

## RESOLUTION NO. 12 - 12

Councilor Webster offered the following resolution and moved its adoption:

**WHEREAS**, the City of New Ulm and Milford Township of Brown County, Minnesota entered into a Joint Resolution for Orderly Annexation approved by the City of New Ulm on June 7, 2005 and by Milford Township on June 9, 2005 (the "Joint Resolution") pursuant to which areas designated in such Joint Resolution would be annexed to the City of New Ulm by resolution of the City's City Council upon the occurrence of specific events as designated therein; and

**WHEREAS**, the City of New Ulm has received a recommendation for annexation of property legally described as Lot 1, Block 1, Valley Heights 3<sup>rd</sup> Addition, City of New Ulm, Brown County, Minnesota;

1. Which property is referred to herein as Schwab Parcel as illustrated in the attached Exhibit A; and
2. Which recommendation conforms to the requirements of Section 3. b. 5. of the Joint Resolution; and

**WHEREAS**, the Schwab Parcel is entirely surrounded by the City of New Ulm;

**WHEREAS**, any and all other requirements of the Joint Resolution to effectuate the annexation of the Schwab Parcel have been fulfilled and the City of New Ulm deems it in the best interest of the City and its residents that such area be annexed and incorporated into the limits of the City of New Ulm;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of New Ulm as follows:

1. That the Schwab Parcel is hereby annexed and incorporated into the limits of the City of New Ulm.
2. That this resolution shall become effective immediately upon passage.
3. That a certified copy of this Resolution shall be filed, along with a copy of the Joint Resolution, with the State of Minnesota, Department of Administration.
4. The Department of Administration or its successor agency may review and comment, but shall within thirty (30) days of receipt of this Resolution and copy of the Joint Resolution, order the annexation of the area designated in this Resolution.

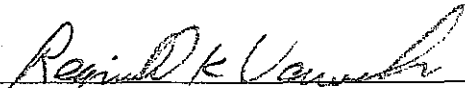
The motion for the adoption of the foregoing resolution was duly seconded by Councilor Schultz and, the roll being called, the following vote was recorded:

Voting Aye: Councilors Olson, RockVam, Schultz, Webster, and President Schmitz.  
Voting Nay: None.  
Not Voting: None.

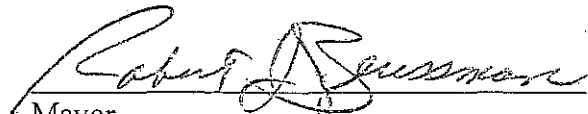
Whereupon said resolution was declared to have been duly adopted this 7<sup>th</sup> day of February 2012.

  
\_\_\_\_\_  
President of the City Council

Attest:

  
\_\_\_\_\_  
Finance Director

The above resolution approved February 7, 2012.

