

JOINT RESOLUTION NO. 2017-1

RESOLUTION NO 15459
IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY
OF AUSTIN AND THE TOWNSHIP OF RED ROCK
PURSUANT TO MINNESOTA STATUTES §414.0325

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

LEGAL DESCRIPTION (SEE ATTACHED EXHIBIT "A")

and,

WHEREAS, the City of Austin (the "City") and the Township of Red Rock (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 and the Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, on June 23, 2017 and on June 29th, 2017 the City of Austin and Red Rock Township, respectively, published a Notice of Intent to Designate an Area pursuant to the requirements of Minnesota Statutes §414.0325.

WHEREAS, the City and the Township 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 Red Rock as follows:

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

LEGAL DESCRIPTION (SEE ATTACHED EXHIBIT "A")

2. That the designated area consists of approximately 4.2 acres bordered on the North, East and West by the City of Austin. The population in the subject area is approximately 2, and the land type is low density residential with some undeveloped wetlands. The property owner wishes to access city services.

3. That the Township 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 is capable of providing municipal sanitary sewer services to this area within a reasonable time, the annexation would be in the best interest of the area.

5. Local Procedure – The parties will follow such procedures as may be required by MN Statute §414.0325 as under the circumstances.

6. The tax capacity rate applicable to the property after annexation shall be increased in substantially equal proportions each year of a six year period until it equals the tax capacity rate of the City of Austin. Minn. Stat. Sec. §414.035 (1-6 years)

7. Municipal Reimbursement to Township. 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 and the Township 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. Connection to Municipal Sanitary Sewer System

- Connection to sanitary sewer will be completed within 12 months of annexation or as otherwise agreed between the City of Austin and the property owner.

10. The property owner will be charged a municipal sanitary connection fee for the costs associated with the construction of this sanitary sewer project.

11. Annexation shall become effective upon approval by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings.

12. (Zoning Designation). The real estate described shall be zoned "R-1" Single-Family Residential District.

Adopted by affirmative vote of all the members of the Red Rock Township Board of Supervisors this 16th day of July, 2017.

TOWNSHIP OF RED ROCK

By: _____

Chairperson
Board of Supervisors

By: _____

Clerk
Red Rock Township

Adopted by affirmative vote of the City Council of Austin, this 17th day of July, 2017.

YEAS 6

NAYS 0

CITY OF AUSTIN

By: _____

Mayor

ATTEST:

By: _____

City Recorder

Approved this _____ day of July, 2017

EXHIBIT "A"

Parcel 1: Out Lots K, 4, 4A and 4B in Auditor's Plat of Out Lots in the West Half of the West Half of Section 31, Township 103 North, Range 17 West, and the East Half of the East Half of the Southeast Quarter of Section 36, Township 103 North, Range 13 West, which Auditor's Plat is recorded in Book 8 of Plats, page 3, together with and subject to all easement rights, obligations and restrictions relating to said premises as set out in the ownership plan recorded in Book Y of Miscellaneous, page 222; containing 1.109 acres, more or less.

Parcel 2: Outlots 5 and 5A in Auditor's Plat of Outlots in the W1/2 of the W1/2 of Section 31, Township 103 North, Range 17 West, and in the E1/2 of the E1/2 of the SE1/4 of Section 36, Township 103 North, Range 18 West, which Auditors Plat is recorded in Book 8 of Plats, page 3; also an easement upon Outlot 4A in said Plat for the benefit of said Outlot 5 to facilitate access between Outlot 5 and the roadway areas in said Plat, which easement will run with the title to Outlot 5 and shall be exclusive except that it shall not prevent the use of said Outlot 4A for ingress and egress for the benefit of Outlots 4 and K in said Plat; together with and subject to all easement rights, obligations and restrictions related to said premises as set out in the ownership plan recorded I Book Y of Miscellaneous, page 222, also together with and subject to any of the pre-existing easements listed in paragraph F of said ownership plan pertaining to said Outlot 5A.

