

REC'D BY
MMB

MAR 04 2004

**CITY OF NEW MUNICH
ORDINANCE NO. 2004-01
ANNEXATION OF SOO LINE RAILROAD PROPERTY**

The City Council for the City of New Munich hereby ordains that the Soo Line Railroad property, which is wholly owned by the City of New Munich, and is surrounded by land within the municipal limits, the legal description of which is contained in the attached Exhibit A is hereby annexed to the City of New Munich by Ordinance, pursuant to Minn. Stat. 414.033.

This Ordinance is adopted the 5th day of January, 2004, and shall be effective upon approval by the Director of the Office of Strategic and Long Range Planning.

CITY OF NEW MUNICH

By Harold Klaphake
Harold Klaphake, Mayor

By Kelly Thielen
Kelly Thielen, City Clerk

This ordinance was published on 2/11/, 2004

EXHIBIT A**DESCRIPTION OF SOO LINE RAILROAD
LAND DEEDED TO CITY OF NEW MUNICH**

A strip of land of varying width, being the right of way and station ground property of the Soo Line Railroad Company's so-called Brooten, Minnesota to Genola, Minnesota branch line, in Stearns County, Minnesota, as constructed and located over and across the Northeast Quarter (NE1/4) Section 19, Township 125, Range 32, which lies northwesterly of a line drawn parallel to and 50 feet northwesterly of, as measured at right angle to the centerline of said Soo Line Railroad. Also that part of said Northeast Quarter (NE1/4) and that part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of said Section 19 lying East of the Sauk River and which lies southeasterly of a line drawn parallel to and 50 feet southeasterly of, as measured, at right angles to the centerline of said Soo Line Railroad; said centerline more particularly described as beginning at a point on the East line of said NE1/4 distant 1,244.48 South of the Northeast corner thereof to a point on the West line of said NW1/4 distant 2,191.19 feet South of the Northwest corner thereof and there terminating:

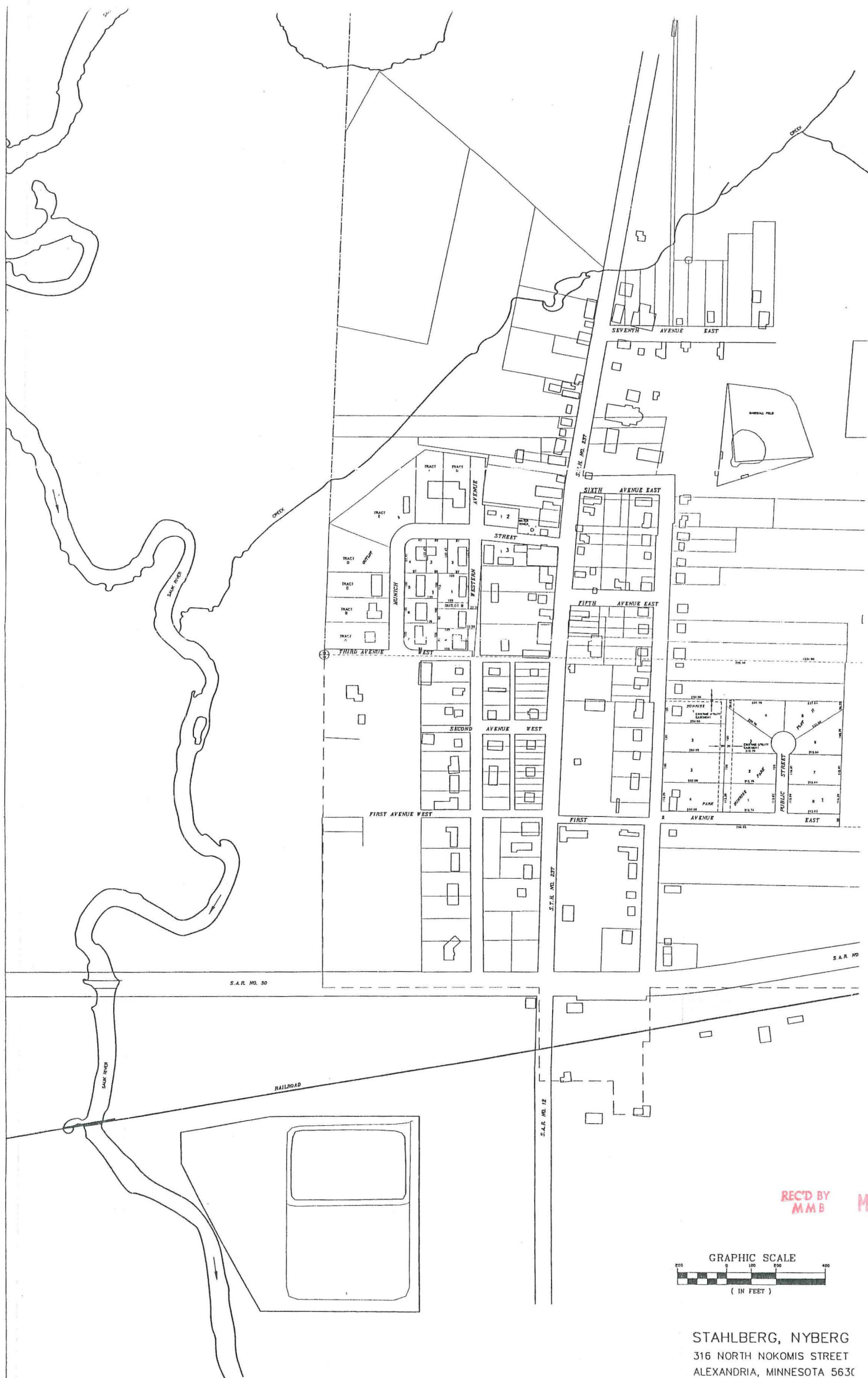
Less and except that part of said railroad property described as follows: A parcel of land comprising all that part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Nineteen (19), Township One Hundred Twenty-five (125) North, Range Thirty-two (32) West, bounded and described as follows: Beginning at the point of intersection of the west line of said SW1/4 NE1/4 with a line running parallel with and 100 feet distant southeasterly (measured at right angles) from the center line of the main track of the Soo Line Railroad Company's railroad as the same is now located, maintained and operated over and across said Government Subdivision; thence northeasterly along the last mentioned parallel line a distance of 400 feet; thence south along a line running parallel with the west line of said SW1/4 NE1/4 to a point of intersection with a line running parallel with the west line of said SW1/4 NE1/4 to a point of intersection with a line running parallel with and 200 feet distant southeasterly (measured at right angles) from said main track center line; thence southwesterly along the last mentioned parallel line to its intersection with the west line of said SW1/4 NE1/4 thence north along the west line of said SW1/4 NE1/4 to the point of beginning.

