

**ORDINANCE NO. 12-100, FOURTH SERIES
CITY OF NEW ULM, BROWN COUNTY, MINNESOTA**

**AN ORDINANCE FOR ANNEXATION OF PROPERTY TO THE CITY OF NEW ULM
PURSUANT TO MINNESOTA STATUTES SECTION 414.033.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW ULM:

RECITALS

WHEREAS, the City of New Ulm has received a Petition for Annexation of certain properties located in Section 14, Township 110, Range 31, all in Brown County, Minnesota, legally described below, from the owners of such land, requesting that such properties be annexed to the City of New Ulm; and

WHEREAS, the subject property consists of less than 120 acres, abuts the city limits of the City of New Ulm, and is not presently served by public sewer facilities; and

WHEREAS, a public hearing was held on the petition for annexation before the City Council of the City of New Ulm on March 6, 2007, after proper notice under Minnesota Statutes section 414.033, subd. 2b; and

WHEREAS, the City Council of the City of New Ulm has deemed the described property to be urban or suburban in character or about to become so; and

WHEREAS, it is in the best interests of the City of New Ulm and its residents that the described property be annexed to and incorporated into the city limits of the City of New Ulm pursuant to Minn. Statutes, Section 414.033;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW ULM:

SECTION I. That the following described property is hereby declared to be annexed to and incorporated into the City of New Ulm with the same force and effect as if such property had originally been part of the City of New Ulm:

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, except the west 140 feet thereof, Section 14, Township 110, Range 31, Brown County, Minnesota, which property will be platted as that part of the Menard Subdivision lying westerly of the east line of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 14, Township 110, Range 31, and northerly of the south line of Section 14, Township 110, Range 31.

SECTION II. That the property described in Section I shall be designated and zoned as B-3 (General Business District) for purposes of use of districts pertinent to zoning.

SECTION III. That the City Engineer is hereby directed to make the changes to the official map of the City of New Ulm evidencing the annexation and zoning of the property described herein in and to the City of New Ulm.

SECTION IV. That a copy of this ordinance shall be filed with the Office of Administrative Hearings, the Brown County Auditor, the Brown County Recorder, the Milford Township Board, and the Secretary of State of the State of Minnesota.

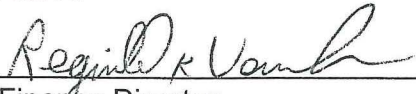
SECTION V. That this ordinance shall take effect and be in force thirty days after passage, approval, and publication of this ordinance and upon approval of said annexation by the State of Minnesota and filing of such approval as required by law.

Adopted by the City Council of the City of New Ulm this 15th day of May, 2012.



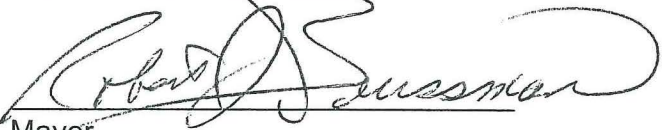
President of the City Council

Attest:



Finance Director

Approved by the Mayor of the City of New Ulm this 15th day of May, 2012.



