

RESOLUTION 02-229

Introduced by Councilor Brooks

Seconded by Councilor Marin

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, Jack and Susan Kortan, owners of property at the southeast corner of West Ninth Street and Highway 69 South, have petitioned the City for annexation of an additional parcel adjacent to the one authorized for annexation in Resolution 02-211; 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 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 SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18-T102N-21W, Freeborn County, Minnesota; described as follows:

Commencing at the Southwest corner of Southgate Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota; thence North 89°08'52" East a distance of 519.77 feet, on an assumed bearing on the South line of said Southgate Addition, to a point on a line drawn parallel with and 522.72 feet East of the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, which is the point of beginning;

Thence South 00°46'02" East a distance of 649.86 feet, on said line drawn parallel with and 522.72 feet East of the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, to a point 660.00 feet South of the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North 89°52'27" East a distance of 467.31 feet, to a point on a line drawn parallel with and 990.00 feet East of the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North 00°46'02" West a distance of 655.78 feet, on said line drawn parallel with and 990.00 feet East of the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, to the South line of said Southgate Addition;

Thence South 89°08'52" West a distance of 467.28 feet, on the South line of said Southgate Addition, to the point of beginning;

Subject to highway easement on the North side thereof.

Consisting of 7.08 acres +/-.

Sec. 2. 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. 3. 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 SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18-T102N-21W, Freeborn County, Minnesota; described as follows:

Commencing at the Southwest corner of Southgate Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota; thence North 89°08'52" East a distance of 519.77 feet, on an assumed bearing on the South line of said Southgate Addition, to a point on a line drawn parallel with and 522.72 feet East of the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, which is the point of beginning;

Thence South 00°46'02" East a distance of 649.86 feet, on said line drawn parallel with and 522.72 feet East of the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, to a point 660.00 feet South of the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North 89°52'27" East a distance of 467.31 feet, to a point on a line drawn parallel with and 990.00 feet East of the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North 00°46'02" West a distance of 655.78 feet, on said line drawn parallel with and 990.00 feet East of the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, to the South line of said Southgate Addition;

Thence South 89°08'52" West a distance of 467.28 feet, on the South line of said Southgate Addition, to the point of beginning;

Subject to highway easement on the North side thereof.

Consisting of 7.08 acres +/-.

Sec. 4. 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. 5. 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 question shall be resolved by the Minnesota Office of Strategic and Long-Range Planning.

Sec. 6. 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. 7. 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. 8. 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. 9. 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. 10. 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

Passed and adopted by the Township Board of the Township of Albert Lea this 4th 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.

