

OA-960-1 Albert Lea
Resolution No. 03-54

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 October 13, 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:

TRACT A

A strip of land in Government Lots 1, 2 & 3, Section 26-T102N-R21W and in Government Lot 4, Section 25-T102N-R21W, Freeborn County, Minnesota; 100 feet in width, 50 feet on each side of the

following described centerline:

Commencing at the northeast corner of Lot 8, Block 4, Lakeview Terrance Subdivision, as the same is platted and recorded in the office of the County Recorder of Freeborn County, Minnesota; thence North 00°49'02" West a distance of 50.20 feet, on an assumed bearing on a northerly extension of the east line of said Lot 8, Block 4, to a point on the centerline of 180th Street (County State Aid Highway No. 19); thence North 84°04'19" East a distance of 157.55 feet, on the centerline of said 180th Street, to a point on the west line of said Government Lot 3, Section 26, which is the point of beginning of the centerline to be described;

thence Easterly along the centerline of said 180th Street, as follows:

North 84°04'19" East a distance of 998.73 feet;

Easterly and Southeasterly a distance of 572.86 feet, on a tangential curve, concave to the south, with a radius of 956.97 feet and a central angle of 34°17'54";

South 61°37'48" East a distance of 1982.43 feet, on a tangential line;

Southeasterly a distance of 708.24 feet, on a tangential curve, concave to the northeast, with a radius of 1432.48 feet and a central angle of 28°19'40", to a point on the east line of said Government Lot 1, Section 26, which point is hereinafter known as Point B;

Easterly a distance of 33.00 feet, on a continuation of the last described curve, through a central angle of 01°19'12", and having a chord bearing of North 89°22'57" East, and there terminating.

The sidelines of said 100 foot wide strip shall lengthen or shorten to intersect the west line of said Government Lot 3, Section 26 and a line parallel with and 33 feet east of the east line of said Government Lot 1, Section 26.

TRACT B

A strip of land in Government Lot 1 and the NE¼ SE¼ Section 26-T102N-R21W and in Government Lot 4 and the NW¼ SW¼ Section 25-T102N-R21W, Freeborn County, Minnesota; 66 feet in width, 33 feet on each side of the following described centerline:

Commencing at the aforesaid Point B;

thence South 00°34'57" East a distance of 1732.72 feet, on the east line of said Section 26, to a point 630 feet north of the southeast corner of said NE¼ SE¼ Section 26, and there terminating.

TRACT C

A strip of land forty (40) feet on either side of the following described line:

Beginning at a point on the East line of the Northwest Quarter of the Southwest Quarter, Section 25, Township 102 North, Range 21 West, 670 feet north of the Southeast corner of the Northwest Quarter of the Southwest Quarter of said Section 25; thence West 1327.21 feet on a line parallel to the South line of the Northwest Quarter of the Southwest Quarter of said Section 25 to the

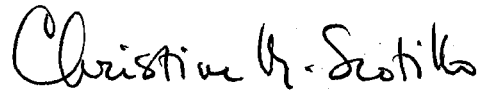
West line of the Northwest Quarter of the Southwest Quarter of said Section 25.

TRACT D

The Northeast Quarter of the Southwest Quarter of Section 25, Township 102, Range 21 West,
Freeborn County, Minnesota.

Dated this 13th day of October, 2003.

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

A handwritten signature in cursive script that reads "Christine M. Scotillo".

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

MEMORANDUM

In ordering the annexation contained in Docket No. OA-960-1, the Acting Director finds and makes the following comment:

The authority to impose the type of charge identified in Section 9, page 4 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 of 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. *CWS*