

0A-141-7 Young America
0A-141-3 Young America

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Kenneth F. Sette	Chair
Shirley J. Mihelich	Vice Chair
John W. Carey	Commissioner

IN THE MATTER OF THE ORDERLY ANNEXATION)
 AGREEMENT BETWEEN THE CITIES OF NORWOOD AND) O R D E R
 YOUNG AMERICA AND THE TOWN OF YOUNG AMERICA)
 PURSUANT TO MINNESOTA STATUTES 414)

WHEREAS, a joint resolution for orderly annexation was adopted by the Cities of Norwood and Young America and the Town of Young America and duly accepted by the Minnesota Municipal Board; and

WHEREAS, an amendment to the joint resolution was adopted by the Cities of Norwood and Young America and the Town of Young America and duly accepted by the Minnesota Municipal Board; and

WHEREAS, the amendment to the joint resolution indicated their desire that certain property be immediately annexed to the City of Norwood pursuant to M.S. 414.0325, Subdivision 1; and

WHEREAS, M.S. 414.0325 requires that the Minnesota Municipal Board review and comment, but within 30 days approve the annexation of land pursuant to said subdivision; and

WHEREAS, on September 11, 1986, the Minnesota Municipal Board has reviewed and approved the amendment to the joint resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed to the City of Young America, Minnesota, the same as if it had

originally been made a part thereof:

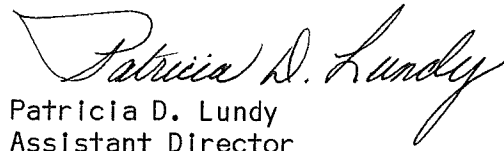
All that part of Government Lot 1, Section 12, Township 115 North, Range 26 West lying south of the north line of Jerome Hedtke property; or south of the north 1,875' of said Government Lot 1.

IT IS FURTHER ORDERED: That the mill levy of the City of Young America on the property herein ordered annexed shall be increased in substantially equal proportions over a period of three years to equality with the mill levy of the property already within the city.

IT IS FURTHER ORDERED: That the effective date of this order is September 11, 1986.

Dated this 11th day of September, 1986.

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, Minnesota 55101


Patricia D. Lundy
Assistant Director

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Kenneth F. Sette	Chairman
Richard A. Sand	Vice Chairman
Robert J. Ferderer	Commissioner
Joe F. Neaton	Ex-Officio Member
Wallace E. Ess	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)
BETWEEN THE CITY OF YOUNG AMERICA AND)
THE TOWN OF YOUNG AMERICA FOR THE)
ORDERLY ANNEXATION OF CERTAIN LAND TO)
THE CITY OF YOUNG AMERICA)

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on July 10, 1985, at Young America, Minnesota. The hearing was conducted by Terrence A. Merritt, Executive Director, pursuant to Minnesota Statutes 414.01, Subdivision 12. Also in attendance were Kenneth F. Sette, Chairman, Robert J. Ferderer, Commissioner, and County Commissioners Joe F. Neaton and Wallace E. Ess, Ex-Officio Members of the Board. The City of Young America appeared by and through Robert A. Nicklaus and the Town of Young America appeared by and through Lothar Wolter, Jr., Town Clerk. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. A joint resolution for orderly annexation was adopted by the City of Young America and the Town of Young America and duly accepted by the Minnesota

Municipal Board.

2. A resolution was filed by one of the signatories to the joint resolution, the City of Young America, on May 14, 1985, requesting the annexation of certain property within the orderly annexation area. The resolution contained all of the information required by statute including a description of the property subject to annexation, which is as follows:

Redepinning - Parcel No. 1

Commencing at a point of which the meander corner in Section line between Section Eleven (11) and Twelve (12) Township 115 Range 26 on North shore of lake bears 4.88 chains South; thence South 80 feet; thence East 50 feet thence North 62 feet; thence North 72 degrees West; thence 52 1/2 feet to place of beginning situated in Section 12; Township 115, Range 26 containing 1/12th acre in Carver County, Minnesota.

