

JOINT RESOLUTION NO. 15537
2017-8

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

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

Commencing at the SE corner of the NE1/4 of Section 11, Township102 North, Range 18 West, Mower County,

Minnesota; thence due West 821.5 feet to the West right of way line of Trunk Highway #218; thence North 39°52'

West along said right of way line 706.85 feet to the place of beginning of the tract to be described; thence North 39°52' West along said right of way line 100 feet; thence South 50°08' West 590 feet; thence due South 116.2 feet; thence due East 294.93 feet; thence North 39°52' West 177.8 feet; thence North 50°08' East 438.51 feet to the place of beginning.

and,

WHEREAS, the City of Austin (the "City") and Austin Township (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 November 9, 2017, and on November 8, 2017, the City of Austin and Austin 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 Austin Township as follows:

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

Commencing at the SE corner of the NE1/4 of Section 11, Township102 North, Range 18 West, Mower County,

Minnesota; thence due West 821.5 feet to the West right of way line of Trunk Highway #218; thence North 39°52'

West along said right of way line 706.85 feet to the place of beginning of the tract to be described; thence North 39°52' West along said right of way line 100 feet; thence South 50°08' West 590 feet; thence due South 116.2 feet; thence due East 294.93 feet; thence North 39°52' West 177.8 feet; thence North 50°08' East 438.51 feet to the place of beginning.

2. That the designated area consists of approximately 1.9 acres located approximately 325 feet from the city border. This parcel is a commercial property and has no residents. The property owner wishes to access city services. The property contiguous to the city boundary is generally undeveloped and does not require city services at this time. It is likely that more properties will be annexed in this area in the future due to sewage treatment issues.

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 immediately, 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.

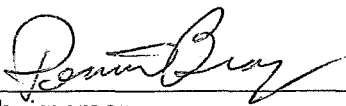
10. The property owner will be charged a municipal sanitary connection fee for the costs associated with the construction of this sanitary sewer project.


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

12. The real estate described shall be zoned "I-1" Light Industrial District. This zoning designation is consistent with the current use of the property and surrounding area and future development.

Adopted by affirmative vote of all the members of the Austin Township Board of Supervisors this 20th day of November, 2017.

TOWNSHIP OF AUSTIN

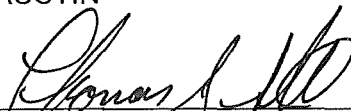
By: 
Chairperson
Board of Supervisors

By: 
Clerk
Austin Township

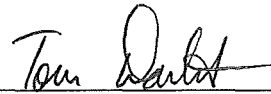
Adopted by affirmative vote of the City Council of Austin, this 20th day of November, 2017.

