

RESOLUTION NO. 2008-13

**(Trophy Lake Estates Annexation)
(Hollywood Township)
("Hustad Property")**

REC'D BY
MMB

SEP 08 2008

CITY OF NEW GERMANY

CARVER COUNTY, MINNESOTA

SEPTEMBER 2, 2008

WHEREAS, the City of New Germany and the Town ("Township") of Hollywood did heretofore as of May 17, 2007, enter into a Joint Resolution Establishing an Orderly Annexation Agreement for the orderly annexation of certain lands in Hollywood Township to the City of New Germany (City of New Germany Resolution No. 2007-11 and Hollywood Township Resolution No. 2007-1, known as the "Hustad" property), and

WHEREAS, said Resolution was accepted by the Chief Administrative Law Judge of the State of Minnesota, Office of Administrative Hearings, Municipal Boundary Adjustments, on June 14, 2007, MBA File No. OH-1338, and

WHEREAS, said Orderly Annexation Agreement provided that upon the happening of certain conditions property/land within the Orderly Annexation Agreement area may be annexed to the City of New Germany by Resolution of the City Council, and

WHEREAS, the City did heretofore receive a Petition for Annexation for certain land as described on **Exhibit "A"** attached hereto and made a part hereof, and

WHEREAS, pursuant to the conditions of the Orderly Annexation Agreement:

- a. The property to be annexed is within the Designated Area of the Orderly Annexation Agreement and has a point of abutment with the present boundaries of the City of New Germany; and
- b. The Petition for Annexation has been signed by all of the owners of the property to be annexed; and
- c. The Board of Supervisors of the Town of Hollywood has certified that the appropriate Property Tax Reimbursement has been paid to the Town in respect to the property, said amount being \$65,000.00, and
- d. The Town Board has waived any other notice requirements or conditions of the Orderly Annexation Agreement for the annexation and has no objection to the City of New Germany adopting this Resolution annexing the property described on **Exhibit "A"** attached hereto to the City of New Germany and forwarding the

Resolution to Minnesota Office of Administrative Hearings for an Order approving the annexation.

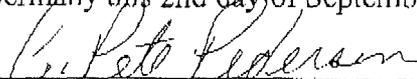
NOW, THEREFORE, pursuant to said Joint Resolution Establishing an Orderly Annexation Agreement and Minnesota Statutes Section 414.0325, Subd. 1, be it resolved by the City Council of the City of New Germany, Carver County, Minnesota, as follows:

1. That upon order of the Chief Administrative Law Judge of the State of Minnesota, Office of Administrative Hearings, Municipal Boundary Adjustments, the following described land shall be annexed to and become part of the corporate municipal limits of the City of New Germany, the same as if it had originally been a part thereof, including all streets, roads or alleys, if any, passing through or adjacent to the land as shown on the map attached hereto and made a part hereof.

For legal description see Exhibit "A" attached hereto and made a part hereof.

2. That the area of the land to be annexed contains approximately 160 acres and is proposed to be used for residential purposes.
3. That for purposes of real estate taxation if the annexation becomes effective on or before August 1 of a levy year, the City of New Germany may levy on the annexed area beginning with the same levy year. If the annexation becomes effective after August 1 of a levy year, Hollywood Township may continue to levy on the annexed area for that levy year.
4. That pursuant to Minnesota Statutes Section 414.0325, Subd. 1a, there will be no change in electric service and no change in cost to the land annexed.
5. That no alteration of the stated boundaries is appropriate, no conditions for the annexation are required and no consideration by the Chief Administrative Law Judge 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.
6. That pursuant to Minnesota Statutes Section 414.036 and the Taxation Reimbursement Section of the Orderly Annexation Agreement, the City has received written confirmation from Hollywood Township that the Township has received full reimbursement for the loss of taxable property in accordance with the existing Township's Annexation Taxation Reimbursement policy in the amount of \$65,000.00.

Adopted by the City Council of the City of New Germany this 2nd day of September, 2008.


C. Pcte Pederson, Mayor

ATTEST:

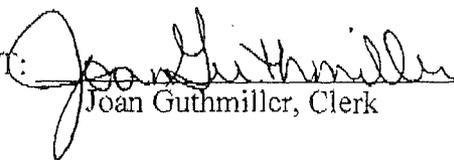

Joan Guthmiller, Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

RECD BY
M M B

SEP 08 2008

The Southeast Quarter of Section 32, Township 117, Range 26.