Also a piece of land commencing at a point of which the meander corner in Section line between Sections 11 and 12 Township 115 Range 26 bears 4.88 chains South; thence South 80 feet; thence West 40 feet; thence North 5 degrees East along a street 91 1/2 feet; thence South 72 degrees East 33 feet to place of beginning, situated on out lot 11 of the Village of Young America and containing 1/30th acre of land.

Also, a piece of land commencing at a point 80 feet south of which the meander corner in Section line between Sections 11 and 12 Township 115 Range 26 on North shore of Lake bears 4.88 chains South, thence South 66 feet; thence East 83 feet; thence North 128 feet; thence West 33 feet; thence South 62 feet; thence West 50 feet to place of beginning, situated in Section 12, Township 115 Range 26 containing 17/100 acres.

Also commencing at a point 80 feet South of which the meander corner in Section line between Sections 11 and 12 Township 115 Range 26 Bears 4.88 chains South; thence South 66 feet; thence West to street; thence North 5 degrees East about 71 feet along the street; thence East 40 feet to place of beginning situated in out block number 11 of the Village of Young America, Carver County.

Also commencing at a point on Section line between Section 11 and 12 Township 115 Range 26 said point being 2006.4 feet South of the Northwest corner of said Section 12; thence East 52 1/2 feet to a point which is the point of beginning of the tract conveyed; thence South 33 feet to a point; thence East to meander line thence

Northerly on meander line to a point 2006.4 feet South of the North line of said Section 12; thence West to a point of beginning which is 52 1/2 feet East of the West line of said Section 12.

Redepinning - Parcel No. 1A

A tract of land lying south of the north line and north of the south line and between the extensions of said lines easterly to the shore of Young America Lake with the north line extension bearing North 73° 40' West from the said lake shore to the northeast corner of the following described property: Commencing at a point 2065.3 feet South and 83 feet East of the section corner for Sections One (1), Two (2), Eleven (11) and Twelve (12), all in Township One Hundred Fifteen (115) North, Range Twenty-six (26) West; thence running South parallel to the section line between Sections Eleven (11) and Twelve (12) 87.1 feet; thence turning at an angle of 90° and running West 83 feet to the section line between Sections Eleven (11) and Twelve (12); thence North along the East line of Section Eleven (11) which is also the West line of Section Twelve (12) a distance of 87.1 feet to a point; thence turning at an angle of 90° and running East a distance of 83 feet to the point of beginning.

Hedtke - Parcel No. 2

Commencing at a point on the Section line between Section 11 and 12, Township 115, Range 26, said point being 1875 feet South of the Northwest Corner of Said Section 12; thence East to the meander line; thence South along the Meander line to a point due East of a point 2006.4 feet South of the Northwest corner of said Section 12; thence West to a public road; thence Northeasterly along said public road to a point West of the place of beginning; thence East to the place of beginning.

Barlau - Parcel No. 3

Commencing at a point on Section Line between Section 11 and 12, Twp. 115 Range 26 said point being 1765 feet south of the northwest corner of said Section 12; thence south on Section line 110 feet to a point; thence east to meander line; thence north on meander line to a point 1765 feet south of the north line of said Section 12; thence west to place of beginning. Situated in Lot 1, Section 12, Township 115, Range 26. ALSO: Commencing at a point on Section line between Sections 11 and 12, Twp. 115, Range 26, said point being 1765 feet south of the northwest corner of said Section 12; running thence south on Section line 110 feet to a point; thence west to public road in Section 11; thence northeasterly along said public road in Section 11 to the place of beginning, containing approximately 1/4 acre more or less.

Commencing at a point on Section line between Sections 11 and 12,

Twp. 115, Range 26, said point being 1655 feet south of the northwest corner of Section 12, Township and Range aforesaid; thence south 110 feet to a point; thence east to meander line to point 1765 feet south of north line said Section; thence northerly along meander line to point 1655 feet south of north line of said Section, thence west to place of beginning, containing 25/100 acre of land, more or less.