YEAS 6 NAYS 0

CITY OF AUSTIN

By: 
Mayor

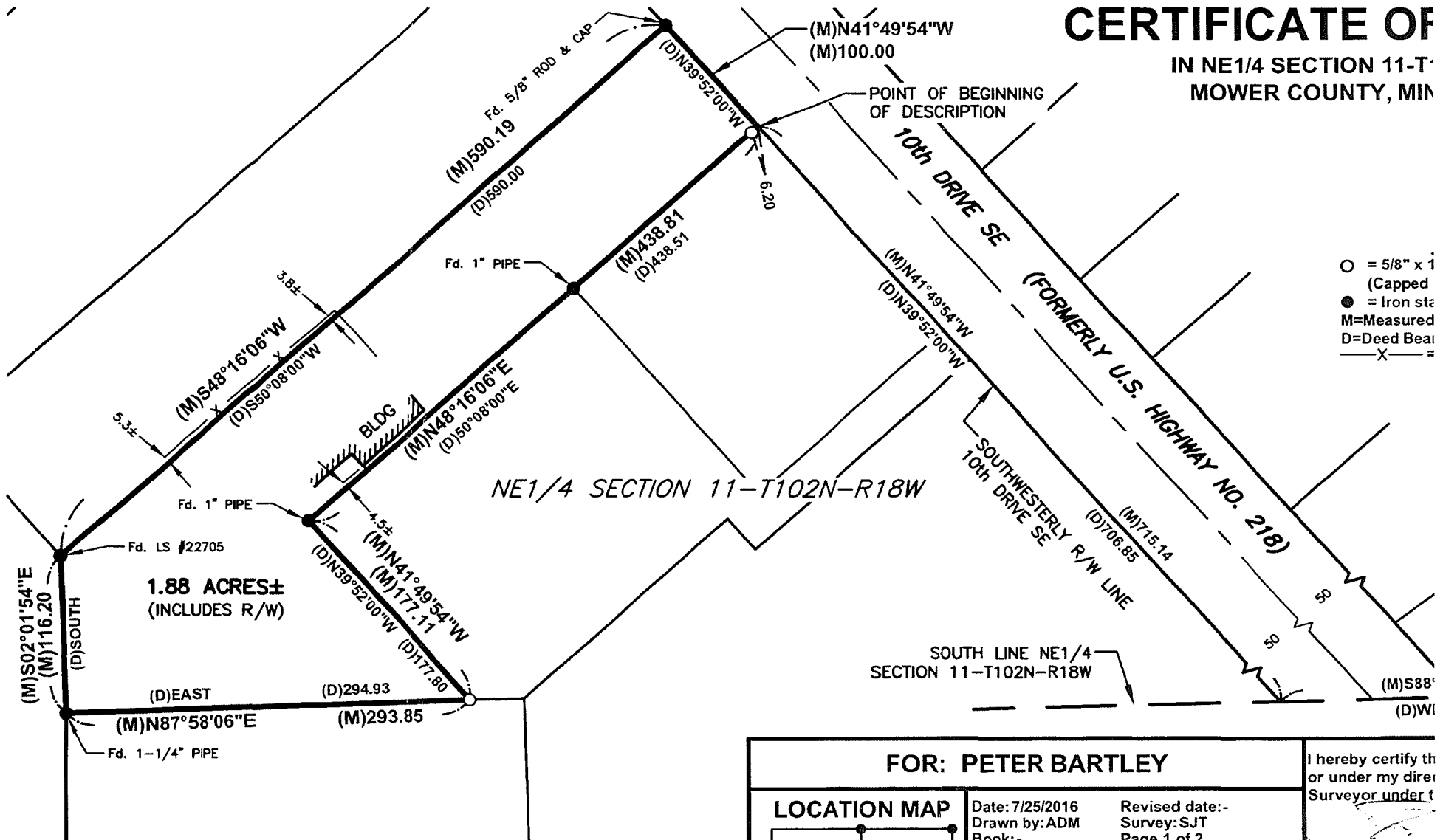
ATTEST:

By: 
City Recorder

Approved this 20th day of November, 2017

CERTIFICATE OF

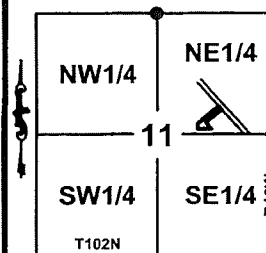
IN NE1/4 SECTION 11-T'
MOWER COUNTY, MIN



○ = 5/8" x 1
(Capped
● = Iron sta
M=Measured
D=Deed Bear
—X— =

FOR: PETER BARTLEY

LOCATION MAP



Scale: 1" = 4000'

Date: 7/25/2016
Drawn by: ADM
Book: -
Coord-System: MNDOT CO. NAD83 (96)
Job No: 16-230
Revised date: -
Survey: SJT
Page 1 of 2
Tab:

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I hereby certify th
or under my dire
Surveyor under t

Steven J. Thomp
Date: <



August 1, 2016

DESCRIPTION OF RECORD
IN NE1/4 SECTION 11-T102N-R18W
MOWER COUNTY, MN

PETER BARTLEY

Commencing at the SE corner of the NE1/4 of Section 11, Township 102 North, Range 18 West, Mower County, Minnesota; thence due West 821.5 feet to the West right of way line of Trunk Highway #218; thence North 39°52' West along said right of way line 706.85 feet to the place of beginning of the tract to be described; thence North 39°52' West along said right of way line 100 feet; thence South 50°08' West 590 feet; thence due South 116.2 feet; thence due East 294.93 feet; thence North 39°52' West 177.8 feet; thence North 50°08' East 438.51 feet to the place of beginning.

