

ORDERLY ANNEXATION RESOLUTION

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 has received a petition for annexation of property to be platted as part of the Menard Subdivision, and which is now platted and described as Lot "A" of SW1/4 of SW1/4, Section 13, Township 110, Range 31, Brown County, Minnesota;

1. Which property is referred to herein as the "Christiansen Parcel" as described and illustrated in the attached Exhibit A;
2. Which petition was executed by Menard, Inc., the same being the owner of the Christiansen Parcel; and
3. Which petition conforms to the requirements of Section 3. b. 4. of the Joint Resolution;

WHEREAS, the Christiansen Parcel abuts the city limits of the City of New Ulm and is within the area subject to the Orderly Annexation Agreement with Milford Township;

WHEREAS, any and all other requirements of the Joint Resolution to effectuate the annexation of the Christiansen 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, on January 3, 2012, upon recommendation of the City Planning Commission, the City Council of the City of New Ulm approved a zoning classification of B-3 (General Business District) for a portion of the Christiansen Parcel as described and illustrated in the attached Exhibit B with the remainder of the Christiansen Parcel to be zoned R-A (Agricultural Residence District);

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

1. That the Christiansen 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, a portion of the Christiansen Parcel, as described and illustrated in the attached Exhibit B, shall be zoned B-3 (General Business District) for uses pertinent to zoning.
3. That this resolution shall become effective upon the execution of a development agreement (the "Development Agreement") by and between the City of New Ulm and Menard, Inc.

4. That upon the execution of the Development Agreement, 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.
5. 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:

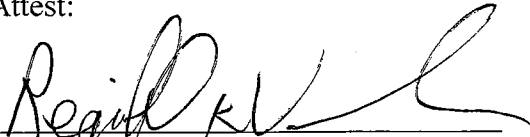
Voting Aye: Councilors Olson, RockVam, Webster, Schultz and President Schmitz
Voting Nay: None
Not Voting: None

Whereupon said resolution was declared to have been duly adopted this 3rd day of January, 2012.



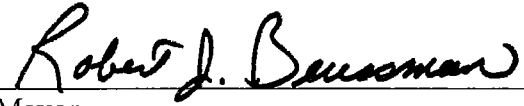
President of the City Council

Attest:



Finance Director

The above resolution approved January 3, 2012.



Mayor

REC'D BY
MBA

MAY 04 2012

EXHIBIT A

Legal Description of the Christiansen Parcel

Lot A of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 13, Township 110, Range 31, Brown County, Minnesota.

Abstract Property

REC'D BY
MBA

MAY 04 2012

OF

LOT A OF SW¹/₄ OF SW¹/₄ OF SECTION 13, T.110N., R.31W.

MILFORD TOWNSHIP

BROWN COUNTY, MINNESOTA

SCALE 1"=100'

JANUARY 1958

#146528

Shirley 144
12. 11125
Allen Christensen

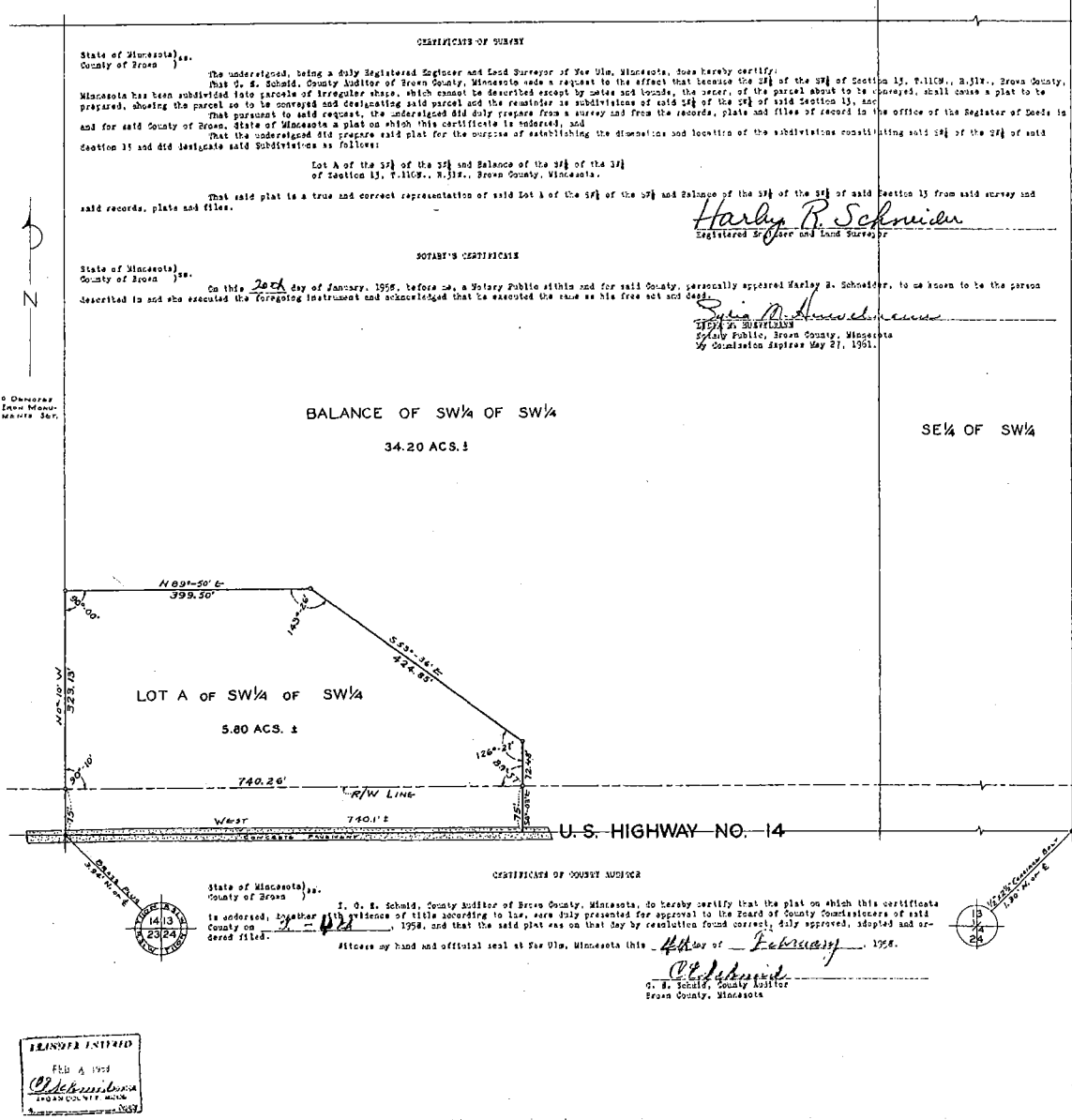


EXHIBIT B

Legal Description of that Part of the Christiansen Parcel
to be Zoned B-3 (General Business District)

All that part of Lot A of SW 1/4 of SW 1/4, Section 13, Township 110 North, Range 31 West, Brown County, Minnesota described as follows:

Beginning at the southwest corner of the Southwest Quarter of said Section 13; thence North 00 degrees 01 minutes 36 seconds East (assumed bearing) on the west line of said Southwest Quarter, 398.13 feet to the northwest corner of said Lot A; thence South 89 degrees 58 minutes 58 seconds East on the north line of said Lot A, 45.05 feet; thence South 37 degrees 55 minutes 02 seconds East, 506.47 feet to a point on the south line of said Southwest Quarter; thence North 89 degrees 46 minutes 11 seconds West on said south line, 356.48 feet to the point of beginning.