Benz - Parcel No. 4

That part of Government Lot 1, Section 12, Township 115, Range 26, Carver County, Minn. described as follows: Beginning at the Northwest corner of said Government Lot 1; thence South along the West line of said Government Lot 1 a distance of 478.06 feet; thence East at right angles 469.94 feet; thence North parallel with said West line 488.86 feet more or less to the North line of said Government Lot 1; thence West along said north line 470.06 feet to the point of beginning. Containing 5.22 acres including roads. Also, that part of Government Lot 1, Section 12, Township 115, Range 26 described as follows: Commencing at a point on the North line of said Section 12, a distance of 470.06 feet East of the N.W. corner of said Section 12; thence South parallel with the West line of said Section 12 a distance of 977.67 feet to the actual point of beginning; thence deflecting to the left 30° 00' 250.0 feet more or less to the shore line of Young America Lake; thence southwesterly along said shore line to its intersection with a line drawn parallel to and 1655.0 feet South of the North line of said Government Lot 1; thence West along said parallel line to the West line of said Government Lot 1; thence North along said West line 121.6 feet; thence deflecting to the right 19° 45' a distance of 282.5 feet; thence deflecting to the right 95° 15' a distance of 66.1 feet; thence deflecting to the left 75° 00' a distance of 191.4 feet; thence deflecting to the right 6° 30' a distance of 264.06 feet to the point of beginning.

Benz - Parcel No. 5

That part of Government Lot 1, Section 12, Township 115, Range 26, Carver County, Minnesota, described as follows: Commencing at the northwest corner of said Government Lot 1; thence on an assumed bearing of South along the west line of said Government Lot 1 a distance of 1221.00 feet (18.50 chains) to the point of beginning; thence on a bearing of North along said west line a distance of 50.00 feet; thence South 78° 00' 00" East, a distance of 125.00 feet; thence North 41° 47' 13" East, a distance of 115.73 feet; thence South 65° 00' 00" East, a distance of 88.88 feet; thence South 40° 46' 13" West, a distance of 191.44 feet; thence North 65° 00' 00" West, a distance of 66.00 feet; thence South 19° 33' 01" West, a distance of 284.22 feet to the west line of said Government Lot 1; thence on a bearing of North along said west line a distance of 312.18 feet to the point of beginning. Containing 0.86 acres. Subject to Public Road easement.

Ascension Church of Norwood - Parcel No. 6

That part of Government Lot 1 of Section 12, Township 115, Range 26, Carver County, Minnesota, described as follows: Commencing at the northwest corner of said Government Lot 1; thence on an assumed bearing of South along the east line of said Government Lot 1 a of 1221.00 feet (18.50 chains); thence on a bearing of North along said west line of Government Lot 1 a distance of 50.00 feet to the point of beginning; thence South 78° 00' 00" East, a distance of 125.00 feet; thence North 41° 47' 13" East, a distance of 115.73 feet; thence North 65° 00' 00" West, a distance of 220.00 feet to the west line of Government Lot 1; thence on a bearing of South, along said west line a distance of 153.28 feet to the point of beginning. Containing 0.49 acres. Subject to Public Road easement.

St. Johns Congregation - Parcel No. 7

That part of Government Lot One, Section 12, Township 115, Range 26, Carver County, Minnesota, described as follows: Commencing at the northwest corner of said Government Lot One; thence South 00°-36'-22" West, assumed bearing, along the west line of said Government Lot One, a distance of 475.70 feet to the north line of a tract recorded in Book 44 of Deeds, page 206; thence South 89°-23'-38" East, along said north line, a distance of 463.00 feet; thence North 00°-36'-22" East, parallel to the west line of said Government Lot One, a distance of 480.62 feet to the north line of said Government Lot One; thence West, along said north line, a distance of 463.03 feet to the point of beginning. ALSO commencing at a point on section line seven hundred and seventy-five and seven tenths (775-7/10) feet South from the North West corner of section Twelve (12) Township One hundred and fifteen (115), range Twenty six (26), thence South (65) degrees East Four hundred and Ninety (490) feet to a point, thence South (46) degrees and Thirty (30) minutes West Two hundred and thirty eight (238) feet to a point, thence North (65) degrees West Three hundred and eight and eight tenths (308-8/10) feet to a point on section line between sections Eleven (11) and Twelve (12), thence North on said section line Two hundred and forty two (242) feet to place of beginning.

