

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 2011-16 (Amended)

Town of Young America Resolution Number 11-8-11 (Amended)

WHEREAS, the City of Hamburg desires to annex public property located adjacent to the east side of Bicentennial Park, and currently located within the Town of Young America to the City of Hamburg for use as a storm water pond; and

WHEREAS, the property within the Town of Young America adjoins the City of Hamburg, is urban or suburban in character, will be used for public purposes in association with public storm water improvements recently constructed within the City of Hamburg municipal boundaries, and the City of Hamburg is capable of providing any required public services to 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 the City of Hamburg in need of orderly annexation and for the immediate annexation to the City of Hamburg, Minnesota:

That part of Tract D, REGISTERED LAND SURVEY NUMBER 70, files of Registrar of Titles, Carver County, Minnesota, described as follows:

Beginning at the most northwesterly corner of said Tract D, said point also being the southwest corner of Tract A of said REGISTERED LAND SURVEY NUMBER 70; thence South 89 degrees 23 minutes 09 seconds East, assumed bearing, along the south line of said Tract A and its easterly extension 227.00 feet; thence South 00 degrees 00 minutes 00 seconds East 455.00 feet to the approximate centerline of Lateral 4 of Sibley, Carver, McLeod Joint Ditch Number 3A; thence along the following five courses, generally being the centerline of said ditch: North 86 degrees 24 minutes 34 seconds West 163.00 feet; thence North 85 degrees 17 minutes 14 seconds West 161.00 feet; thence North 84 degrees 26 minutes 13 seconds West

93.00 feet; thence North 79 degrees 15 minutes 52 seconds West 24.00 feet; thence North 68 degrees 54 minutes 09 seconds West 51.92 feet to the westerly line of said Tract D; thence North 32 degrees 58 minutes 42 seconds East along said westerly line 479.00 feet to the point of beginning. This tract contains 3.70 acres of land and is subject to any and all easements of record.

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 Tract D, REGISTERED LAND SURVEY NUMBER 70, files of Registrar of Titles, Carver County, Minnesota, described as follows:

Beginning at the most northwesterly corner of said Tract D, said point also being the southwest corner of Tract A of said REGISTERED LAND SURVEY NUMBER 70; thence South 89 degrees 23 minutes 09 seconds East, assumed bearing, along the south line of said Tract A and its easterly extension 227.00 feet; thence South 00 degrees 00 minutes 00 seconds East 455.00 feet to the approximate centerline of Lateral 4 of Sibley, Carver, McLeod Joint Ditch Number 3A; thence along the following five courses, generally being the centerline of said ditch: North 86 degrees 24 minutes 34 seconds West 163.00 feet; thence North 85 degrees 17 minutes 14 seconds West 161.00 feet; thence North 84 degrees 26 minutes 13 seconds West 93.00 feet; thence North 79 degrees 15 minutes 52 seconds West 24.00 feet; thence North 68 degrees 54 minutes 09 seconds West 51.92 feet to the westerly line of said Tract D; thence North 32 degrees 58 minutes 42 seconds East along said westerly line 479.00 feet to the point of beginning. This tract contains 3.70 acres of land and is subject to any and all easements of record.

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 3.7 acres, and is proposed to be used for public purposes.
5. That pursuant to Minnesota Statutes, Section 414.0325, (Subdivision 1a), there will be no change in electric utility service and no change in cost to the land annexed.
6. The City of Hamburg has agreed to pay a reimbursement to Young America Township of \$250 within one year of receipt of the Chief Administrative Law Judge of the State of Minnesota order for annexing the property to the City.
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 [redacted] day of [redacted], 2012.

Bradley Schrupp, Chairman

ATTEST: _____
Lothar Wolter, Jr., Clerk

Adopted by the **City Council of the City of Hamburg**, this 28th day of February, 2012.

Richard Malz, Mayor

ATTEST: _____
Jeremy Gruenhagen, Clerk