

Councilor Webster offered the following resolution and moved its adoption:

**WHEREAS**, the City of New Ulm and Cottonwood Township of Brown County, Minnesota entered into a Joint Resolution for Orderly Annexation approved by the City of New Ulm on April 12, 2006 and by Cottonwood Township on April 12, 2006 (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;

**WHEREAS**, said Joint Resolution was accepted by the State of Minnesota on May 11, 2006 and was designated OA-1260;

**WHEREAS**, the City of New Ulm has received a petition for annexation of property within the area designated and defined in the Joint Resolution and located in Section 4, Township 109 North, Range 30 West, Brown County, Minnesota;

1. Which property is referred to herein as the "Retzlaff Trust Parcel" and which is legally described in the attached Exhibit A and illustrated in the attached Exhibit B; and
2. Which petition was executed by Bradley M. Retzlaff, as Trustee of the Bradley M. Retzlaff Revocable Trust and Jody L. Retzlaff as Trustee of the Jody L. Retzlaff Revocable Trust, the owners of the Retzlaff Trust Parcel; and
3. Which petition conforms to the requirements of Paragraph 3. b. 4. of the Joint Resolution;

**WHEREAS**, the Retzlaff Trust Parcel abuts the city limits of the City of New Ulm;

**WHEREAS**, any and all other requirements of the Joint Resolution to effectuate the annexation of the Retzlaff Trust 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;

**WHEREAS**, upon recommendation of the City Planning Commission, the City Council of the City of New Ulm approved a zoning classification of R-1 (Single Family Residence District) for the Retzlaff Trust Parcel described in the attached Exhibit A and illustrated in the attached Exhibit B.

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

1. That the Retzlaff Trust Parcel is hereby annexed and incorporated into the limits of the City of New Ulm.
2. Pursuant to New Ulm City Code Section 9.04, the Retzlaff Trust Parcel, as described in the attached Exhibit A, shall be zoned R-1 (Single Family Residence District) for uses pertinent to zoning.
3. That this resolution shall become effective immediately upon passage.

4. That a certified copy of this Resolution shall be filed, along with a copy of the Joint Resolution, with the State of Minnesota, Office of Administrative Hearings, Chief Administrative Law Judge.
5. The Office of Administrative Hearings, Chief Administrative Law Judge 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.
6. That the City of New Ulm shall remit to Cottonwood Township property taxes as calculated and prescribed in Paragraph 7.c. of the Joint Resolution.

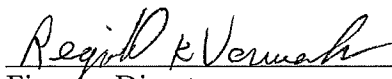
The motion for the adoption of the foregoing resolution was duly seconded by Councilor Fischer and, the roll being called, the following vote was recorded:

Voting Aye: Councilors Fischer, Mack, Schultz, Webster and President Schmitz.  
Voting Nay: None.  
Not Voting: None.

Whereupon said resolution was declared to have been duly adopted this 15<sup>th</sup> day of December 2015.

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

Attest:

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

The above resolution approved December 15, 2015.

