

Resolution No. 06-134

REC'D BY
MMB
JAN 30 2007

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;

WHEREAS, the City of New Ulm is the owner of property located in Section 24, Township 110 North, Range 31 West, all in Brown County, Minnesota, legally described on the attached Exhibits A through D, which property is referred to herein as the "Maplewood Annexation Area";

WHEREAS, the Maplewood Annexation Area is within the "Orderly Annexation Area" as defined in the Joint Resolution;

WHEREAS, the Maplewood Annexation Area abuts the city limits of the City of New Ulm and the City of New Ulm has purchased this property to be used for street right-of-way and storm water holding pond;

WHEREAS, the Maplewood Annexation Area constitutes "City Property" under Section 6 of the Joint Resolution and may thus be annexed in accordance with Section 3.b. of the Joint Resolution; and

WHEREAS, any and all other requirements of the Joint Resolution to effectuate the annexation of the Maplewood Annexation Area 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 Maplewood Annexation Area 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 a copy of the Joint Resolution, order the annexation of the area designated in this Resolution.

Councilor Fleischmann seconded the foregoing resolution, and the roll having been called, the following vote was recorded:

Voting Aye: Councilors RockVam, Webster, Weinkauff and Vice-President
Fleischmann
Voting Nay: None
Not Voting: None

Councilor Fleischmann seconded the foregoing resolution, and the role having been called, the following vote was recorded:

Voting Aye: Councilors RockVam, Webster, Weinkauff and Vice-President
Fleischmann.

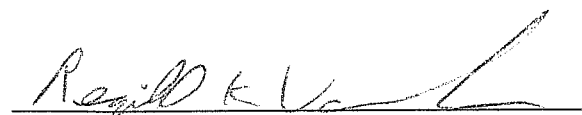
Voting Nay: None.

Not Voting: None

Whereupon said resolution was declared to have been duly adopted this 17th day of October, 2006.


Vice-President of the City Council

Attest:


Finance Director/City Clerk-Treasurer

The above resolution approved October 17, 2006.


Mayor

LEGAL DESCRIPTION

THAT PART OF LOT 2 OF THE BALANCE OF LOT 2 OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 110 NORTH, RANGE 31 WEST, BROWN COUNTY, MINNESOTA described as follows:

Commencing at the southeast corner of said Lot 2 of the Balance of Lot 2 of the Northeast Quarter of the Northeast Quarter of Section 24, Township 110 North, Range 31 West, Brown County, Minnesota; thence North 00 degrees 20 minutes 34 seconds East, an assumed bearing, along the east line of said Northeast Quarter of Section 24, a distance of 189.84 feet to the point of beginning; thence South 85 degrees 42 minutes 03 seconds West, 40.63 feet; thence southwesterly 529.99 feet, along a tangential curve, concave to the southeast, having a radius of 1060.00 feet, and a central angle of 28 degrees 38 minutes 50 seconds; thence South 57 degrees 03 minutes 14 seconds West, 33.33 feet to the south line of said Lot 2 of the Balance of Lot 2 of the Northeast Quarter of the Northeast Quarter; thence North 89 degrees 52 minutes 49 seconds West, along said south line, 146.63 feet; thence North 57 degrees 03 minutes 14 seconds East, 156.21 feet; thence northeasterly 569.98 feet, along a tangential curve, concave to the south having a radius of 1140.00 feet, and a central angle of 28 degrees 38 minutes 50 seconds; thence North 85 degrees 42 minutes 03 seconds East, 47.13 feet to said east line of the Northeast Quarter; thence South 00 degrees 20 minutes 34 seconds West, along said east line, 80.26 feet to the point of beginning containing 1.26 acres, more or less, and being subject to easements of record in said county and state.

Prepared By: Bolton & Menk, Inc.
Sleepy Eye, MN.