  
\_\_\_\_\_  
Mayor

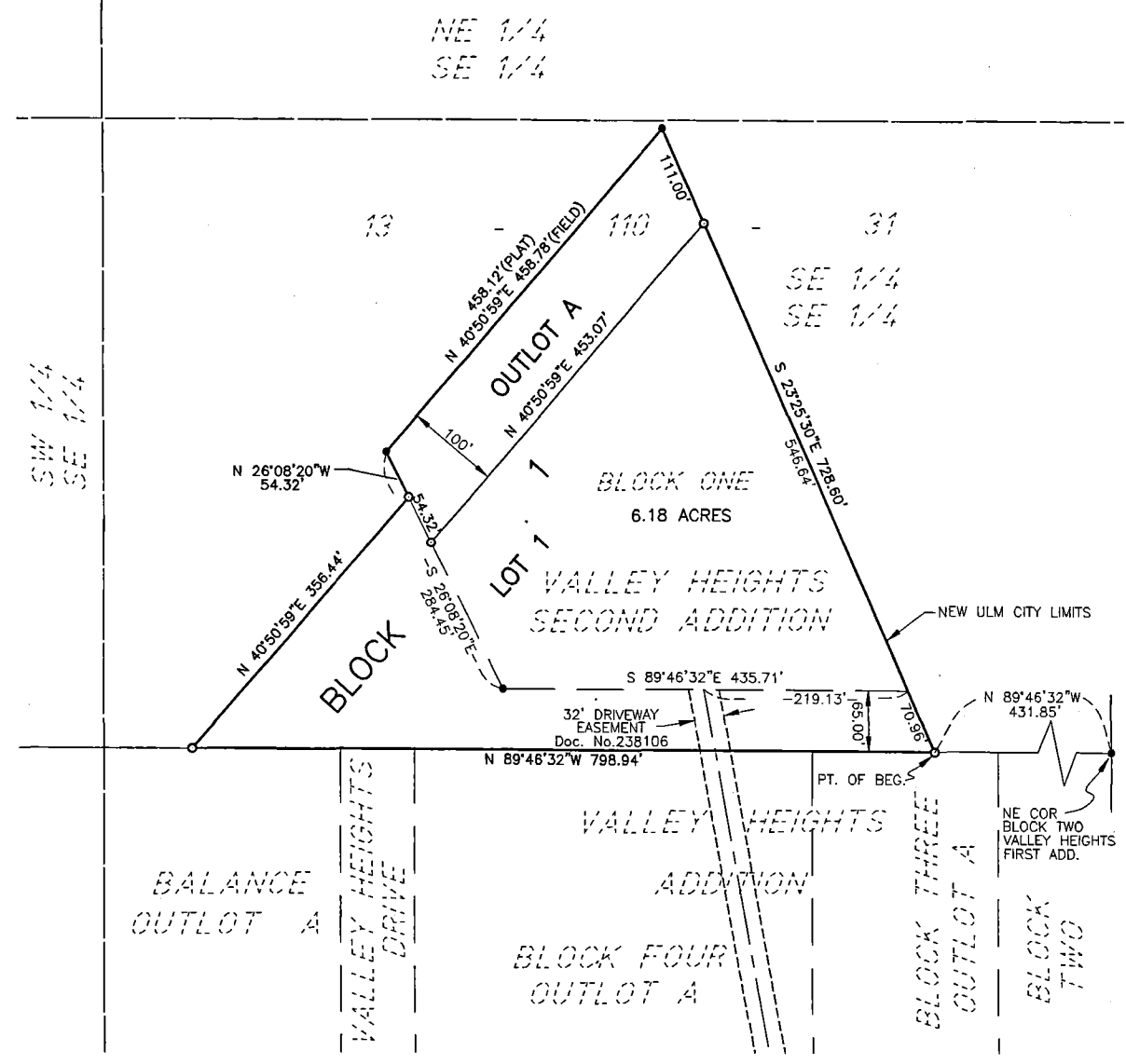


Schwab  
Parcel



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# VALLEY HEIGHTS THIRD ADDITION IN SE 1/4-SE 1/4 & VALLEY HEIGHTS SECOND ADDITION SECTION 13, TOWNSHIP 110 N., RANGE 31 W. MILFORD TOWNSHIP, BROWN COUNTY, MINNESOTA



SCALE 1" = 100'

100 0 100  
SCALE FEET  
SEPTEMBER 2003

- DENOTES MONUMENT FOUND
- DENOTES 1/2" IRON PIPE MONUMENT SET AND MARKED WITH REG. No. 19791

LOCATION MAP  
13-110-31  
NOT TO SCALE

NW 1/4	NE 1/4
SW 1/4	SE 1/4

BEARING BASIS  
THE NORTH LINE OF VALLEY HEIGHTS FIRST ADDITION IS ASSUMED TO BEAR N 89°46'32" W

### INSTRUMENT OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT: Alan F. Schwab and Sue Schwab, husband and wife, owners and proprietors, of Block 1, Valley Heights Second Addition in the Southeast Quarter of Section 13, Township 110 North, Range 31 West, Brown County, Minnesota, and

That Lauren A. Stueber and Alice Stueber, husband and wife, owners and proprietors of the following described property situated in the Southeast Quarter of the Southeast Quarter of Section 13; Township 110 North, Range 31 West, Brown County, Minnesota to wit:

Commencing at the Northeast corner of Block 2, Valley Heights Addition in the City of New Ulm, Brown County, Minnesota; thence North 89 degrees 46 minutes 32 seconds West, on assumed bearing, along the north line of said Valley Heights Addition, a distance of 431.85 feet to the point of beginning, also being the southeasterly prolongation of the easterly line of said Valley Heights Second Addition; thence continuing North 89 degrees 46 minutes 32 seconds West, along said north line of Valley Heights Addition, 798.94 feet; thence North 40 degrees 50 minutes 59 seconds East 356.44 feet to the westerly line of said Valley Heights Second Addition; thence South 26 degrees 08 minutes 20 seconds West, along said westerly line, 230.13 feet to the southwest corner of said Valley Heights Second Addition; thence South 89 degrees 46 minutes 32 seconds East along the south line of said Valley Heights Second Addition 435.71 feet to the southeast corner of said Valley Heights Second Addition; thence South 23 degrees 25 minutes 30 seconds East, along said southeasterly prolongation of the easterly line of Valley Heights Second Addition a distance of 70.95 feet more or less to the point of beginning containing 1.79 acres, more or less, and being subject to easements of record in said county and state, and;

They have caused the hereinbefore described properties to be surveyed and plotted as:  
VALLEY HEIGHTS THIRD ADDITION in the Southeast Quarter of Section 13, Township 110 North, Range 31 West, Brown County, Minnesota.