Dated December 20, 2002

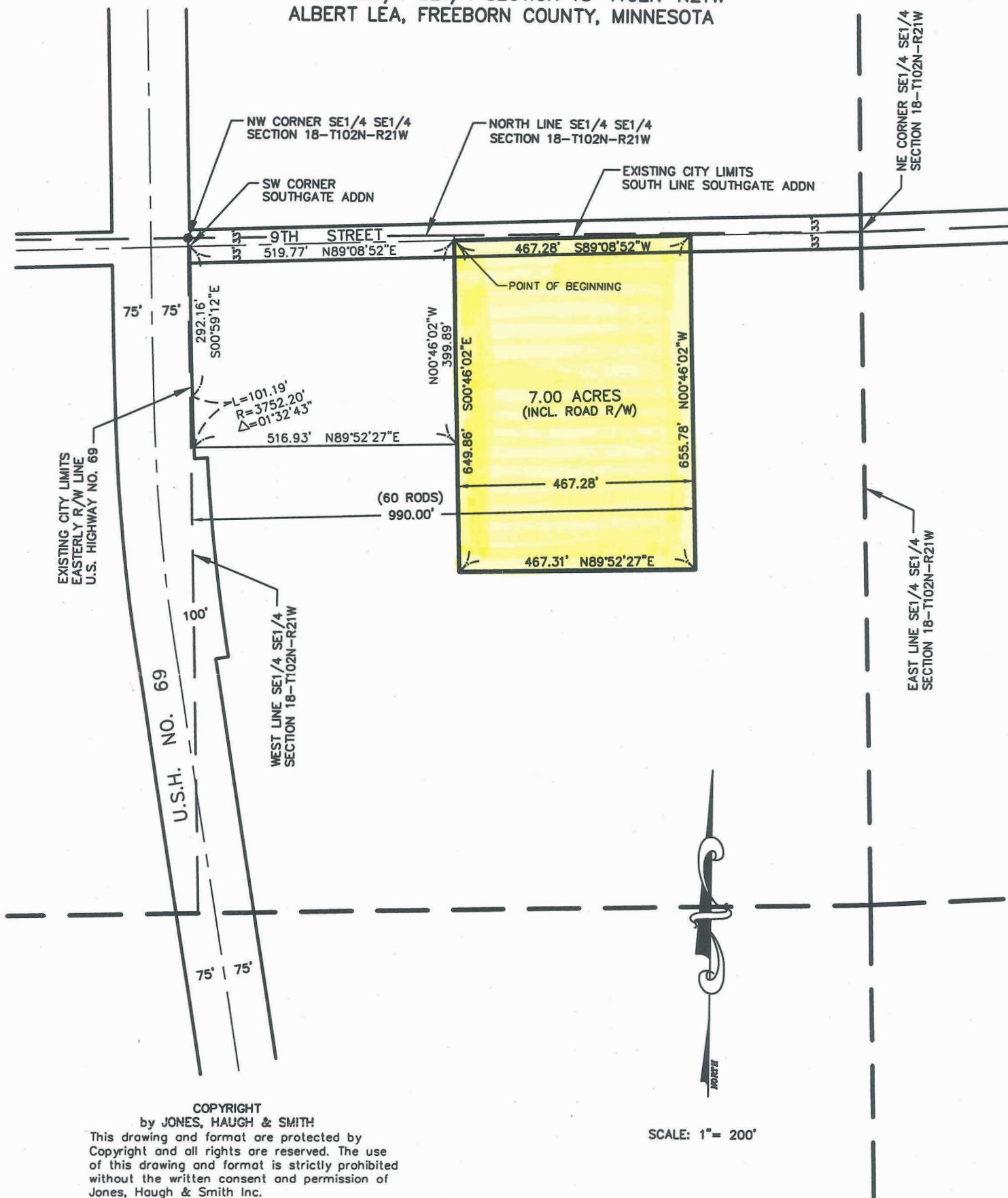
City Clerk Sandi Behrens

By authorized deputy _____

alp:10/29/02

Resolution 02-229


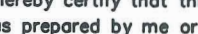
IN THE SE1/4 SE1/4 SECTION 18-T102N-R21W
ALBERT LEA, FREEBORN COUNTY, MINNESOTA



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SCALE: 1" = 200'

<p>LOCATION MAP</p>  <p>Scale: 1"=4000'</p>	<p>MONUMENTS</p> <p>○ = 5/8" x 16" iron stake monument (Capped RLS 13807)—Placed</p> <p>● = Iron stake monument—Found</p> <p>⊗ = DRILL HOLE</p>	<p>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.</p> <p style="text-align: center;">  <hr/> JOHN H. SCHULTE IV Date: 11-7-02 </p>
<p style="text-align: center;">SURVEY FOR: CITY OF ALBERT LEA</p>		<p>Date of survey: NONE Revised date: 11-07-02 Drawn by: VMB Survey: — Book: — Page: — DCA: — Drawing name: 02-521 TRD: — Job No: 02-521</p>
<p style="text-align: center;">JONES, HAUGH & SMITH INC. Civil Engineers & Land Surveyors Albert Lea, Minnesota</p>		<p style="text-align: right;">Reg. No. 13807</p>