Date: January 11, 2006

EXHIBIT A

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LEGAL DESCRIPTION

THAT PART OF LOT 2 OF THE BALANCE OF LOT 2 OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 110 NORTH, RANGE 31 WEST, BROWN COUNTY, MINNESOTA described as follows:

Beginning at the southeast corner of said Lot 2 of the Balance of Lot 2 of the Northeast Quarter of the Northeast Quarter of Section 24, Township 110 North, Range 31 West, Brown County, Minnesota; thence North 00 degrees 20 minutes 34 seconds East, an assumed bearing, along the east line of said Northeast Quarter of Section 24, a distance of 189.84 feet; thence South 85 degrees 42 minutes 03 seconds West, 40.63 feet; thence southwesterly 529.99 feet, along a tangential curve, concave to the southeast, having a radius of 1060.00 feet, and a central angle of 28 degrees 38 minutes 50 seconds; thence South 57 degrees 03 minutes 14 seconds West, 33.33 feet to the south line of said Lot 2 of the Balance of Lot 2 of the Northeast Quarter of the Northeast Quarter; thence South 89 degrees 52 minutes 49 seconds East, along said south line, 564.37 feet; to the point of beginning, containing 1.61 acres, more or less, and being subject to easements of record in said county and state.

EXHIBIT B

LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER,
SECTION 24, TOWNSHIP 110 NORTH, RANGE 31 WEST, BROWN COUNTY,
MINNESOTA described as follows:

Commencing at the northeast corner of the Southeast Quarter of the Northeast Quarter of Section 24, Township 110 North, Range 31 West, Brown County, Minnesota; thence North 89 degrees 52 minutes 49 seconds West, an assumed bearing, along the north line of said Southeast Quarter of the Northeast Quarter, a distance of 564.37 feet to the point of beginning; thence South 57 degrees 03 minutes 14 seconds West 516.75 feet to the easterly right-of-way line of North Highland Avenue, according to a plat of record; thence North 32 degrees 57 minutes 10 seconds West, along said easterly right-of-way line, a distance of 39.57 feet; thence northwesterly, along said easterly right-of-way line, 40.44 feet, along a tangential curve concave to the east, having a radius of 1871.92 feet, and a central angle of 01 degree 14 minutes 16 seconds; thence North 57 degrees 03 minutes 14 seconds East, 393.44 feet, to said north line of Southeast Quarter; thence South 89 degrees 52 minutes 49 seconds East, along said north line, 146.63 feet to the point of beginning containing 0.84 acres, more or less, and being subject to easements of record in said county and state.

Prepared By: Bolton & Menk, Inc.
Sleepy Eye, MN.