In witness whereof said Alan F. Schwab and Sue Schwab and Lauren A. Stueber and Alice Stueber, caused these presents to be executed on this 10th day of October, 2003.

*Alan F. Schwab*  
Alan F. Schwab  
*Sue Schwab*  
Sue Schwab  
*Lauren A. Stueber*  
Lauren A. Stueber  
*Alice Stueber*  
Alice Stueber

### STATE OF MINNESOTA COUNTY OF BROWN

On this 10th day of October, 2003 before me a notary public within and for said County, personally appeared Alan F. Schwab and Sue Schwab and Lauren A. Stueber and Alice Stueber, to me well known to be the people described in and who executed the foregoing instrument and acknowledged that they executed the same as their Free Act and Deed.



### SURVEYOR'S CERTIFICATE

I hereby certify that I have surveyed and plotted the property described on this plot as VALLEY HEIGHTS THIRD ADDITION, that this plot is a correct representation of the survey, that all distances are correctly shown on the plot in feet and hundredths of a foot, that all monuments have been correctly placed in the ground as shown, that the outside boundary lines are correctly designated on the plot and that there are no wet lands as defined in MS505.02, Sub. 1, or public highways to be designated other than as shown.

I further certify that the survey of the property was made at the request and under the supervision of the owners.

*Larry L. Zeig*  
Larry L. Zeig, Land Surveyor  
Minnesota Registration No. 19791

### STATE OF MINNESOTA COUNTY OF BROWN

On this 20th day of September, 2003 before me a notary public within and for said county, personally appeared Larry L. Zeig, to me well known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.



*Christine M. Fischer*  
Notary Public, Brown County, MN  
My commission expires 1-31-08

### CERTIFICATE OF CITY OF NEW ULM PLANNING COMMISSION

I hereby certify that the plot on which this certificate is endorsed was reviewed and approved by the Planning Commission of the City of New Ulm, Minnesota, pursuant to Resolution No. 03-45, of a regular meeting, held this 3rd day of July, 2003.

*Paul J. Brown*  
Chair of the Planning Commission

### CITY COUNCIL APPROVAL

I hereby certify that this plot was presented to the City Council of the City of New Ulm, Minnesota, pursuant to Resolution No. 03-45, and that the same was by resolution approved, adopted and ordered filed this 10th day of September, 2003.

### CITY COUNCIL OF THE CITY OF NEW ULM, MINNESOTA

*Lisa T. Wieland*  
Lisa T. Wieland, Interim Finance Director/  
City Clerk/Treasurer

### CERTIFICATE OF APPROVAL BY CITY OF NEW ULM OFFICIALS

I hereby certify that the plot on which this certificate is endorsed was reviewed and approved by the undersigned on the date shown.

*Julia M. Albrecht* 10-10-03  
Mayor Date  
*Steve Kallha* 10-13-2003  
City Engineer Date  
*Daniel A. Berens* 10-10-03  
Pres. of City Council Date  
*Brian D. Harmon* 10/10/03  
City Manager Date

### OFFICE OF THE COUNTY AUDITOR, BROWN COUNTY, MINNESOTA

I hereby certify that the taxes are paid for all years prior to the year of 2003 on the land described in the instrument of dedication on this surveyor's plot.

*Marie C. Wulfsberg*  
Brown County Auditor

### OFFICE OF THE COUNTY TREASURER, BROWN COUNTY, MINNESOTA

I hereby certify that the taxes for the year 2003 for the land described on this plot as VALLEY HEIGHTS THIRD ADDITION, have been paid this 2nd day of October, 2003.

*Marie C. Wulfsberg*  
Brown County Treasurer

### OFFICE OF THE COUNTY RECORDER, BROWN COUNTY, MINNESOTA

DOCUMENT NUMBER 339052  
I hereby certify that this instrument was filed in the office of the County Recorder for record on this 15th day of October, 2003 at 4:32 o'clock P.M.

*Tom Weisage*  
Brown County Recorder