Mayor

AREA TO BE ANNEXED BY
DRAINANCE 12-100

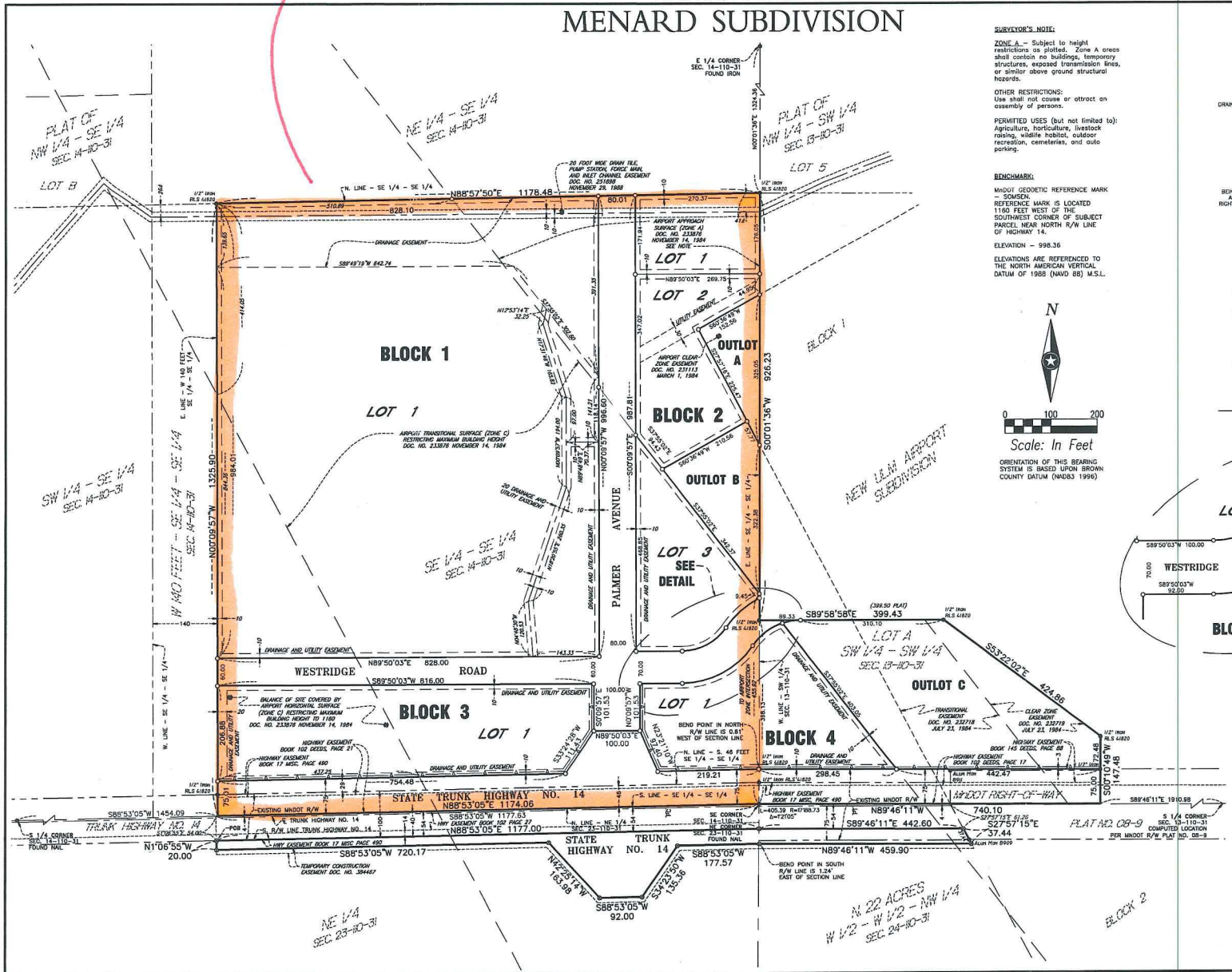
REC'D BY
MBA

MAY 23 2012

FINAL PLAT FOR REVIEW
MENARD SUBDIVISION

LOT AREAS
IN ACRES

Lot 1 Block 1	18.894
Lot 1 Block 2	1.070
Lot 1 Block 3	1.923
Lot 1 Block 4	1.940
Lot 1 Block 5	3.584
Lot 1 Block 4	2.449
Outlot A	0.498
Outlot B	0.919
Outlot C	3.259
Outlot D	1.471
Public City R/W	3.832
TR No. 14 R/W	5.081



SURVEYOR'S NOTE:

ZONE A - Subject to height restrictions as plotted. Zone A areas shall contain no buildings, temporary structures, exposed transmission lines, or similar above ground structural hazards.