Date: January 11, 2006

EXHIBIT C

LEGAL DESCRIPTION

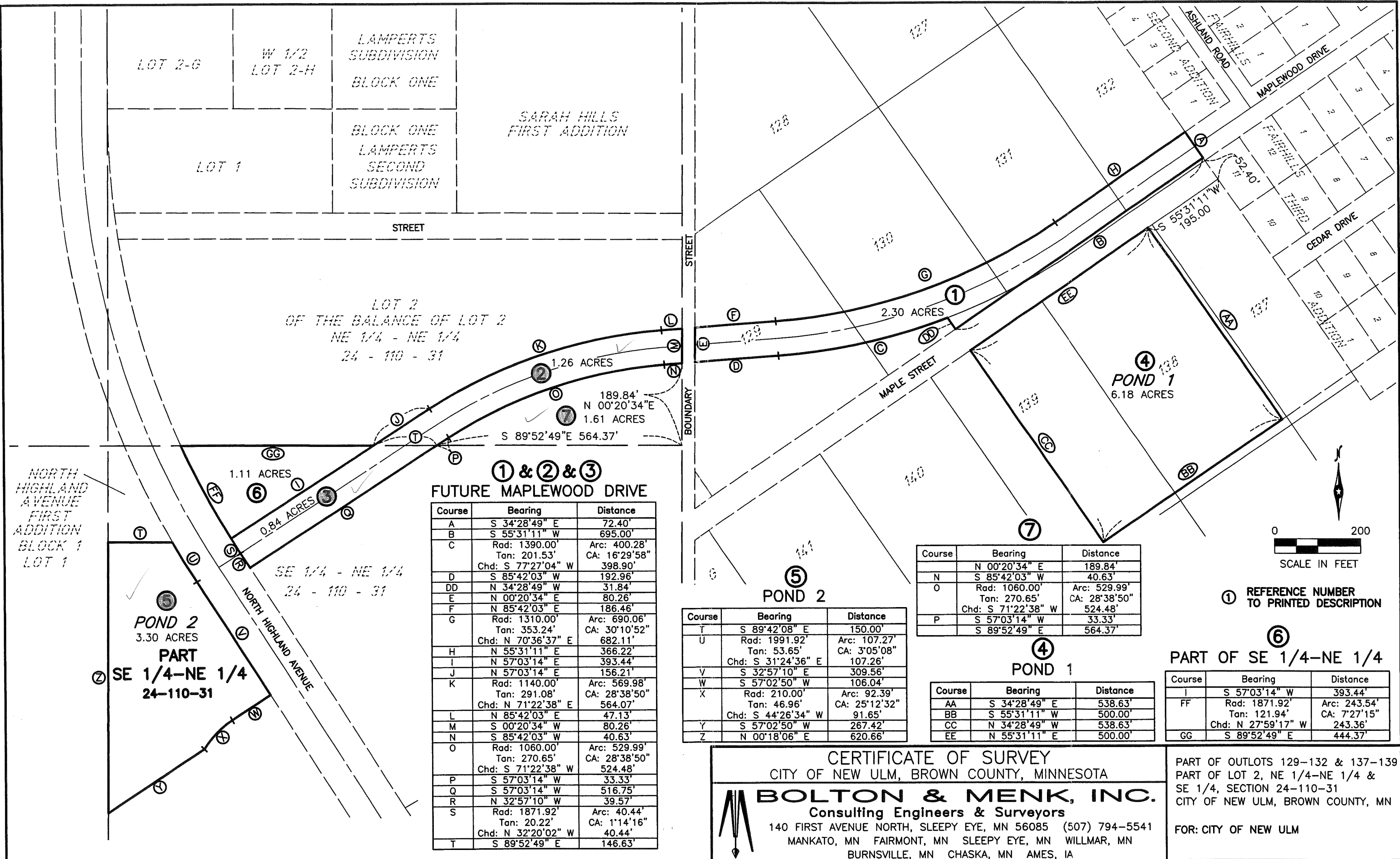
THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER,
SECTION 24, TOWNSHIP 110 NORTH, RANGE 31 WEST, BROWN COUNTY,
MINNESOTA described as follows:

Beginning at the southwest corner of Lot 1, Block 1, North Highland Avenue First Addition in the City of New Ulm, Brown County, Minnesota according to a plat of record; thence South 89 degrees 42 minutes 08 seconds East, an assumed bearing, along the south line of said Lot 1, Block 1, North Highland Avenue First Addition, a distance of 150.00 feet to the westerly right-of-way line of North Highland Avenue; thence Southeasterly 107.27 feet along a nontangential curve, concave to the east, having a radius of 1991.92 feet, a central angle of 03 degrees 05 minutes 08 seconds, and chord of South 31 degrees 24 minutes 36 seconds East 107.26 feet; thence South 32 degrees 57 minutes 10 seconds East, along said westerly right-of-way line of North Highland Avenue, 309.56 feet; thence South 57 degrees 02 minutes 50 seconds West, 106.04 feet; thence southwesterly 92.39 feet, along a tangential curve concave to the southeast, having a radius of 210.00 feet, and a central angle of 25 degrees 12 minutes 32 seconds; thence South 57 degrees 02 minutes 50 seconds West, 267.42 feet to the west line of said Southeast Quarter of the Northeast Quarter of Section 24; thence North 00 degrees 18 minutes 06 seconds East, along said west line 620.66 feet to the point of beginning containing 3.3 acres, more or less, and being subject to easements of record in said county and state.

Prepared By: Bolton & Menk, Inc.
Sleepy Eye, MN.