Howe - Parcel No. 8

Commencing at a point 2065.3 feet South and 83 feet East of the section corner for Sections One (1), Two (2), Eleven (11) and Twelve (12), all in Township One Hundred Fifteen (115) North, range Twenty Six (26) West; thence running south parallel to the section line between Sections Eleven (11) and Twelve (12) 87.1 feet; thence turning at an angle of 90° and running West 83 feet to the section line between Sections Eleven (11) and Twelve (12); thence south along said section line 177.6 feet to the meander corner; thence along meander line in a northeasterly direction a distance of 283 feet to a

well preserved twenty-five (25) year old fence line; thence along said fence line North 73° 40' West to place of beginning.

Northern States Power Company - Parcel No. 9

Beginning at a point 575.7 feet South of the Northwest corner of Section Twelve (12) Township One Hundred Fifteen (115) Range Twenty-six (26) as the point of beginning; thence continuing east a distance of 333 feet; thence south at right angles a distance of approximately 355.17 feet to the cemetery property line; thence in a Northwesterly direction a distance of approximately 367.43 feet to a point on the west line of Section 12; thence in a Northerly direction a distance of 200 feet to the place of beginning. Containing 2.1 acres, more or less situated in Government Lot 1.

North States Power Company - Parcel No. 10

That part of the Northwest Quarter (NW 1/4) of Section Twelve (12), Township One Hundred Fifteen (115) North, Range Twenty Six (26) West, described as follows: Commencing at a point on the West line of said Section Twelve (12), said point being Four Hundred Seventy Five and Seven Tenths (475.7) feet South of the Northwest corner of Section Twelve (12); thence East at a right angle, a distance of Four hundred Sixty Three (463) feet; thence South and parallel with the West Section line a distance of Four Hundred Eighty Eight and Eighty One Hundredths (488.81) feet to the farm road; thence Southwesterly along said farm road a distance of Twenty Six and Six Hundredths (26.06) feet to the Northeasterly corner of cemetery property; thence Northwesterly a distance of One Hundred Twenty Two and Fifty Seven Hundredths (122.57) feet; thence North a distance of Three hundred Fifty Five and Seventeen hundredths (355.17) feet; thence West a distance of Three Hundred Thirty Three (333) feet to a point on the West line of Section Twelve (12); thence North on said Section line a distance on Ninety Nine and Seventy Five Hundredths (99.75) feet to the point of beginning.

3. Due, timely and adequate legal notice of the hearing was published, served, and filed.

4. At the hearing on July 10, 1985, the Town of Young America and the City of Young America moved to reduce the area proposed for annexation to exclude therefrom the northernmost 33 feet of Parcel 7, which is the southern half of the town road right-of-way which forms the northern border of the area proposed for annexation.

The board granted the motion and the area under consideration is

reduced to the following described property, which is the subject of the remaining Findings of Fact, Conclusions of Law, and Order:

Redepinning - Parcel No. 1

Commencing at a point of which the meander corner in Section line between Section Eleven (11) and Twelve (12) Township 115 Range 26 on North shore of lake bears 4.88 chains South; thence South 80 feet; thence East 50 feet thence North 62 feet; thence North 72 degrees West; thence 52 1/2 feet to place of beginning situated in Section 12; Township 115, Range 26 containing 1/12th acre in Carver County, Minnesota.

Also a piece of land commencing at a point of which the meander corner in Section line between Sections 11 and 12 Township 115 Range 26 bears 4.88 chains South; thence South 80 feet; thence West 40 feet; thence North 5 degrees East along a street 91 1/2 feet; thence South 72 degrees East 33 feet to place of beginning, situated on out lot 11 of the Village of Young America and containing 1/30th acre of land.