Also less and except: Part of the SW1/4 NE1/4 of Section 19, Township 125N, Range 32W, bounded and described as follows: Beginning at the intersection of the Soo Line Railroad Company's southerly right of way line and the easterly line of said SW1/4 NE1/4; thence westerly along said right of way line a distance of 430 feet; thence northerly along a line running parallel with the easterly line of said SW1/4 NE1/4 a distance of 110 feet; thence easterly to a point on the easterly line of said SW1/4 NE1/4, said point being 56 feet northerly of the point

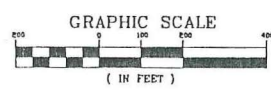
of beginning; thence southerly along the easterly line of said SW1/4 NE1/4 to the point of beginning.

Also less and except the following described parallel: Beginning in the intersection of the centerline of County Road #12 with the south line of the South Half of the Northeast Quarter (S1/2 NE1/4); thence north along the centerline of the road 640 feet to the point of beginning of the tract to be described, thence easterly on a line parallel with the south line of the S1/2 NE1/4 a distance of 560 feet; thence northerly on a line parallel with the centerline of County Road #12 a distance of approximately 394 feet to the centerline of a New Munich City Street (which street lies southerly of the Soo Line Railroad); thence along the centerline of the New Munich City Street approximately 560 feet to the centerline of County Road #12; thence southerly along the centerline of County Road #12 to the point of beginning, said tract being part of S1/2 NE1/4 of Section 19, Township 125, Range 32. Less and except: Railroad right of way property (including that parcel leased by New Munich Oil Co.); and less and except road right of ways.

Also less and except a tract of land being part of the aforesaid Soo Line Railroad right of way lying 50 feet northwesterly and 50 feet southeasterly as measured at right angles to the aforesaid centerline of the Soo Line Railroad and parallel to and 75 feet on each side of the centerline of County Road #12, as measured at right angles to said centerline, being in the South Half of the Northeast Quarter (S1/2 NE1/4) of Section 19, Township 125, Range 32 Stearns County, Minnesota, less that part deeded by warranty deed recorded October 8, 1987 by Document Number 0627994 in the office of the Stearns County Recorder.



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