

RECEIVED

By: OAH on November 30, 2020

JOINT RESOLUTION NO. 161216
2020-

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:

See Attached Exhibit A (survey and legal description).

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; 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, publication was not required pursuant to Minnesota Statutes §414.0325 Subd. 1b, because the orderly annexation agreement designates for immediate annexation property for which all the property owners have petitioned to be annexed; and

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:

See Attached Exhibit A (survey and legal description).

2. That the designated area consists of approximately 1.2 acres. This parcel is a residential property for sale by the sole owner. The property owner wishes to access city services due to the location, age, and cost of replacement, of the onsite waste treatment facilities serving the residence.

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 appropriate for the property.

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 the 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 "R-1" Single Family Residential. This zoning designation is consistent with the current use of the property, surrounding area and future development.

Adopted by affirmative vote of all the members of the Austin Township Board of Supervisors
this _____ day of September, 2020.

TOWNSHIP OF AUSTIN

By: _____
Chairperson
Board of Supervisors

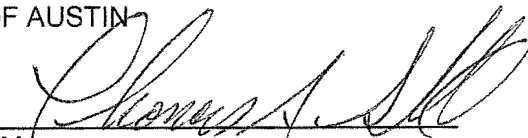
By: _____
Clerk
Austin Township

Adopted by affirmative vote of the City Council of Austin, this _____ day of _____, 2020.

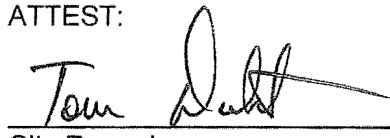
YEAS

NAYS

CITY OF AUSTIN

By: 
Mayor

ATTEST:


By: 
City Recorder

Approved this 8th day of September 2020.

Adopted by affirmative vote of all the members of the Austin Township Board of Supervisors
this 2nd day of November, 2020.

TOWNSHIP OF AUSTIN

By: 
Chairperson
Board of Supervisors

By: 
Clerk
Austin Township

Adopted by affirmative vote of the City Council of Austin, this _____ day of _____, 2020.

YEAS

NAYS

CITY OF AUSTIN

ATTEST:

By: _____
Mayor

By: _____
City Recorder

Approved this 2nd day of November 2020.

Exhibit A

Legal Description

All that part of Outlot 2, NW ¼ Section 15-T102N-R18W, Mower County, Minnesota; described as follows:

Beginning at the southwest corner of Outlot 2;

thence North 00°42'07" West a distance of 148.50 feet on an assumed bearing on the west line of said Outlot 2;

thence North 89°29'49" East a distance of 362 feet more or less, parallel with the south line of said Outlot 2, to the centerline of the Cedar River;

thence southwesterly, southerly and southeasterly a distance of 150 feet more or less, to a line bearing North 89°29'49" East from the point of beginning;

thence South 89°29'49" West a distance of 353 feet more or less on said south line, to the point of beginning.

Exhibit A

CERTIFICATE OF SURVEY

IN OUTLOT 2, NW1/4 SECTION 15-T102N-R18W

MOWER COUNTY, MINNESOTA

PREPARED LEGAL DESCRIPTION

All that part of Outlot 2, NW1/4 Section 15-T102N-R18W, Mower County, Minnesota; described as follows:

