

REC'D BY
MMB

DEC 23 2002

RESOLUTION 02-226

Introduced by Councilor Sorenson

Seconded by Councilor Kron

A RESOLUTION OF ALBERT LEA TOWNSHIP AND THE CITY OF ALBERT LEA DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF ORDERLY ANNEXATION AND CONFERRING JURISDICTION OVER SAID AREA TO THE MINNESOTA PLANNING OFFICE PURSUANT TO M.S.414.0325

WHEREAS, the City Council authorized the annexation of the Pro Trucking property along with the roadway between Trail's Truck Stop and County Highway 38; and

WHEREAS, the owner of the Pro Trucking property has requested that his petition for annexation be withdrawn; and

WHEREAS, the City is still interested in annexation of the roadway; and

WHEREAS, the Township of Albert Lea and the City of Albert Lea hereby jointly agree to the following; now, therefore

THE CITY OF ALBERT LEA RESOLVES:

Sec. 1. That the request of Dan DeBoer, owner of Pro Trucking, accepted in Resolution 02-24, is hereby withdrawn.

Sec. 2. That the following described area in Albert Lea Township is subject to orderly annexation pursuant to Minnesota Statutes 414.0325, and the parties hereto designate this area for orderly annexation:

All that part of the NE1/4 NE1/4 Section 11-T102N-R21W and the SE1/4 SE1/4 Section 2-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the Northeast corner of the plat of Trail's Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

Thence North 00°33'45" West a distance of 80.26 feet, on the West line of the SE1/4 SE1/4 of said Section 2, to a point on the North right-of-way line of County State Aid Highway No. 46 (formerly Trunk Highway No. 16);

Thence South 89°34'45" East a distance of 123.01 feet, on the North right-of-way line of said County State Aid Highway No. 46;

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Thence North 89°47'52" East a distance of 1,195.18 feet, on the North right-of-way line of said County State Aid Highway No. 45, to a point on the East line of the SE1/4 SE1/4 of said Section 2;

Thence South 00°28'54" East a distance of 75.07 feet, on the East line of said Section 2, to the Southeast corner thereof;

Thence South 00°26'45" East a distance of 74.93 feet, on the East line of the NE1/4 NE1/4 of said Section 11, to a point on an Easterly extension of the South right-of-way line of said County State Aid Highway No. 46 (formerly Trunk Highway No. 16);

Thence South 89°47'52" West a distance of 294.27 feet, on the South right-of-way line of said County State Aid Highway No. 46 and said Easterly extension thereof;

Thence Westerly a distance of 532.93 feet, on a tangential curve, concave to the South with a radius of 5,654.58 feet and a central angle of 05°24'00" and a chord bearing of South 87°05'52" West, on the South right-of-way line of said County State Aid Highway No. 46;

Thence Westerly a distance of 492.32 feet, on a reverse curve, concave to the North, with a radius of 5,804.58 feet, a central angle of 04°51'34" and a chord bearing of South 86°49'39" West on the South right-of-way line of said County State Aid Highway No. 46, to a point on the East line of said Trail's Subdivision;

Thence North 00°24'33" West a distance of 121.68 feet, on the West line of said Trail's Subdivision, to the point of beginning.

Consisting of 5.11 acres +/-.

Sec. 3. That the Township of Albert Lea does, upon passage of this resolution and its adoption by the City Council of the City of Albert Lea, Minnesota, and upon acceptance by the Minnesota Office of Strategic and Long-Range Planning, confer jurisdiction upon the Minnesota Office of Strategic and Long-Range Planning over the various provisions contained in this agreement.

Sec. 4. That certain properties abutting the City of Albert Lea are presently urban or suburban in nature or about to become so. Further, the City of Albert Lea is capable of providing services to this area within a reasonable time, or the existing township form of government is not adequate to protect the public health, safety or welfare, or the annexation would be in the best interests of the area proposed for annexation. Therefore, these properties would be immediately annexed to the City of Albert Lea. This area is described as follows:

All that part of the NE1/4 NE1/4 Section 11-T102N-R21W and the SE1/4 SE1/4 Section 2-T102N-R21W, Freeborn County, Minnesota; described as follows:

Commencing at the Northeast corner of the plat of Trail's Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

Thence North 00°33'45" West a distance of 80.26 feet, on the West line of the SE1/4 SE1/4 of said Section 2, to a point on the North right-of-way line of County State Aid Highway No. 46 (formerly Trunk Highway No. 16);

