

JOINT RESOLUTION NO. 16782  
JOINT RESOLUTION NO. 2023-06

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 (map 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 (map and legal description).

2. That the designated area consists of approximately 0.4 acres. This parcel is a residential property. 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. The property owner has also received a compliance letter from Mower County regarding their onsite waste treatment system.

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.

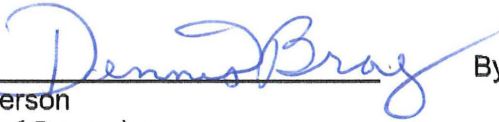
10. The property owner will be charged a municipal sanitary connection fee for the costs associated with the construction of the sanitary sewer project.

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-O" Residential- Office. 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 15<sup>th</sup> day of May, 2023.

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 \_\_\_\_\_, 2023.

YEAS

NAYS

CITY OF AUSTIN

ATTEST:

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Recorder

Approved this \_\_\_\_\_ day of May 2023.

Adopted by affirmative vote of all the members of the Austin Township Board of Supervisors  
this \_\_\_\_\_ day of May, 2023.

TOWNSHIP OF AUSTIN

By: \_\_\_\_\_  
Chairperson  
Board of Supervisors

By: \_\_\_\_\_  
Clerk  
Austin Township

Adopted by affirmative vote of the City Council of Austin, this 15th day of May, 2023.

YEAS 7

NAYS 0

CITY OF AUSTIN

By: \_\_\_\_\_  
Mayor

ATTEST:

By: \_\_\_\_\_  
City Recorder

Approved this 15th day of May 2023.

No.