Also, a piece of land commencing at a point 80 feet south of which the meander corner in Section line between Sections 11 and 12 Township 115 Range 26 on North shore of Lake bears 4.88 chains South, thence South 66 feet; thence East 83 feet; thence North 128 feet; thence West 33 feet; thence South 62 feet; thence West 50 feet to place of beginning, situated in Section 12, Township 115 Range 26 containing 17/100 acres.

Also commencing at a point 80 feet South of which the meander corner in Section line between Sections 11 and 12 Township 115 Range 26 Bears 4.88 chains South; thence South 66 feet; thence West to street; thence North 5 degrees East about 71 feet along the street; thence East 40 feet to place of beginning situated in out block number 11 of the Village of Young America, Carver County.

Also commencing at a point on Section line between Section 11 and 12 Township 115 Range 26 said point being 2006.4 feet South of the Northwest corner of said Section 12; thence East 52 1/2 feet to a point which is the point of beginning of the tract conveyed; thence South 33 feet to a point; thence East to meander line thence Northerly on meander line to a point 2006.4 feet South of the North line of said Section 12; thence West to a point of beginning which is 52 1/2 feet East of the West line of said Section 12.

Redepinning - Parcel No. 1A

A tract of land lying south of the north line and north of the south line and between the extensions of said lines easterly to the shore

of Young America Lake with the north line extension bearing North 73° 40' West from the said lake shore to the northeast corner of the following described property: Commencing at a point 2065.3 feet South and 83 feet East of the section corner for Sections One (1), Two (2), Eleven (11) and Twelve (12), all in Township One Hundred Fifteen (115) North, Range Twenty-six (26) West; thence running South parallel to the section line between Sections Eleven (11) and Twelve (12) 87.1 feet; thence turning at an angle of 90° and running West 83 feet to the section line between Sections Eleven (11) and Twelve (12); thence North along the East line of Section Eleven (11) which is also the West line of Section Twelve (12) a distance of 87.1 feet to a point; thence turning at an angle of 90° and running East a distance of 83 feet to the point of beginning.

Hedtke - Parcel No. 2

Commencing at a point on the Section line between Section 11 and 12, Township 115, Range 26, said point being 1875 feet South of the Northwest Corner of Said Section 12; thence East to the meander line; thence South along the Meander line to a point due East of a point 2006.4 feet South of the Northwest corner of said Section 12; thence West to a public road; thence Northeasterly along said public road to a point West of the place of beginning; thence East to the place of beginning.

Barlau - Parcel No. 3

Commencing at a point on Section Line between Section 11 and 12, Twp. 115 Range 26 said point being 1765 feet south of the northwest corner of said Section 12; thence south on Section line 110 feet to a point; thence east to meander line; thence north on meander line to a point 1765 feet south of the north line of said Section 12; thence west to place of beginning. Situated in Lot 1, Section 12, Township 115, Range 26. ALSO: Commencing at a point on Section line between Sections 11 and 12, Twp. 115, Range 26, said point being 1765 feet south of the northwest corner of said Section 12; running thence south on Section line 110 feet to a point; thence west to public road in Section 11; thence northeasterly along said public road in Section 11 to the place of beginning, containing approximately 1/4 acre more or less.

Commencing at a point on Section line between Sections 11 and 12, Twp. 115, Range 26, said point being 1655 feet south of the northwest corner of Section 12, Township and Range aforesaid; thence south 110 feet to a point; thence east to meander line to point 1765 feet south of north line said Section; thence northerly along meander line to point 1655 feet south of north line of said Section, thence west to place of beginning, containing 25/100 acre of land, more or less.

