

OA-959-1 Albert Lea
Resolution No. 03-22

DEPARTMENT OF ADMINISTRATION
STATE OF MINNESOTA
BEFORE THE ACTING DIRECTOR OF
STRATEGIC AND LONG RANGE PLANNING

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF ALBERT LEA)
AND THE TOWN OF ALBERT LEA PURSUANT TO) ORDER
MINNESOTA STATUTES 414)

WHEREAS, a joint resolution for orderly annexation was adopted by the City of Albert Lea and the Town of Albert Lea; and

WHEREAS, said joint resolution requests that certain property be annexed to the City of Albert Lea pursuant to M.S. 414.0325; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of Strategic and Long Range Planning may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivisions; and

WHEREAS, on September 12, 2003, the Acting Director has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of Albert Lea, Minnesota, the same as if it had originally been made a part thereof:

All that part of the NW ¼ SE ¼ Section 18-T102N-R21W, 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 00°59'12" West a distance of 33.00 feet, on an assumed bearing on the West line of said Southgate

Addition, which is the point of beginning;

Thence North 00°59'12" West a distance of 727.42 feet, on the West line of said Southgate Addition, to the point of intersection with an Easterly extension of the South line of Sunnyslope First Addition, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota;

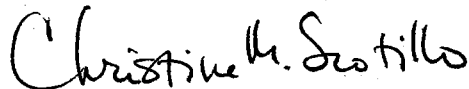
Thence South 89°07'48" West a distance of 466.50 feet, on the South line of said Sunnyslope First Addition and said Easterly extension thereof, to the Southwest corner of said Sunnyslope First Addition;

Thence South 00°59'12" East a distance of 727.82 feet, on a line parallel with the West line of said Southgate Addition, to a point on the North right-of-way line of Ninth Street (Township Road No. T-458);

Thence North 89°04'52" East a distance of 466.50 feet, on the North right-of-way line of said Ninth Street (Township Road No. T-458), to the point of beginning. Consisting of 7.79 acres more or less.

Dated this 12th day of September, 2003.

For the Acting Director
658 Cedar Street - Room 300
St. Paul, Minnesota 55155



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

OA-959-1 Albert Lea

MEMORANDUM

In ordering the annexation contained in Docket No. OA-959-1, the Acting Director finds and makes the following comment:

The authority to impose the type of charge identified in Section 9, page 3 of the agreement, is questionable. The issuance of this order makes no determination as to the legality or validity of these provisions of the agreement. Any issue that may arise relative to the application or interpretation of these sections will be the sole responsibility the signatories to the agreement.

The parties are encouraged to consider this comment in light of any further amendments that may be otherwise necessary to this agreement for orderly annexation.

aus