Thence South 89°34'45" East a distance of 123.01 feet, on the North right-of-way line of said County State Aid Highway No. 46;

Thence North 89°47'52" East a distance of 1,195.18 feet, on the North right-of-way line of said County State Aid Highway No. 45, to a point on the East line of the SE1/4 SE1/4 of said Section 2;

Thence South 00°28'54" East a distance of 75.07 feet, on the East line of said Section 2, to the Southeast corner thereof;

Thence South 00°26'45" East a distance of 74.93 feet, on the East line of the NE1/4 NE1/4 of said Section 11, to a point on an Easterly extension of the South right-of-way line of said County State Aid Highway No. 46 (formerly Trunk Highway No. 16);

Thence South 89°47'52" West a distance of 294.27 feet, on the South right-of-way line of said County State Aid Highway No. 46 and said Easterly extension thereof;

Thence Westerly a distance of 532.93 feet, on a tangential curve, concave to the South with a radius of 5,654.58 feet and a central angle of 05°24'00" and a chord bearing of South 87°05'52" West, on the South right-of-way line of said County State Aid Highway No. 46;

Thence Westerly a distance of 492.32 feet, on a reverse curve, concave to the North, with a radius of 5,804.58 feet, a central angle of 04°51'34" and a chord bearing of South 86°49'39" West on the South right-of-way line of said County State Aid Highway No. 46, to a point on the East line of said Trail's Subdivision;

Thence North 00°24'33" West a distance of 121.68 feet, on the West line of said Trail's Subdivision, to the point of beginning.

Consisting of 5.11 acres +/-.

Sec. 5. That the City agrees to investigate the possibility of sharing facilities, equipment, and personnel with the township to forestall the duplication of facilities and to reduce the overall costs of government in the area.

Sec. 6. That the effect of annexation on population shall be resolved whenever possible by agreement of parties. If there is failure to reach such agreement, the

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question shall be resolved by the Minnesota Office of Strategic and Long-Range Planning.

Sec. 7. That no alteration of the area is appropriate, that this resolution provides for annexation of a designated area, and no consideration by Minnesota Planning is necessary, no alteration of the agreed upon boundaries is appropriate, all conditions for annexation have been stated in this resolution and Minnesota Planning may review and comment, but shall, within 30 days of receipt of the joint resolution, order the annexation.

Sec. 8. That planning throughout the orderly annexation area shall be pursuant to Minnesota Statutes 414.0325. Planning and zoning for the area shall be provided by the City of Albert Lea. That the property included in this annexation shall be zoned R-1.


Sec. 9. That any person owning lands annexed to the City pursuant to this agreement shall have all rights provided by statute and Resolution 87-46 of the City of Albert Lea governing special assessments. That the customary hookup charges approved for property in the City shall be used for connection to City utilities.

Sec. 10. That the City of Albert Lea agrees to pay the Township of Albert Lea an amount equal to two and one-half years of existing taxes derived from the area subject to annexation.

Sec. 11. That reading of this resolution is waived by Council consent.

Introduced, read and passed October 28, 2002.

Attest:


Acting City Clerk

By: 
Mayor

TOWNSHIP OF ALBERT LEA

4th Passed and adopted by the Township Board of the Township of Albert Lea this
day of November, 2002.

Attest:


Township Clerk

By: 
Chair

STATE OF MINNESOTA }
COUNTY OF FREEBORN } ss
CITY OF ALBERT LEA }

I hereby certify that I have compared the
within instrument with the original now on file
in my office and that it is a true and correct
copy of the same and of the whole thereof.