North

Not Scaled

DOBBINS

341940010

OL A
341940060

In City Limits

160400040

OL 5

Subject Property

In City Limits

160400050

OL 4

Outside City Limits

In City Limits

Austin CC

31-103-17

OL 3

160400030

36-103-18

OL J

E 1/2 SE 1/4 SEC 36-103-18

160400010

OL E

OL M

OL N

OL O

OL P

OL Q

OL R

OL S

OL T

OL U

OL V

OL W

OL X

OL Y

OL Z

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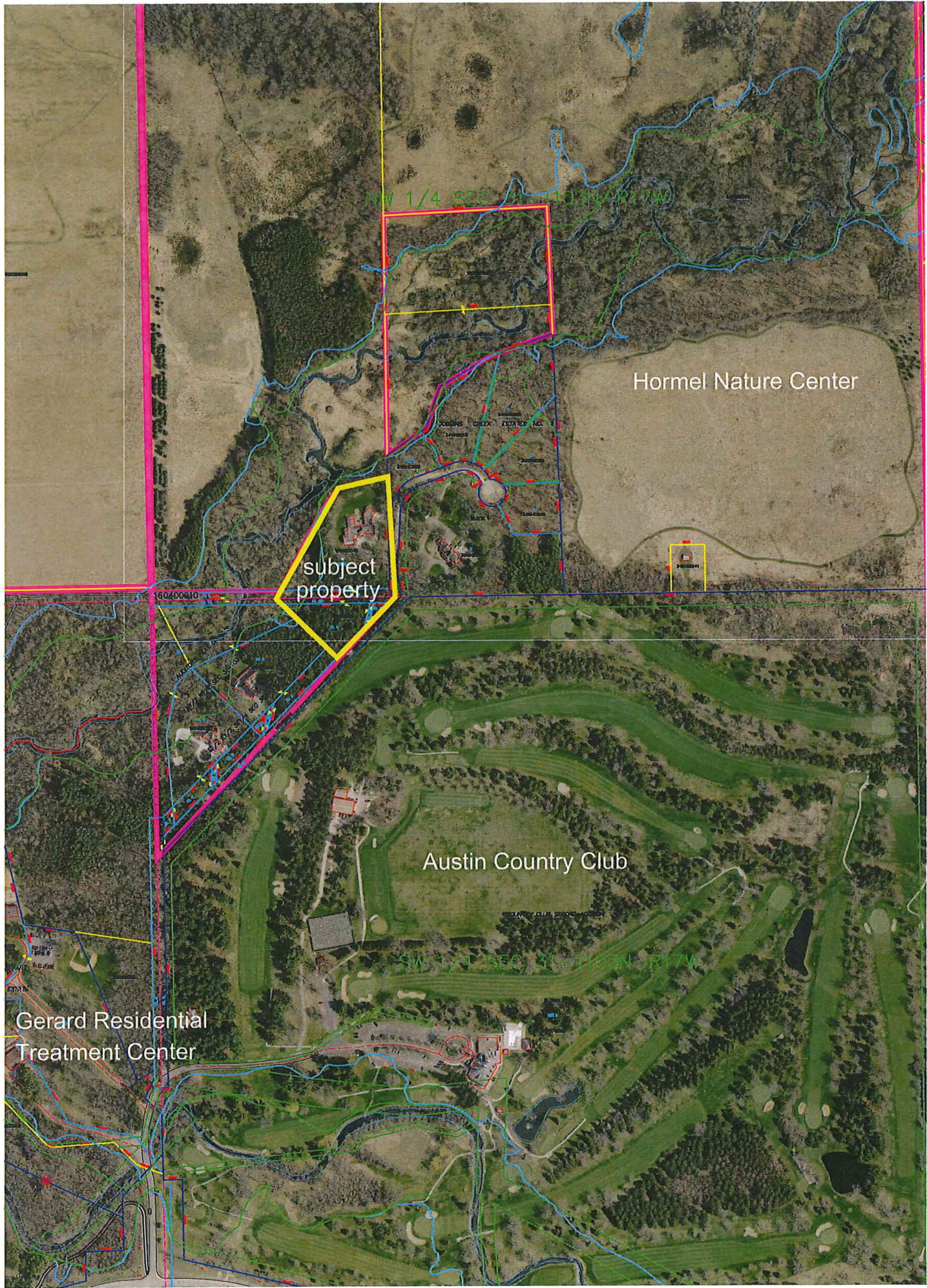
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NW 1/4 SEC 31 - T103N - R17W

Hormel Nature Center

subject property

Austin Country Club

SW 1/4 SEC 31 - T103N - R17W

Gerard Residential Treatment Center

P100001