AND

That part of the Southwest Quarter of the Southwest Quarter of Section 33, Township 117, Range 26, lying westerly of the center line of County State Aid Highway No. 33.

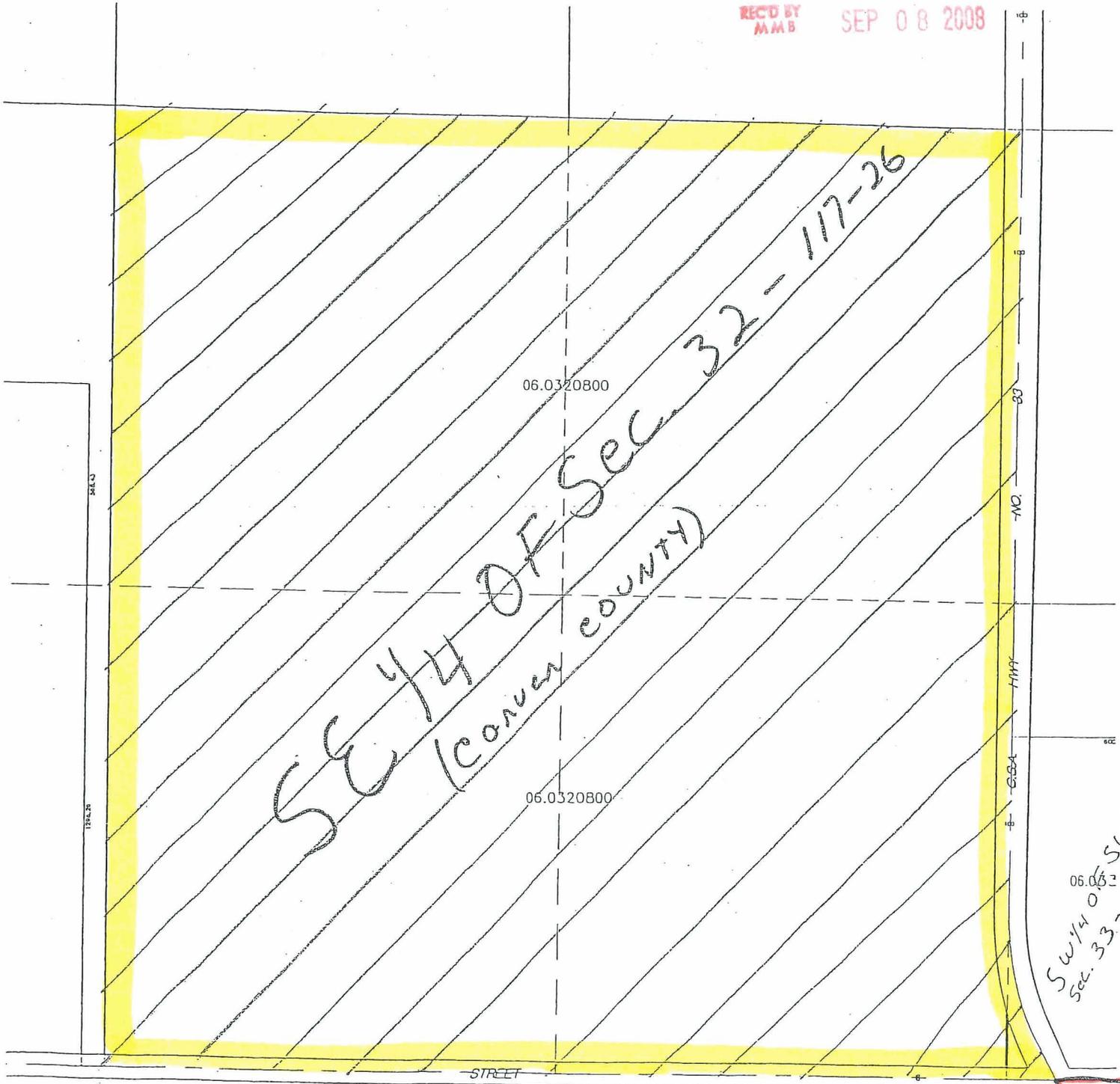
SEC. 32, T.117, R.26

Carver County

Hollywood Township

REC'D BY
MAB

SEP 08 2008



SW 1/4 of Sec. 33-117-26

TOWNSHIP

CITY OF
New
Germany

(Camden Township)

Surveying & Mapping
Carver County Gov. C
600 East Fourth Street
Chaska MN 55318