  
\_\_\_\_\_  
Mayor

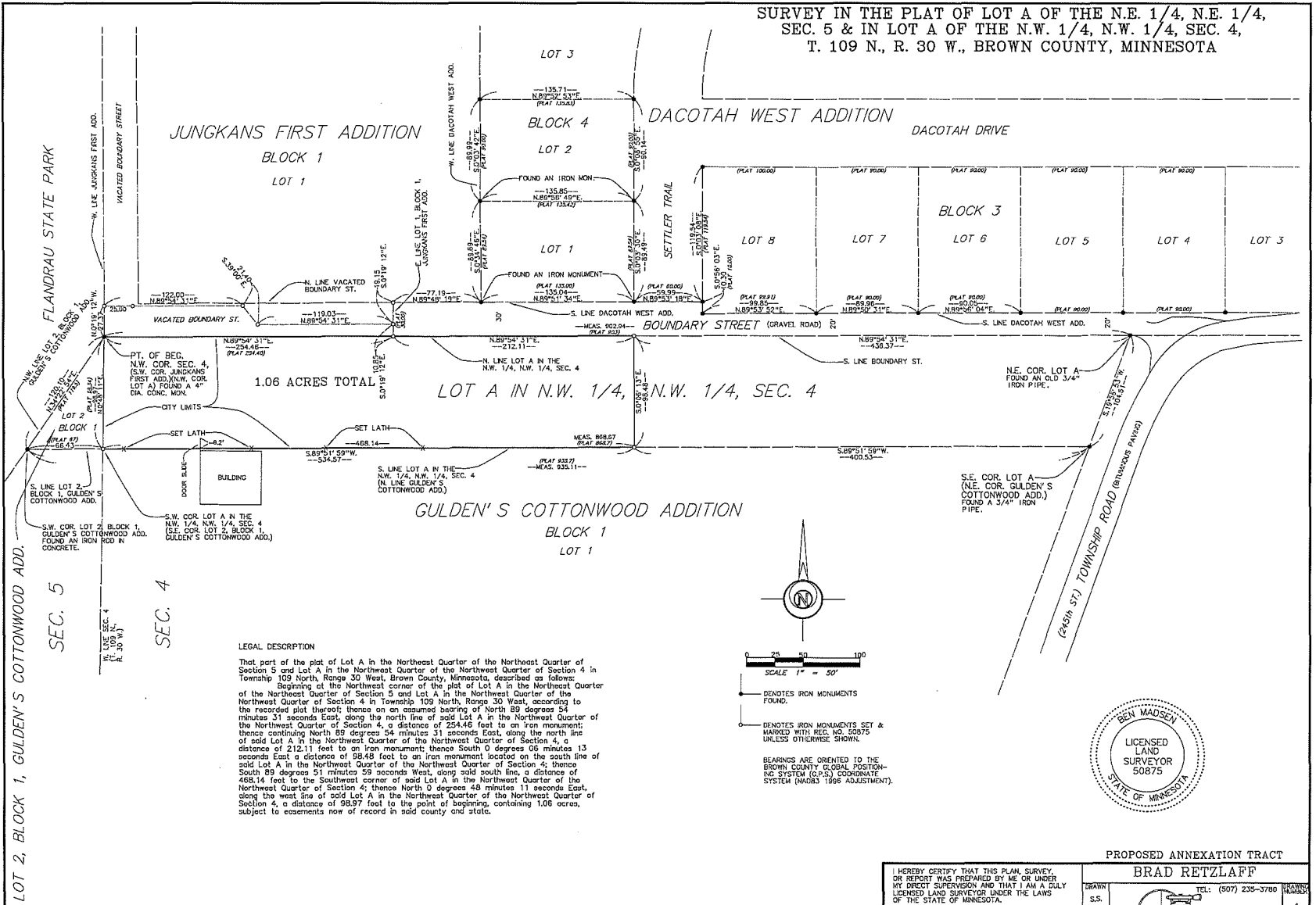
LEGAL DESCRIPTION

That part of the plat of Lot A in the Northeast Quarter of the Northeast Quarter of Section 5 and Lot A in the Northwest Quarter of the Northwest Quarter of Section 4 in Township 109 North, Range 30 West, Brown County, Minnesota, described as follows:

Beginning at the Northwest corner of the plat of Lot A in the Northeast Quarter of the Northeast Quarter of Section 5 and Lot A in the Northwest Quarter of the Northwest Quarter of Section 4 in Township 109 North, Range 30 West, according to the recorded plat thereof; thence on an assumed bearing of North 89 degrees 54 minutes 31 seconds East, along the north line of said Lot A in the Northwest Quarter of the Northwest Quarter of Section 4, a distance of 254.46 feet to an iron monument; thence continuing North 89 degrees 54 minutes 31 seconds East, along the north line of said Lot A in the Northwest Quarter of the Northwest Quarter of Section 4, a distance of 212.11 feet to an iron monument; thence South 0 degrees 06 minutes 13 seconds East a distance of 98.48 feet to an iron monument located on the south line of said Lot A in the Northwest Quarter of the Northwest Quarter of Section 4; thence South 89 degrees 51 minutes 59 seconds West, along said south line, a distance of 468.14 feet to the Southwest corner of said Lot A in the Northwest Quarter of the Northwest Quarter of Section 4; thence North 0 degrees 48 minutes 11 seconds East, along the west line of said Lot A in the Northwest Quarter of the Northwest Quarter of Section 4, a distance of 98.97 feet to the point of beginning, containing 1.06 acres, subject to easements now of record in said county and state.

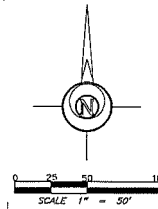
EXHIBIT B

SURVEY IN THE PLAT OF LOT A OF THE N.E. 1/4, N.E. 1/4, SEC. 5 & IN LOT A OF THE N.W. 1/4, N.W. 1/4, SEC. 4, T. 109 N., R. 30 W., BROWN COUNTY, MINNESOTA

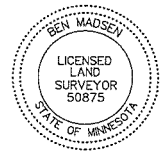


LEGAL DESCRIPTION

That part of the plot of Lot A in the Northeast Quarter of the Northwest Quarter of Section 5 and Lot A in the Northwest Quarter of the Northwest Quarter of Section 4 in Township 109 North, Range 30 West, Brown County, Minnesota, described as follows: Beginning at the Northwest corner of the plot of Lot A in the Northeast Quarter of the Northwest Quarter of Section 5 and Lot A in the Northwest Quarter of the Northwest Quarter of Section 4 in Township 109 North, Range 30 West, according to the recorded plat thereof; thence on an assumed bearing of North 89 degrees 54 minutes 31 seconds East, along the north line of said Lot A in the Northwest Quarter of the Northwest Quarter of Section 4, a distance of 254.46 feet to an iron monument; thence continuing North 89 degrees 54 minutes 31 seconds East, along the north line of said Lot A in the Northwest Quarter of the Northwest Quarter of Section 4, a distance of 212.11 feet to an iron monument; thence South 0 degrees 06 minutes 13 seconds East, a distance of 98.48 feet to an iron monument located on the south line of said Lot A in the Northwest Quarter of the Northwest Quarter of Section 4; thence South 89 degrees 51 minutes 59 seconds West, along said south line, a distance of 468.14 feet to the Southwest corner of said Lot A in the Northwest Quarter of the Northwest Quarter of Section 4; thence North 0 degrees 48 minutes 11 seconds East, along the west line of said Lot A in the Northwest Quarter of the Northwest Quarter of Section 4, a distance of 98.57 feet to the point of beginning, containing 1.06 acres, subject to easements now of record in said county and state.



- DENOTES IRON MONUMENTS FOUND.
  - DENOTES IRON MONUMENTS SET & MARKED WITH REC. NO. 50875 UNLESS OTHERWISE SHOWN.
- BEARINGS ARE ORIENTED TO THE BROWN COUNTY COGNATE POSITIONING SYSTEM (C.P.S.) COORDINATE SYSTEM (NAD83 1996 ADJUSTMENT).



PROPOSED ANNEXATION TRACT

BRAD RETZLAFF

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.		DATE: 11-23-2015	LICENSE NO. 50875
DRAWN S.S.	CHECK G.M.	SURVEY BY BEN MADSEN	DATE: 11-23-2015
TEL: (807) 235-3780	318 EAST BLUE EARTH AVENUE FAIRMONT, MINNESOTA 56031	1	FILE NO. 15204

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Red Line- Existing City of New Ulm Corporate Limits  
Blue Line- Property to Be Annexed





# Location of Proposed Annexation

REC'D BY  
MBA  
DEC 18 2015