Benz - Parcel No. 4

That part of Government Lot 1, Section 12, Township 115, Range 26, Carver County, Minn. described as follows: Beginning at the Northwest corner of said Government Lot 1; thence South along the West line of said Government Lot 1 a distance of 478.06 feet; thence East at right angles 469.94 feet; thence North parallel with said West line 488.86 feet more or less to the North line of said Government Lot 1; thence West along said north line 470.06 feet to the point of beginning. Containing 5.22 acres including roads. Also, that part of Government Lot 1, Section 12, Township 115, Range 26 described as follows: Commencing at a point on the North line of said Section 12, a distance of 470.06 feet East of the N.W. corner of said Section 12; thence South parallel with the West line of said Section 12 a distance of 977.67 feet to the actual point of beginning; thence deflecting to the left $30^{\circ} 00'$ 250.0 feet more or less to the shore line of Young America Lake; thence southwesterly along said shore line to its intersection with a line drawn parallel to and 1655.0 feet South of the North line of said Government Lot 1; thence West along said parallel line to the West line of said Government Lot 1; thence North along said West line 121.6 feet; thence deflecting to the right $19^{\circ} 45'$ a distance of 282.5 feet; thence deflecting to the right $95^{\circ} 15'$ a distance of 66.1 feet; thence deflecting to the left $75^{\circ} 00'$ a distance of 191.4 feet; thence deflecting to the right $6^{\circ} 30'$ a distance of 264.06 feet to the point of beginning.

Benz - Parcel No. 5

That part of Government Lot 1, Section 12, Township 115, Range 26, Carver County, Minnesota, described as follows: Commencing at the northwest corner of said Government Lot 1; thence on an assumed bearing of South along the west line of said Government Lot 1 a distance of 1221.00 feet (18.50 chains) to the point of beginning; thence on a bearing of North along said west line a distance of 50.00 feet; thence South $78^{\circ} 00' 00''$ East, a distance of 125.00 feet; thence North $41^{\circ} 47' 13''$ East, a distance of 115.73 feet; thence South $65^{\circ} 00' 00''$ East, a distance of 88.88 feet; thence South $40^{\circ} 46' 13''$ West, a distance of 191.44 feet; thence North $65^{\circ} 00' 00''$ West, a distance of 66.00 feet; thence South $19^{\circ} 33' 01''$ West, a distance of 284.22 feet to the west line of said Government Lot 1; thence on a bearing of North along said west line a distance of 312.18 feet to the point of beginning. Containing 0.86 acres. Subject to Public Road easement.

Ascension Church of Norwood - Parcel No. 6

That part of Government Lot 1 of Section 12, Township 115, Range 26, Carver County, Minnesota, described as follows: Commencing at the northwest corner of said Government Lot 1; thence on an assumed

bearing of South along the east line of said Government Lot 1 a of 1221.00 feet (18.50 chains); thence on a bearing of North along said west line of Government Lot 1 a distance of 50.00 feet to the point of beginning; thence South $78^{\circ} 00' 00''$ East, a distance of 125.00 feet; thence North $41^{\circ} 47' 13''$ East, a distance of 115.73 feet; thence North $65^{\circ} 00' 00''$ West, a distance of 220.00 feet to the west line of Government Lot 1; thence on a bearing of South, along said west line a distance of 153.28 feet to the point of beginning. Containing 0.49 acres. Subject to Public Road easement.

St. Johns Congregation - Parcel No. 7

That part of Government Lot One, Section 12, Township 115, Range 26, Carver County, Minnesota, described as follows: Commencing at the northwest corner of said Government Lot One; thence South $00^{\circ}-36'-22''$ West, assumed bearing, along the west line of said Government Lot One, a distance of 475.70 feet to the north line of a tract recorded in Book 44 of Deeds, page 206; thence South $89^{\circ}-23'-38''$ East, along said north line, a distance of 463.00 feet; thence North $00^{\circ}-36'-22''$ East, parallel to the west line of said Government Lot One, a distance of 480.62 feet to the north line of said Government Lot One; thence West, along said north line, a distance of 463.03 feet to the point of beginning. ALSO commencing at a point on section line seven hundred and seventy-five and seven tenths ($775-7/10$) feet South from the North West corner of section Twelve (12) Township One hundred and fifteen (115), range Twenty six (26), thence South (65) degrees East Four hundred and Ninety (490) feet to a point, thence South (46) degrees and Thirty (30) minutes West Two hundred and thirty eight (238) feet to a point, thence North (65) degrees West Three hundred and eight and eight tenths ($308-8/10$) feet to a point on section line between sections Eleven (11) and Twelve (12), thence North on said section line Two hundred and forty two (242) feet to place of beginning.

