

**RESOLUTION NO. 2012-32
(Gustafson Property Annexation)**

CITY OF NEW GERMANY

REC'D BY
MBA

NOV 28 2012

CARVER COUNTY, MINNESOTA

November 20, 2012

To: Office of Administrative Hearings
Municipal Boundary Adjustments
P.O. Box 64620
St. Paul, MN 55164-0620

WHEREAS, the **City of New Germany** and the **Town ("Township") of Camden** did heretofore on October 2, 2007, enter into a Joint Resolution for Orderly Annexation of certain land in Camden Township, Carver County, Minnesota, (City of New Germany Resolution No. 2007-23 and Camden Township Resolution No. 2007-4) sometimes referred to as "the Agreement", and

WHEREAS, said Resolution/Agreement provided that upon the happening of certain conditions property/land within the orderly annexation area may be annexed to the City of New Germany by Resolution of the City Council, and

WHEREAS, all of the required conditions have been met for the annexation of that certain land as described on **Exhibit A** attached hereto and made a part hereof, including reimbursement to Camden Township for lost property taxes from the annexed property as provided in the Agreement, and

WHEREAS, it is now deemed appropriate and in the best interest of both the City of New Germany and the Town of Camden that said land described on **Exhibit "A"** be annexed to the City of New Germany.

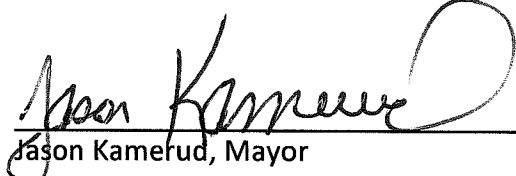
NOW, THEREFORE, pursuant to said Joint Resolution/Orderly Annexation Agreement and Minnesota Statutes Section 414.0325, Subd. 1, be it resolved by the City Council of the City of New Germany, Carver County, Minnesota, as follows:

1. That upon order of the Chief Administrative Law Judge, Office of Administrative Hearings, Municipal Boundary Adjustments, of the State of Minnesota, the following described land shall be annexed to and become part of the corporate municipal limits of the City of New Germany, the same as if it had originally been made a part thereof, including all streets, roads or alleys, if any, passing through or adjacent to the land as shown on the map attached hereto and made a part hereof.

For legal description see Exhibit "A" attached hereto and made a part hereof.

2. That the area of the land to be annexed contains approximately 1.00 acre and is proposed to be used for residential purposes.
3. That for purposes of real estate taxation if the annexation becomes effective on or before August 1 of a levy year, the City of New Germany may levy on the annexed area beginning with the same levy year. If the annexation becomes effective after August 1 of a levy year, Camden Township may continue to levy on the annexed area for that levy year.
4. That pursuant to Minnesota Statutes Section 414.0325, Subd. 1a, there will be no change in electric service and no change in cost to the land annexed.
5. That no alteration of the stated boundaries is appropriate, no conditions for the annexation are required and no consideration by the Office of Administrative Hearings, Municipal Boundary Adjustments, of the State of Minnesota, is necessary. The Chief Administrative Law Judge may review and comment, but shall, within 30 days, order the annexation in accordance with the terms of this Resolution.
6. That pursuant to Minnesota Statutes Section 414.036 and the Taxation Reimbursement Section of the Orderly Annexation Agreement the City has received written confirmation from Camden Township that the Township has received full reimbursement for the loss of such taxable property in accordance with the existing Township's Annexation Taxation Reimbursement policy from the person or party requesting the annexation and being in the amount of \$1,397.15.

Adopted by the City Council of the City of New Germany this 20th day of November, 2012.



Jason Kamerud, Mayor

ATTEST: 

Joan Guthmiller, Clerk

EXHIBIT "A"

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LEGAL DESCRIPTION

That part of the Southwest Quarter of Section 4, Township 116, Range 26, Carver County, Minnesota, described as follows:

Commencing at the Northwest corner of Outlot 4 of the PLAT OF NEW GERMANY as of record and on file in the office of the Register of Deeds, Carver County, Minnesota; thence Southerly along a line extended Southerly to the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 4 a distance of 441.0 feet to the actual point of beginning of the tract of land to be described; thence deflect to the left 88 degrees 58 minutes 20 seconds and parallel to the North line of said Outlot 4 a distance of 348.50 feet; thence deflect to the right 88 degrees 58 minutes 20 seconds and parallel with said line extended Southerly from the Northwest corner of said Outlot 4 to the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 4 a distance of 125.00 feet; thence deflect to the right 91 degrees 1 minute 40 seconds and parallel to the North line of said Outlot 4 a distance of 348.50 feet to its intersection with the said line extended Southerly from the Northwest corner of said Outlot 4 to the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 4; thence Northerly to the point of beginning.

(PID 02-004-0510)

THIS IS NOT A LEGALLY RECORDED PLAT.
 THIS MAP IS A COMPILATION OF RECORDS
 AS THEY APPEAR IN THE CARVER COUNTY
 OFFICES AND OTHER SOURCES. THIS MAP
 IS ONLY TO BE USED FOR REFERENCE
 PURPOSES. THE COUNTY AND ITS AGENTS
 ARE NOT RESPONSIBLE FOR ANY
 INACCURACIES CONTAINED THEREIN.

5 1/2 Sec. 4-116-26
 (Camden Twp)

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S 1/2 SEC