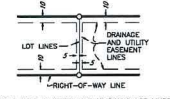
OTHER RESTRICTIONS: Use shall not cause or attract an assembly of persons.

PERMITTED USES (but not limited to): Agriculture, horticulture, livestock raising, wildlife habitat, outdoor recreation, cemeteries, and auto parking.

BENCHMARK:

WOODHURST GEODETIC REFERENCE MARK - SOWSEN.
REFERENCE MARK IS LOCATED 1160 FEET WEST OF THE SOUTHWEST CORNER OF SUBJECT PARCEL NEAR NORTH R/W LINE OF HIGHWAY 14.
ELEVATION - 998.36
ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) M.S.L.

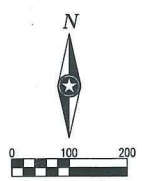
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 3 FEET IN WIDTH AND ADJOINING LOT LINES AND BEING 10 FEET IN WIDTH AND ADJOINING RIGHT-OF-WAY LINES AND REAR LOT LINES, UNLESS OTHERWISE INDICATED ON THE PLAT.

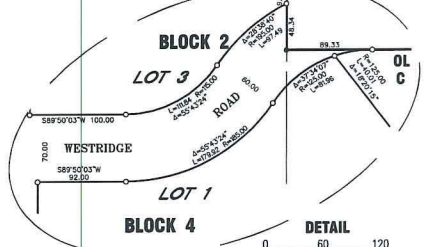
LEGEND

- INDICATES IRON MONUMENT FOUND
- INDICATES 1/2" DIA. 18" LONG SOLID IRON PIPE SET WITH PLASTIC CAP MARKED BY IAS, LICENSE NO. 43110 TO BE SET BEFORE TIME OF RECORDING.
- INDICATES 1/2" DIA. 18" LONG SOLID IRON PIPE SET WITH PLASTIC CAP MARKED BY IAS, LICENSE NO. 43110 TO BE SET WITHIN ONE YEAR OF RECORDING.
- ACCESS CONTROL LINE