Excepting from the above-described property in Parcel 7, the southern half of the town road right-of-way, which is more particularly described as a parcel of land whose dimensions are 33 feet from north to south by approximately 463 feet from east to west and located at the northernmost portion of the aforementioned property.

Howe - Parcel No. 8

Commencing at a point 2065.3 feet South and 83 feet East of the section corner for Sections One (1), Two (2), Eleven (11) and Twelve (12), all in Township One Hundred Fifteen (115) North, range Twenty Six (26) West; thence running south parallel to the section line between Sections Eleven (11) and Twelve (12) 87.1 feet; thence turning at an angle of 90° and running West 83 feet to the section line between Sections Eleven (11) and Twelve (12); thence south along said section line 177.6 feet to the meander corner; thence along meander line in a northeasterly direction a distance of 283 feet to a

well preserved twenty-five (25) year old fence line; thence along said fence line North 73° 40' West to place of beginning.

Northern States Power Company - Parcel No. 9

Beginning at a point 575.7 feet South of the Northwest corner of Section Twelve (12) Township One Hundred Fifteen (115) Range Twenty-six (26) as the point of beginning; thence continuing east a distance of 333 feet; thence south at right angles a distance of approximately 355.17 feet to the cemetery property line; thence in a Northwesterly direction a distance of approximately 367.43 feet to a point on the west line of Section 12; thence in a Northerly direction a distance of 200 feet to the place of beginning. Containing 2.1 acres, more or less situated in Government Lot 1.

North States Power Company - Parcel No. 10

That part of the Northwest Quarter (NW 1/4) of Section Twelve (12), Township One Hundred Fifteen (115) North, Range Twenty Six (26) West, described as follows: Commencing at a point on the West line of said Section Twelve (12), said point being Four Hundred Seventy Five and Seven Tenths (475.7) feet South of the Northwest corner of Section Twelve (12); thence East at a right angle, a distance of Four hundred Sixty Three (463) feet; thence South and parallel with the West Section line a distance of Four Hundred Eighty Eight and Eighty One Hundredths (488.81) feet to the farm road; thence Southwesterly along said farm road a distance of Twenty Six and Six Hundredths (26.06) feet to the Northeasterly corner of cemetery property; thence Northwesterly a distance of One Hundred Twenty Two and Fifty Seven Hundredths (122.57) feet; thence North a distance of Three hundred Fifty Five and Seventeen hundredths (355.17) feet; thence West a distance of Three Hundred Thirty Three (333) feet to a point on the West line of Section Twelve (12); thence North on said Section line a distance on Ninety Nine and Seventy Five Hundredths (99.75) feet to the point of beginning.

5. The area subject to annexation is unincorporated, within the orderly annexation agreement area, approximately 16.8 acres in size, and abuts the City of Young America by less than 50% of its perimeter. The City of Young America is approximately 390 acres in size.

6. The area proposed for annexation has generally level terrain and abuts Young America Lake.

7. In 1970 the City of Young America had a population of 611, its population in 1980 was 1,237, and its current population is 1,290.

8. The Town of Young America had a population of 956 in 1970, a population of 952 in 1980, and its current population is 990.

9. The City of Young America has approximately 144 acres in residential use, approximately 80 acres in right-of-way, approximately 7 acres in commercial use, approximately 10 acres in industrial use, approximately 120 acres in agricultural use, approximately 1 acre in urban undeveloped use, approximately 18 acres in recreational use, and approximately 5 acres in public use.

The City of Young America has no land available for residential development within its present corporate limits.

10. The Town of Young America has approximately 320 acres in residential use, approximately 765 acres in right-of-way, approximately 10 acres in commercial use, approximately 10 acres in industrial use, approximately 20,973 acres in agricultural use, and approximately 37 acres in public use.

