

**CITY OF HAMBURG
ORDINANCE NUMBER 164**

**AN ORDINANCE OF THE CITY OF HAMBURG, MINNESOTA ANNEXING
LAND LOCATED IN YOUNG AMERICA TOWNSHIP, CARVER COUNTY,
MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.033, SUBDIVISION 2(3),
PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, a petition signed by all the property owners, requesting that property legally described herein be annexed to the City of Hamburg Minnesota, was duly presented to the Council of the City of Hamburg on the 12th day of January, 2021; and

WHEREAS, said property is unincorporated and abuts the City of Hamburg on its northern boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently improved by the City of Hamburg with a stormwater pond and appurtenant structures that serves developments within the City of Hamburg. Said property is encumbered by a drainage and utility easement that provides exclusive control of said property to the City of Hamburg. The purpose of the annexation is to bring the said property that is under the exclusive control of the City of Hamburg with the boundaries of the City of Hamburg to better facilitate the existing operation of the City of Hamburg's public stormwater improvements; and

WHEREAS, the City of Hamburg held a public hearing pursuant to Minnesota Statutes §414.033, Subd. 2b, on March 9, 2021 and April 13, 2021, following thirty (30) days written notice by certified mail to Young America Township and to all landowners within and contiguous to the area legally described herein to be annexed; and

WHEREAS, provisions of Minnesota Statutes §414.033, Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HAMBURG
HEREBY ORDAINS AS FOLLOWS:**

1. The City Council of the City of Hamburg hereby determines that the property as hereinafter described abuts the city limits of the City of Hamburg and is or is about to become urban or suburban in nature in that the said property is currently improved by the City of Hamburg with a stormwater pond and appurtenant structures that serves developments within the City of Hamburg.
2. None of the said property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes §414.0325.

3. The corporate limits of the City of Hamburg, Minnesota, are hereby extended to include the following described property, said land abutting the City of Hamburg and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land legally described on attached Exhibit A and depicted on attached Exhibit B (hereinafter the “**Annexation Property**”). The Annexation Property consists of a total of 1.23 acres, more or less.

4. That the population of the Annexation Property is zero (0).


5. Young America Township has agreed that the City of Hamburg, pursuant to Minnesota Statutes §414.036, with respect to the property taxes payable on the Annexation Property, shall make a single cash payment to Young America Township in the amount of \$250.00. The payment has already been made and a copy of the Young America Township’s receipt acknowledging payment is attached as Exhibit C.

6. That pursuant to Minnesota Statutes §414.036, with respect to any special assessments assigned by Young America Township to the Annexation Property and any portion of debt incurred by Young America Township prior to the annexation and attributable to the Annexation Property, there are no special assessments assigned to the Annexation Property or debt incurred by Young America Township attributable to the Annexation Property for which reimbursement is required.

7. That the City Clerk of the City of Hamburg is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Carver County Auditor, and the Young America Township Clerk.

8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Hamburg, Minnesota, this 13th day of April, 2021.


Chris Lund, Mayor

ATTEST:


Jeremy Gruenhagen, City Clerk-Treasurer

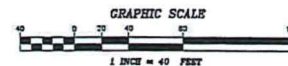
(City Seal)

EXHIBIT A

Part of the Northeast Quarter of the Southwest Quarter and part of Government Lot No. 1, all being part of Section 28, Township 115, Range 26, Carver County, Minnesota, described as follows: Beginning at the most easterly corner of Lot 1 of Block 2 of the plat of HAMBURG'S THIRD ADDITION, Hamburg, Minnesota, said plat being of record and on file at the Carver County Recorder's Office, Carver County, Minnesota; thence on a bearing of North 71 degrees 20 minutes 55 seconds East (assuming that the northerly line of said lot 1 has a plat bearing of South 72 degrees 18 minutes 51 seconds East) a distance of 190.00 feet; thence North 83 degrees 30 minutes 16 seconds East 209.00 feet; thence South 28 degrees 40 minutes 43 seconds East 104.00 feet; thence South 61 degrees 54 minutes 38 seconds West 360.00 feet to the easterly line of Lot 1 of Block 1 of the plat of DROEGE'S THIRD ADDITION, Hamburg, Minnesota, said plat being of record and on file at the Carver County Recorder's Office, Carver County, Minnesota; thence North 35 degrees 29 minutes 00 seconds East along said easterly line 80.00 feet; thence North 54 degrees 37 minutes 33 seconds West along the northerly line of said Lot 1 and its westerly extension 182.27 feet; thence North 72 degrees 18 minutes 51 seconds West 18.69 feet to the point of beginning. This tract contains 1.23 acres of land and is subject to any and all easements of record.