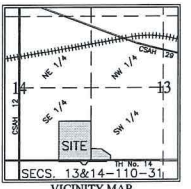


Scale: In Feet

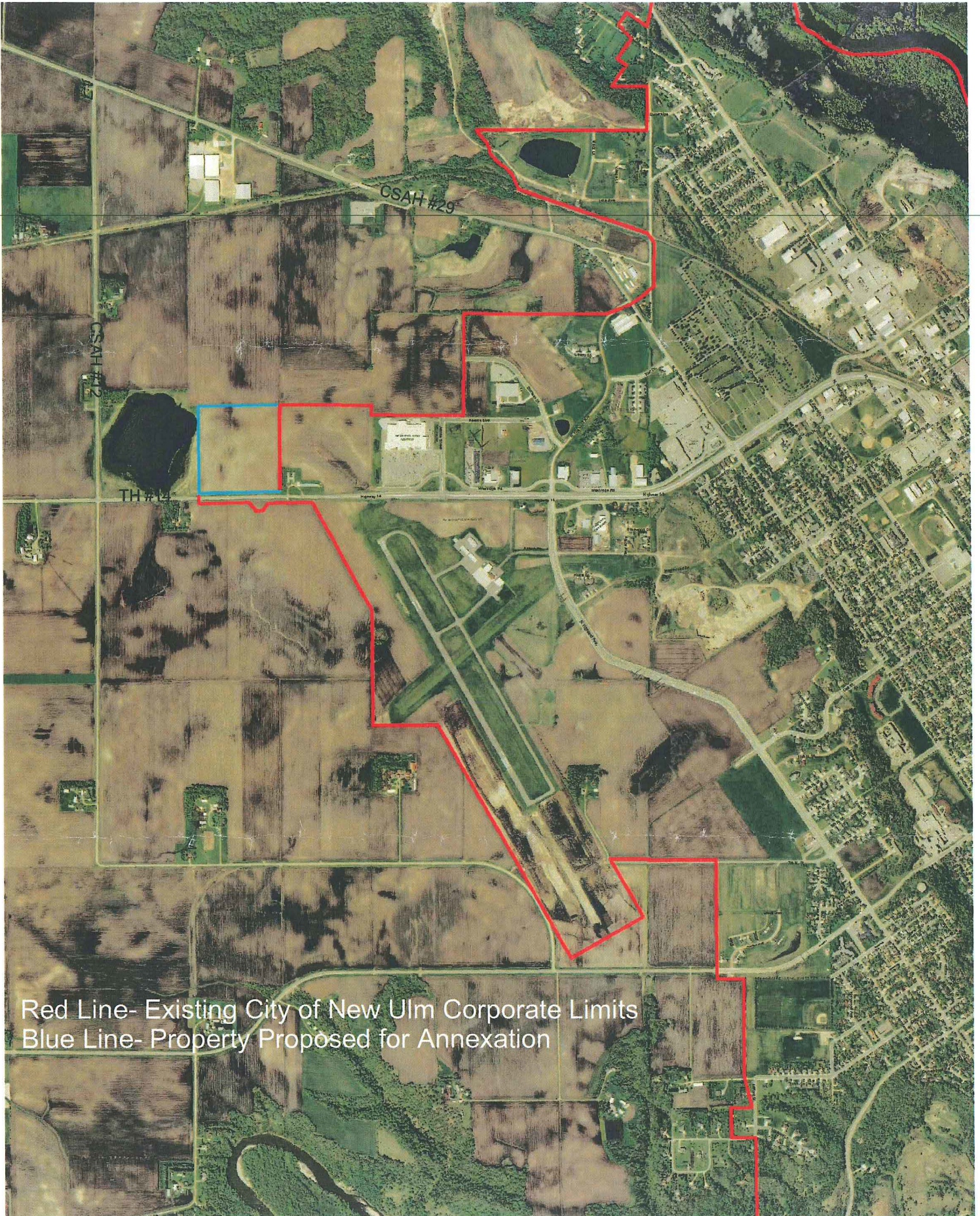
ORIENTATION OF THIS BEARING SYSTEM IS BASED UPON BROWN COUNTY DATUM (NAD83 1996)



Scale: In Feet
(Detail)



ARCHITECTS • ENGINEERS • PLANNERS • LAND SURVEYORS • SCIENTISTS



Red Line- Existing City of New Ulm Corporate Limits
Blue Line- Property Proposed for Annexation

MEMORANDUM OF AGREEMENT
between
City of New Ulm, Minnesota
and
Milford Township, Brown County, Minnesota

The undersigned officials of the City of New Ulm, Minnesota and Milford Township, Brown County, Minnesota, make this memorandum of agreement for the purpose of reciting the terms of agreement for reimbursement of lost tax revenue to Milford Township as a result of annexation of property into the City of New Ulm, the legal description of which property is set forth below. The agreement for reimbursement of lost tax revenue is made pursuant to the requirements of Minnesota Statutes, section 414.036.

Legal description of annexed property:

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, except the west 140 feet thereof, Section 14, Township 110, Range 31, Brown County, Minnesota, which property will be platted as that part of the Menard Subdivision lying westerly of the east line of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 14, Township 110, Range 31, and northerly of the south line of Section 14, Township 110, Range 31.

Agreement:

The City of New Ulm will reimburse to Milford Township four years' lost tax revenue, in the total amount of \$3,240.40, payable in one installment upon approval of the annexation. There are no outstanding special assessments related to this property, nor any debt incurred by the township prior to the annexation and attributable to the property.

This memorandum of agreement is executed on June 8, 2012.

For the City of New Ulm



Brian Gramentz, City Manager

For Milford Township



Leon Haubrich, Township Board Chair