11. The area proposed for annexation presently has land in use as a cemetery, as well as land used by Northern States Power Company and land available for development. Residential development is proposed for a portion of the area.

12. The City of Young America has a zoning ordinance, subdivision regulations, an official map, capital improvements program and budget, fire code, Minnesota Building Code, Minnesota Plumbing Code, and a comprehensive plan.

13. This annexation is consistent with the local comprehensive plans.

14. The area proposed for annexation is presently zoned agricultural and if it is annexed it will be zoned residential.

15. The City of Young America provides its residents with water, sanitary

sewer, storm sewer, solid waste collection and disposal, fire protection, police protection, street improvements and maintenance, administrative services, recreational opportunities, health inspection and library.

16. The city is willing to provide the area proposed for annexation with all of the services it presently provides residents of the City of Young America.

17. To avoid pollution problems, residential development will require sanitary sewer.

18. Access to the area proposed for annexation is from a town road whose jurisdiction is presently shared by the City of Young America and the Town of Young America.

19. In 1985 the assessed valuation of the City of Young America is \$4,173,782.

20. In 1985 the assessed valuation of the Town of Young America is \$9,021,815.

21. The mill rates in 1983 for the local governmental units are as follows: Carver County 29.958; City of Young America 27.598; Town of Young America 10.014; School District 50.285; and the Special Taxing District .902.

22. The bonded indebtedness for the City of Young America, as of 1984, is \$1,231,000.

23. The town does not have the ability to provide public sewer and water to the area proposed for annexation.

24. The City of Young America is adjacent also to the City of Norwood. The terms of the orderly annexation agreement, signed by the City of Young America, the City of Norwood and the Town of Young America, designate the area proposed for annexation within the orderly annexation area of the City of

Young America. Further, the delivery of service to the area is adequately provided for by the City of Young America and there was no evidence to indicate that the City of Norwood could provide superior service to the area proposed for annexation.

25. The annexation is consistent with the joint resolution for orderly annexation between the Town of Young America and the City of Young America.

CONCLUSIONS OF LAW

1. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.

2. The area subject to annexation is now or is about to become urban or suburban in nature and the annexing municipality is capable of providing the services required by the area within a reasonable time.

3. The existing township form of government is not adequate to protect the public health, safety, and welfare of the area proposed for annexation.

4. The annexation would be in the best interests of the area proposed for annexation.

5. The annexation is consistent with the terms of the joint resolution for orderly annexation.

6. Three years will be required to effectively provide full municipal services to the annexed area or to comply with terms and conditions of the orderly annexation agreement as it relates to the mill levy step up.

7. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

O R D E R

1. IT IS HEREBY ORDERED: That the property described herein in Findings of Fact 4 be, and the same is hereby annexed to the City of Young America,

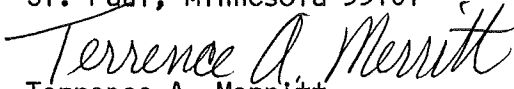
Minnesota, the same as if it had been originally a part thereof.

2. IT IS FURTHER ORDERED: That the mill levy of the City of Young America on the property herein ordered annexed shall be increased in substantially equal proportions over a period of three years to equality with the mill levy of the property already within the city.

3. IT IS FURTHER ORDERED: That the effective date of this order is August 2, 1985.

Dated this 2nd day of August, 1985.

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, Minnesota 55101


Terrence A. Merritt
Executive Director

M E M O R A N D U M

The Municipal Board notes that at the hearing the town requested and the city agreed to the payment of tax revenue to the town for 1986 that would have been levied on the property had it not been annexed. The orderly annexation agreement provides no mechanism for that and the board is not on its own empowered to incorporate that agreement into its order. However, the board is certain that the parties will live up to their word which was given at the hearing.

The board further notes that it has reduced the area under consideration pursuant to request of the city and town so as to avoid problems associated with a road with shared jurisdiction.

The board urges the parties to continue to work together for the benefit of the entire community. *TAM 8-2-85*