

**CITY OF HAMBURG, MINNESOTA
RESOLUTION NUMBER 2011-05**

*JOINT RESOLUTION OF THE CITY OF HAMBURG AND THE TOWN OF
YOUNG AMERICA PURSUANT TO MINNESOTA STATUTES, SECTION
414.0325, DESIGNATING AN UNINCORPORATED AREA IN NEED OF
ORDERLY ANNEXATION, CONFERRING JURISDICTION OF THE AREA
ON THE OFFICE OF ADMINISTRATIVE HEARINGS, MUNICIPAL
BOUNDARY ADJUSTMENTS, OF THE STATE OF MINNESOTA, AND
AGREEING TO IMMEDIATE ANNEXATION OF THE AREA TO THE CITY
OF HAMBURG.*

City of Hamburg Resolution Number 2011-05

Town of Young America Resolution Number _____

WHEREAS, the City of Hamburg received a request on October 19, 2010 from Julie Gamber and Brett Gamber, residing at 851 Williams Street, Hamburg, Minnesota for annexation of adjacent property located within the Town of Young America to the City of Hamburg; and

WHEREAS, Julie Gamber and Brett Gamber own property within the City of Hamburg described as Lots 7 and 8, Block 1, Mueller's Subdivision according to the recorded plat thereof and adjacent property within the Town of Young America; and

WHEREAS, the property within the Town of Young America adjoins the City of Hamburg, is urban or suburban in character, is proposed to be generally used for residential purposes in association with property within the City of Hamburg's municipal boundaries, located at 851 William Street, and the City of Hamburg is capable of providing the services required by the property within a reasonable time; and

WHEREAS, it is deemed appropriate and in the best interest of both the City of Hamburg and the Town of Young America that said property be designated as in need of orderly annexation and be immediately annexed to the City of Hamburg; and

WHEREAS, the City of Hamburg and the Town of Young America, Carver County, Minnesota wish to designate the following described property within the Town of Young America and owned by Julie Gamber and Brett Gamber in need of orderly annexation and for the immediate annexation to the City of Hamburg, Minnesota:

That part of the Southwest Quarter of the Southeast Quarter of Section 28, Township 115 North, Range 26 West, Carver County, Minnesota, described as follows:

Beginning at the Northeast corner of Lot 8, Block 1 of Muellers Subdivision of Hamburg, Minnesota, according to the recorded plat thereof; thence on an assumed bearing of North along the Northerly extension of the East line

of said Lot 8 for a distance of 141.00 feet; thence North 89 degrees 39 minutes 00 seconds West parallel with the North line of said Lot 8 for a distance of 150.00 feet to its intersection with the Northerly extension of the West line of said Lot 8; thence south along the Northerly extension of Lot 8 for a distance of 141.00 feet to the Northwest corner of said Lot 8; thence South 89 degrees 39 minutes 00 seconds East along said North line of Lot 8 for a distance of 150.00 feet to the point of beginning. Subject to a drainage and utility easement over, under and across the West 10.00 feet thereof.

WHEREAS, Minnesota Statutes, Section 414.0325, provides a procedure for whereby the City of Hamburg and the Town of Young America may agree on a process of orderly annexation of a designated area.

NOW, THEREFORE, pursuant to Minnesota Statutes, Section 414.0325, be it **JOINTLY RESOLVED** and agreed by the City Council of the City of Hamburg and the Board of Supervisors of the Town of Young America, Carver County, Minnesota, as follows:

1. That the following described property in the Town of Young America, as shown on the maps of the area attached to and made a part of this resolution, is properly subject to orderly annexation under and pursuant to Minnesota Statutes, Section 414.0325, and is hereby designated as in need of orderly annexation as provided by statute:

That part of the Southwest Quarter of the Southeast Quarter of Section 28, Township 115 North, Range 26 West, Carver County, Minnesota, described as follows:

Beginning at the Northeast corner of Lot 8, Block 1 of Muellers Subdivision of Hamburg, Minnesota, according to the recorded plat thereof; thence on an assumed bearing of North along the Northerly extension of the East line of said Lot 8 for a distance of 141.00 feet; thence North 89 degrees 39 minutes 00 seconds West parallel with the North line of said Lot 8 for a distance of 150.00 feet to its intersection with the Northerly extension of the West line of said Lot 8; thence south along the Northerly extension of Lot 8 for a distance of 141.00 feet to the Northwest corner of said Lot 8; thence South 89 degrees 39 minutes 00 seconds East along said North line of Lot 8 for a distance of 150.00 feet to the point of beginning. Subject to a drainage and utility easement over, under and across the West 10.00 feet thereof.

2. That jurisdiction is hereby conferred on the Office of Administrative Hearings, Municipal Boundary Adjustments, of the State of Minnesota over the provisions contained in this Joint Resolution.
3. That upon order of the Chief Administrative Law Judge of the State of Minnesota, the area described above, as shown on the maps of the attached to and made a part of this resolution, shall be annexed to and become part of the corporate municipal limits of the City of Hamburg as if it had originally been made a part thereof.
4. That the area of the property to be annexed contains approximately .486 acres, and is proposed to be used for residential purposes in conjunction with the property located at 851 Williams Street.

5. That for purposes of real estate taxation if the annexation becomes effective on or before August 1 of a levy year, the City of Hamburg may levy on the annexed area beginning with the same levy year. If the annexation becomes effective after August 1 of a levy year, Young America Township may continue to levy on the annexed area for that levy year.
6. That pursuant to Minnesota Statutes, Section 414.0325, (Subdivision la), there will be no change in electric utility service and no change in cost to the land annexed.
7. 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.
8. This Resolution shall be effective upon approval and adoption by both the Board of Supervisors of the Town of Young America and the City Council of the City of Hamburg.

Adopted by the **Board of Supervisors of the Town of Young America**, this ____ day of _____, 2011.

Bradley Schrupp, Chairman

ATTEST: _____
Lothar Wolter, Jr., Clerk

Adopted by the **City Council of the City of Hamburg**, this 25th day of January, 2011.

Richard Malz, Mayor

ATTEST: _____
Jeremy Gruenhagen, Clerk-Treasurer