alp:10/29/02

Dated December 20, 2002
City Clerk Saudi Behrens

By authorized deputy

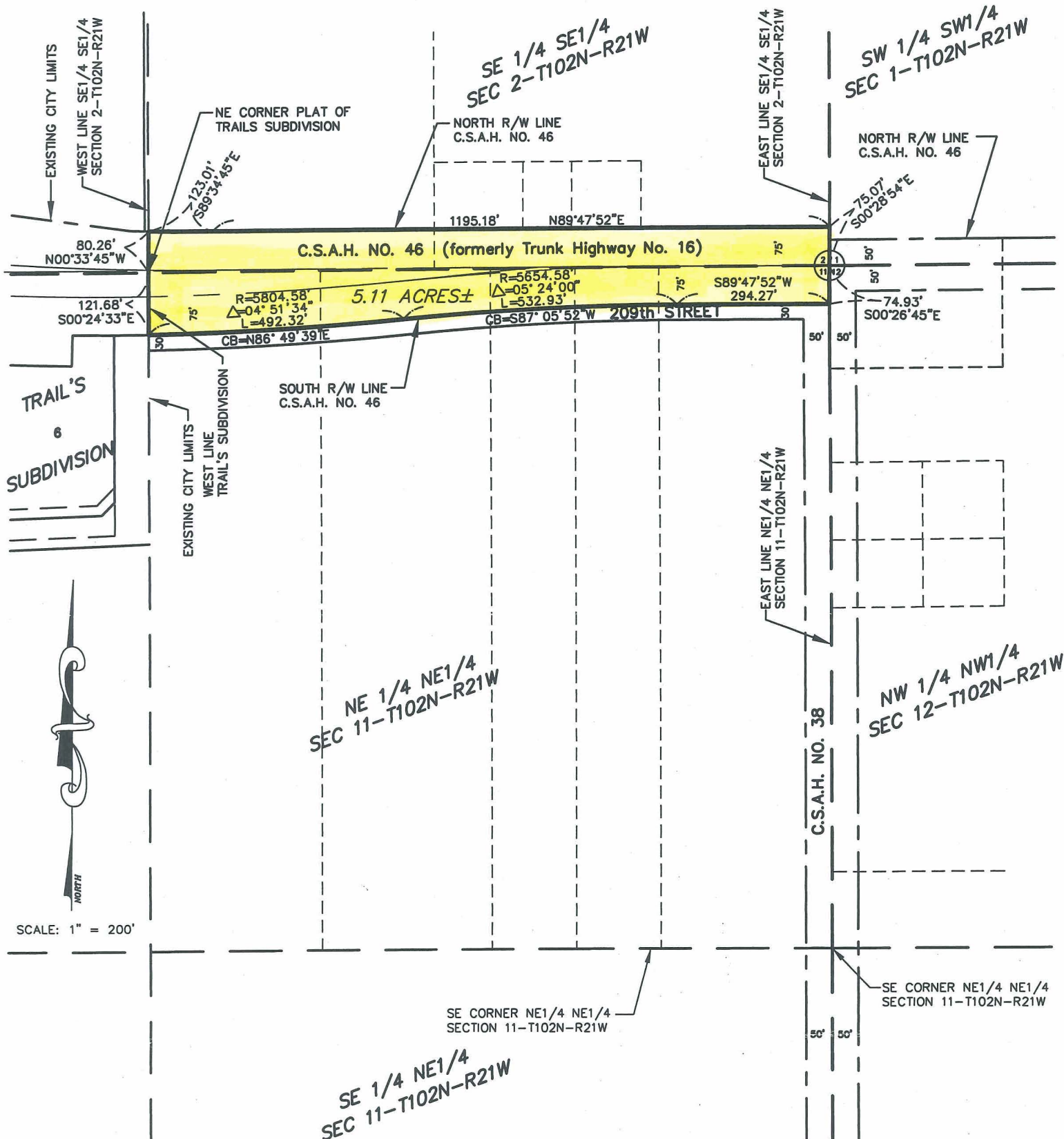
Resolution 02-226

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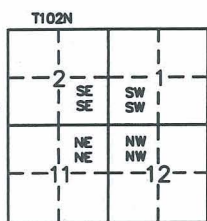
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DRAWING OF TRACT FOR ANNEXATION PURPOSES

IN NE1/4 NE1/4 SECTION 11-T102N-R21W & SW1/4 SW1/4 SECTION 2-T102N-R21W
FREEBORN COUNTY, MINNESOTA



LOCATION MAP



MONUMENTS

- = 5/8" x 16" iron stake monument (Copped RLS 13807)-Placed
- = Iron stake monument-Found
- ⊗ = DRILL HOLE

SURVEY FOR: CITY OF ALBERT LEA

Date of survey: NONE
Revised date: -
Drawn by: VMB Survey: -
Book: - Page: -
DCA: - Drawing name: 02-492
TRD: - Job No: 02-492

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

JOHN H. SCHULTE IV

Date: 10-16-02

Reg. No. 13807

JONES, HAUGH & SMITH INC.
Civil Engineers & Land Surveyors
Albert Lea, Minnesota