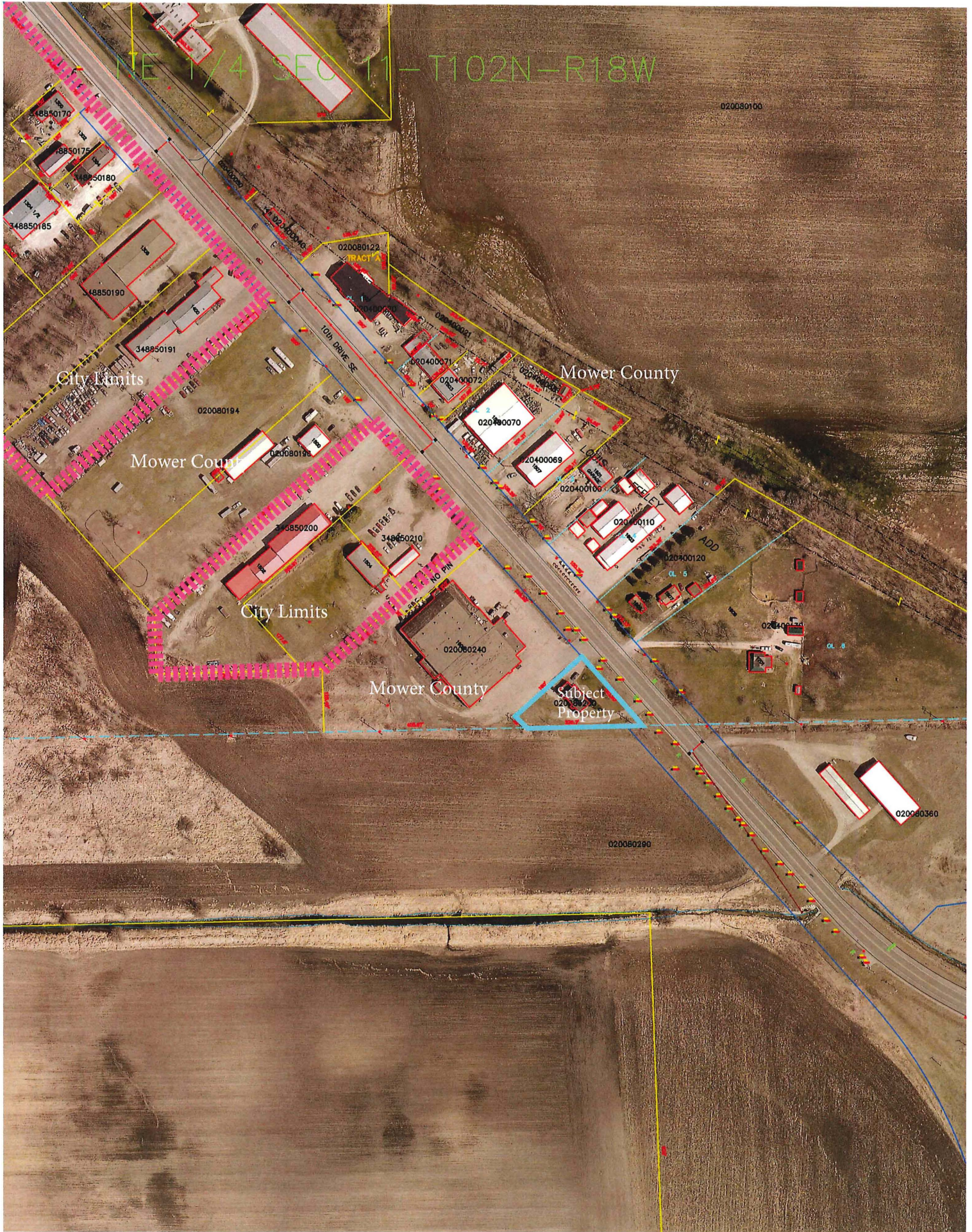
# Abstract of Title

*To the following described Real Estate situated in*

That part of the Northeast Quarter of Section 11, Township 102 North, Range 18 West described as follows: Beginning at a point on the south line of the Northeast Quarter of said Section 11 817.01 feet west of the Southeast corner of the Northeast Quarter of said Section 11, said point being at the intersection of the south line of the Northeast Quarter of said section and the west right-of-way line of Trunk Highway #218 and is the point of beginning; thence northwesterly along the west line of said Trunk Highway #218 a distance of 183.9 feet; thence southwesterly and at right angles to said right-of-way line a distance of 180 feet; thence southeasterly at right angles to the last mentioned line and on a line parallel with the right-of-way line of said Trunk Highway a distance of 30 feet to the south line of the Northeast Quarter of said Section 11; thence along the south line of the Northeast Quarter of said Section 11 a distance of 236.7 feet to the place of beginning.



NE 1/4 SEC 11-T102N-R18W





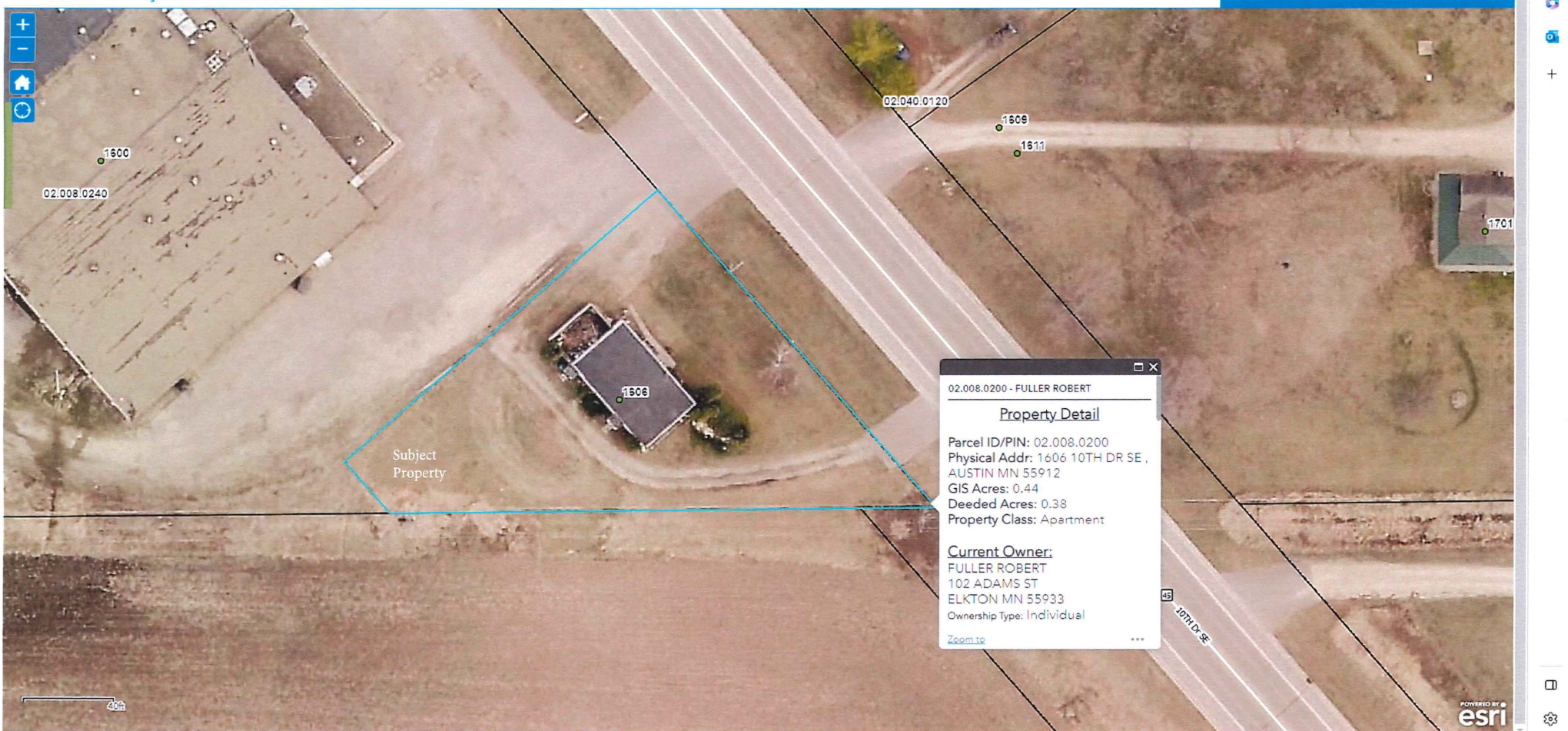














FIGURE 2-3.

**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