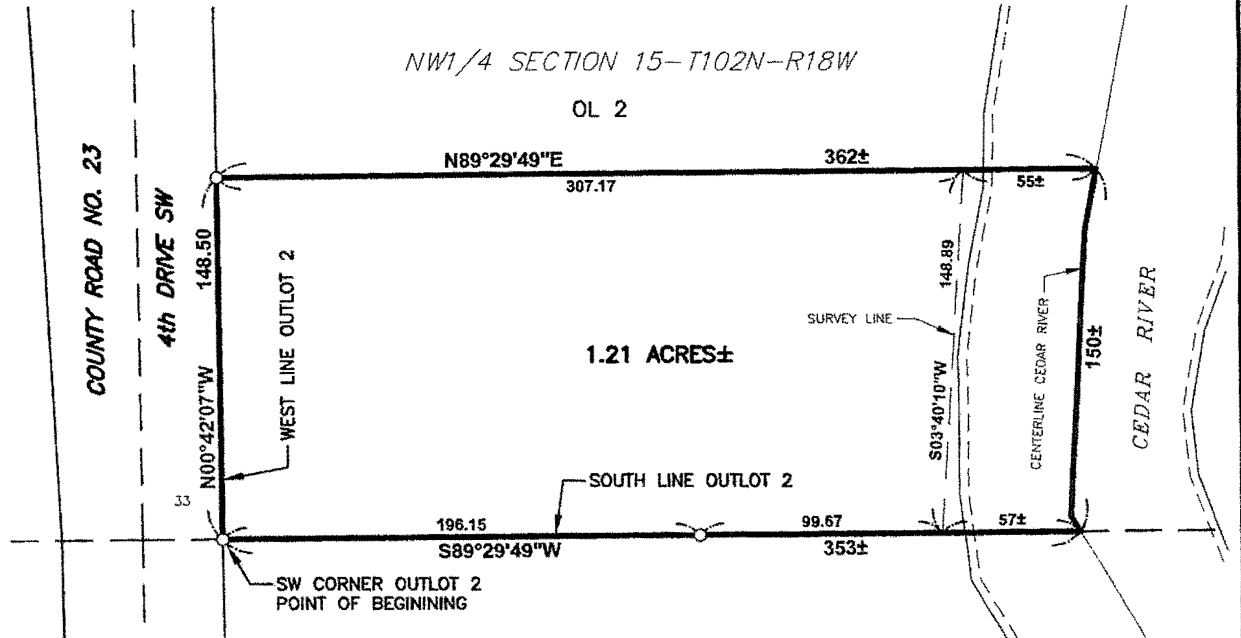
Beginning at the southwest corner of Outlot 2;

thence North 00°42'07" West a distance of 148.50 feet on an assumed bearing on the west line of said Outlot 2;

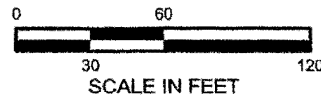
thence North 89°29'49" East a distance of 362 feet more or less, parallel with the south line of said Outlot 2, to the centerline of the Cedar River;

thence southwesterly, southerly and southeasterly a distance of 150 feet more or less, to a line bearing North 89°29'49" East from the point of beginning;

thence South 89°29'49" West a distance of 353 feet more or less on said south line, to the point of beginning.



SCALE: 1" = 60'

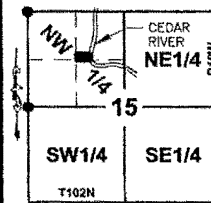


LEGEND:

- = 5/8 Inch x 16 Inch iron stake monument (Capped SJT 22705)-Placed
- = Iron stake monument-Found

FOR: VICKI BJORK

LOCATION MAP




Date: 8/19/2020
Revised date: -
Drawn by: ADM
Survey: SJT
Coord-System: MNDOT CO. NAD83 1996
Page 1 of 1
Job No: 20-280.DWG

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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.


Steven J. Thompson, L.S. No. 22705
Date: 8-24-20



**JONES
HAUGH
SMITH**
Engineers + Surveyors

515 South Washington Ave.
Albert Lea, MN 56007
507-373-4876

415 West North Street
Owatonna, MN 55060
507-451-4598

FIGURE 2-3.

FUTURE LAND USE

- Public / Civic
- Parks / Open Space (280 acres)
- Suburban Low Density Residential Neighborhood (299 acres)
- Traditional Moderate Density Residential Neighborhood (175 acres)
- Mixed High Density Residential Neighborhood
- Mixed Use (46 acres)
- Commercial / Retail (101 acres)
- Public / Institutional
- Office/Light Industrial (317 acres)
- Industrial (93 acres)
- City Limits
- Water