Date: January 11, 2006

EXHIBIT D



**① & ② & ③
FUTURE MAPLEWOOD DRIVE**

Course	Bearing	Distance
A	S 34°28'49" E	72.40'
B	S 55°31'11" W	695.00'
C	Rad: 1390.00' Tan: 201.53' CA: 16°29'58"	Arc: 400.28' Chd: S 77°27'04" W 398.90'
D	S 85°42'03" W	192.96'
DD	N 34°28'49" W	31.84'
E	N 00°20'34" E	80.26'
F	N 85°42'03" E	186.46'
G	Rad: 1310.00' Tan: 353.24' CA: 30°10'52"	Arc: 690.06' Chd: N 70°36'37" E 682.11'
H	N 55°31'11" E	366.22'
I	N 57°03'14" E	393.44'
J	N 57°03'14" E	156.21'
K	Rad: 1140.00' Tan: 291.08' CA: 28°38'50"	Arc: 569.98' Chd: N 71°22'38" E 564.07'
L	N 85°42'03" E	47.13'
M	S 00°20'34" W	80.26'
N	S 85°42'03" W	40.63'
O	Rad: 1060.00' Tan: 270.65' CA: 28°38'50"	Arc: 529.99' Chd: S 71°22'38" W 524.48'
P	S 57°03'14" W	33.33'
Q	S 57°03'14" W	516.75'
R	N 32°57'10" W	39.57'
S	Rad: 1871.92' Tan: 20.22' CA: 1°14'16"	Arc: 40.44' Chd: N 32°20'02" W 40.44'
T	S 89°52'49" E	146.63'

**⑤
POND 2**

Course	Bearing	Distance
T	S 89°42'08" E	150.00'
U	Rad: 1991.92' Tan: 53.65' CA: 3°05'08"	Arc: 107.27' Chd: S 31°24'36" E 107.26'
V	S 32°57'10" E	309.56'
W	S 57°02'50" W	106.04'
X	Rad: 210.00' Tan: 46.96' CA: 25°12'32"	Arc: 92.39' Chd: S 44°26'34" W 91.65'
Y	S 57°02'50" W	267.42'
Z	N 00°18'06" E	620.66'

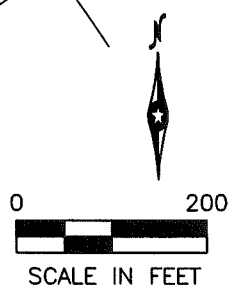
**④
POND 1**

Course	Bearing	Distance
N	N 00°20'34" E	189.84'
O	S 85°42'03" W	40.63'
	Rad: 1060.00' Tan: 270.65' CA: 28°38'50"	Arc: 529.99' Chd: S 71°22'38" W 524.48'
P	S 57°03'14" W	33.33'
	S 89°52'49" E	564.37'

Course	Bearing	Distance
AA	S 34°28'49" E	538.63'
BB	S 55°31'11" W	500.00'
CC	N 34°28'49" W	538.63'
EE	N 55°31'11" E	500.00'

**⑥
PART OF SE 1/4-NE 1/4**

Course	Bearing	Distance
I	S 57°03'14" W	393.44'
FF	Rad: 1871.92' Tan: 121.94' CA: 7°27'15"	Arc: 243.54' Chd: N 27°59'17" W 243.36'
GG	S 89°52'49" E	444.37'



① REFERENCE NUMBER TO PRINTED DESCRIPTION

CERTIFICATE OF SURVEY
CITY OF NEW ULM, BROWN COUNTY, MINNESOTA

BOLTON & MENK, INC.
Consulting Engineers & Surveyors
140 FIRST AVENUE NORTH, SLEEPY EYE, MN 56085 (507) 794-5541
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN
BURNSVILLE, MN CHASKA, MN AMES, IA

PART OF OUTLOTS 129-132 & 137-139
PART OF LOT 2, NE 1/4-NE 1/4 &
SE 1/4, SECTION 24-110-31
CITY OF NEW ULM, BROWN COUNTY, MN

FOR: CITY OF NEW ULM