

CITY OF AUSTIN JOINT RESOLUTION NO. 15473
AUSTIN TOWNSHIP JOINT RESOLUTION NO. 2017-07

**IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN THE CITY
OF AUSTIN AND THE TOWNSHIP OF AUSTIN
PURSUANT TO MINNESOTA STATUTES §414.0325**

WHEREAS, the City of Austin and the Township of Austin designate for orderly annexation, the following described lands located within the Township of Austin, County of Mower, Minnesota:

LEGAL DESCRIPTION (SEE ATTACHED EXHIBIT "A")

and,

WHEREAS, the City of Austin (the "City") and the Township of Austin (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, it was not required to publish the Notice of Intent to include property in an orderly annexation area pursuant to the requirements of 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 the Township of Austin as follows:

1. That the following described lands in the Township of Austin are subject to orderly annexation pursuant to Minnesota Statutes §414.0325, and that the parties hereto designate those areas for orderly annexation, as follows:

LEGAL DESCRIPTION (SEE ATTACHED EXHIBIT "A")

2. That the designated area consists of approximately 285 acres, the population in the subject area is 2, and the land type is primarily undeveloped agricultural land with low density residential. The property owner wishes to access city services in order to further market several parcels for development.

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 and utility services to this area within a reasonable time, the annexation would be in the best interest of the area.

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 24 months of annexation or as otherwise agreed between the City of Austin and the property owner.

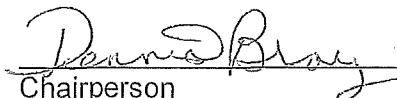
10. Owners will either be assessed or charged a municipal sanitary connection fee for the costs associated with the construction of this sanitary sewer project.


11. Annexation shall become effective upon approval by the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings.

12. (Zoning Designation). The real estate described shall be zoned "I-1" Limited Industrial.

Adopted by affirmative vote of all the members of the Austin Township Board of Supervisors this 7th day of August, 2017.

TOWNSHIP OF AUSTIN

By: 
Chairperson
Board of Supervisors

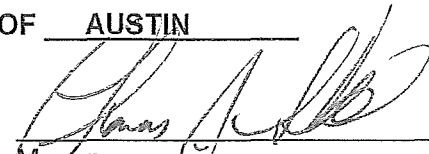
By: 
Clerk
Austin Township

Adopted by affirmative vote of the City Council of Austin, this 7th day of August, 2017.


YEAS 7

NAYS 0

CITY OF AUSTIN

By: 
Mayor

ATTEST:

By: 
City Recorder

Approved this 7th day of August, 2017

Exhibit "A"

Description of Parcels to be annexed to the City of Austin, State of Minnesota

The Southwest Quarter of Section 6, Township 102 North, Range 18 West, Mower County, Minnesota, lying northerly of the Interstate 90 Right-of-Way (July 2017 Mower County Parcel Number 02.003.0110).

AND

The Southeast Quarter of Section 6, Township 102 North, Range 18 West, Mower County, Minnesota, lying northerly of the Interstate 90 Right-of-Way (July 2017 Mower County Parcel Number 02.003.0100).

AND

The West 12 acres of that part of the Southwest Quarter of Section 5, Township 102 North, Range 18 West, Mower County, Minnesota, lying northerly of the Interstate 90 Right-of-Way (July 2017 Mower County Parcel Numbers 02.002.0292 and 02.002.0290).

The above described parcels are obtained from Mower County tax data, and are intended to describe those lands owned by Dayton Kehret, the Virginia E. Kehret Revocable Living Trust and the LaVerne E. Kehret Revocable Living Trust for the purpose of being annexed to the City of Austin.

N ↑

SW 1/4 SEC 6-T102N-R18W

SE 1/4 SEC 6-T102N-R18W



020040020

0200307 (B)

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

