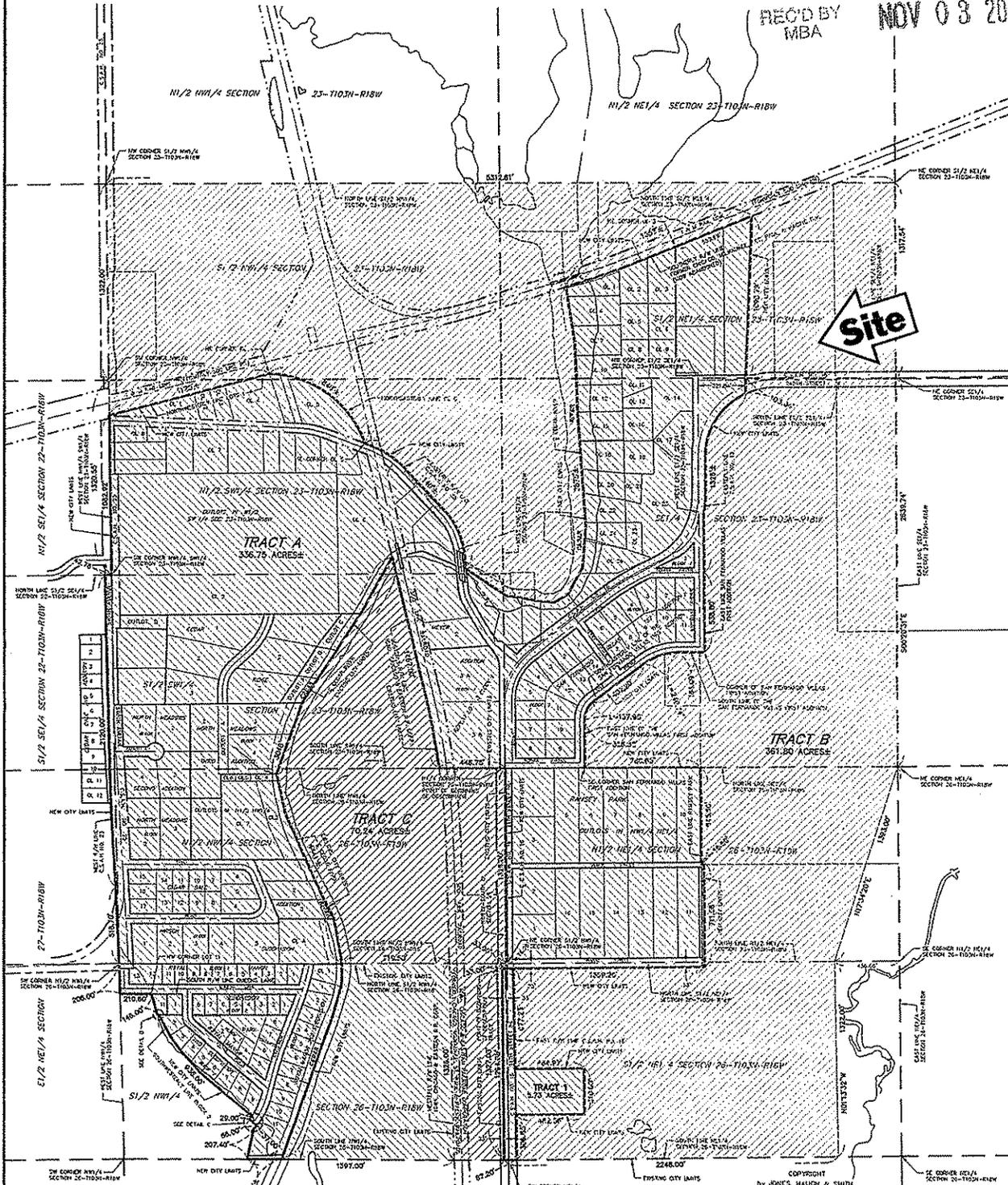
**The following portion of the Southeast Quarter of the Northeast Quarter of Section 23, Township 103 North, Range 18 West; Beginning on the South line of said quarter-quarter section at a point 406.7 feet West of the Southeast corner thereof; thence West 400 feet along the South line of said quarter-quarter section; thence North 1°04' West 923 feet; thence North 88°56' East 400 feet on a line parallel with the South line of said quarter-quarter section; thence Southerly 923 feet to the place of beginning, containing 8.475 acres more or less; subject to the public highway upon the South 33 feet of said tract, containing 0.303 acres more or less; and subject to the flowage rights contained in the deed recorded in Book 10 of Deeds, page 188, in the office of the Register of Deeds of said county.**



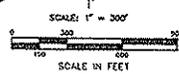
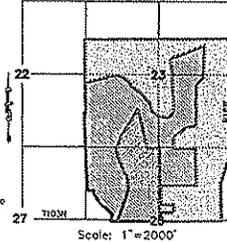
**DRAWING OF TRACT FOR ANNEXATION PURPOSES**  
 IN S1/2 SE1/4 SECTION 22, SECTION 23, N1/2 SECTION 26 & E1/2 NE1/4 SECTION 27-T103N-R18W  
 CITY OF AUSTIN, MOWER COUNTY, MINNESOTA  
 EXHIBIT A

REC'D BY  
MBA

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TOTAL AREA = 768.79 ACRES  
 LOCATION MAP



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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: \_\_\_\_\_ Reg. No. 13507

**DRAWING OF TRACT FOR ANNEXATION PURPOSES**  
 IN S1/2 SE1/4 SECTION 22, SECTION 23, N1/2 SECTION 26 AND  
 E1/2 NE1/4 SECTION 27-T103N-R18W  
 CITY OF AUSTIN, MOWER COUNTY, MINNESOTA  
 FOR: CITY OF AUSTIN

DATE	11-03-2010	SCALE	1" = 500'
BY	JONES, HAUGH & SMITH INC.		
CHKD BY	CONSULTING ENGINEERS LAND SURVEYORS		
PROJECT	PA. 507-372-4676		
DATE	8-28-08		
BY	JONES, HAUGH & SMITH INC.		
DATE	8-24-08		