BOUNDARY / EASEMENT SKETCH & DESCRIPTION

ORIENTATION OF THIS BEARING SYSTEM
IS BASED ON THE RECORD PLAT:
HAMBURG SECOND ADDITION



NORTH

PROPOSED POND SITE DESCRIPTION FOR ANNEXATION

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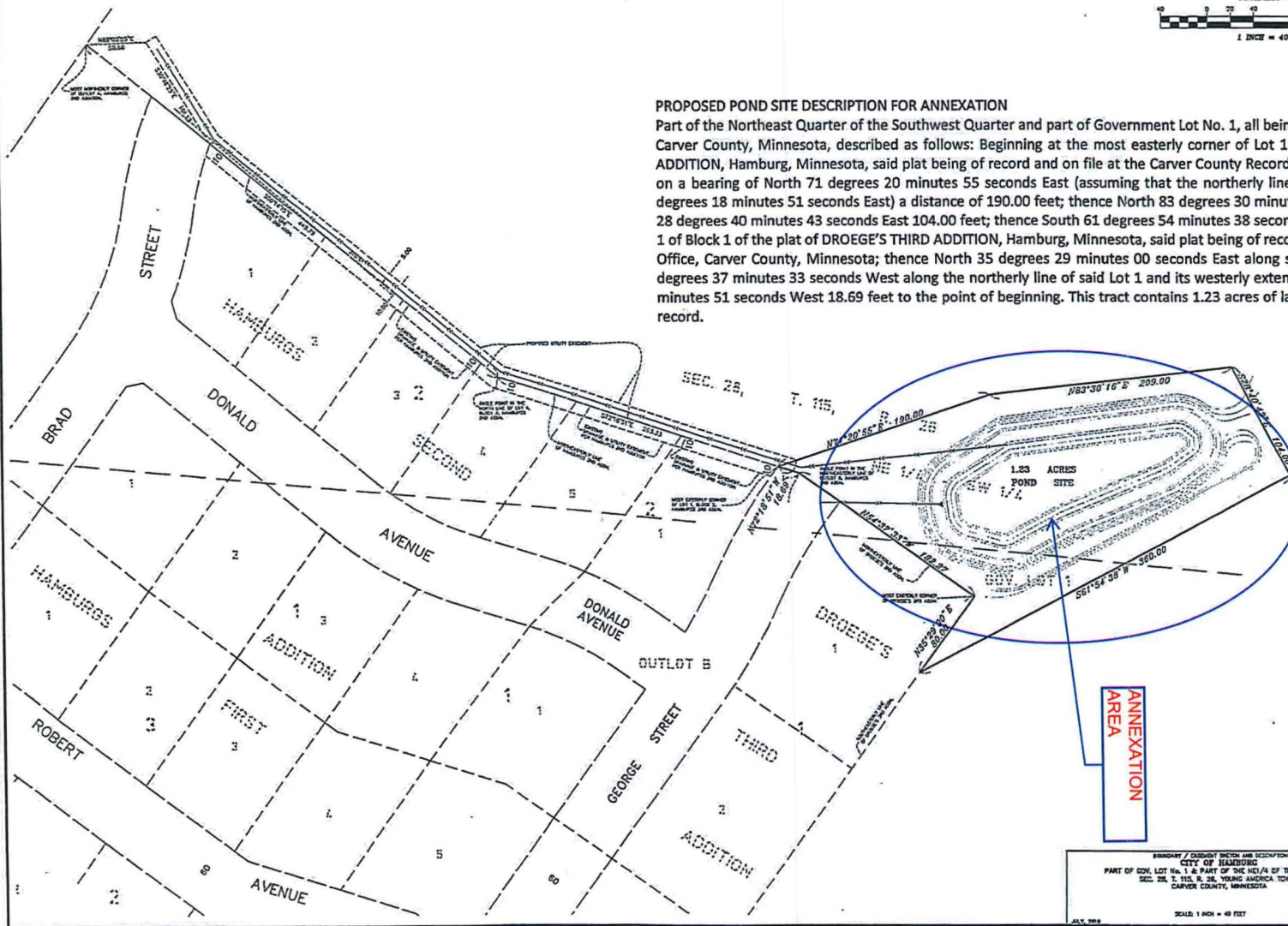


EXHIBIT B

BOUNDARY / EASEMENT SKETCH AND DESCRIPTION CITY OF HAMBURG PART OF GOV. LOT No. 1 & PART OF THE NE 1/4 OF THE SW 1/4 SEC. 28, T. 115, R. 26, YOUNG AMERICA TOWNSHIP CARVER COUNTY, MINNESOTA		I hereby certify that this survey, sketch, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota. DATE <u>2/27/11</u> REGISTRATION NO. <u>15478</u>
SCALE: 1 INCH = 40 FEET FILE NO. <u>1624</u>		

EXHIBIT C

YOUNG AMERICA TOWNSHIP

RECEIPT FOR REIMBURSEMENT TO TOWNSHIP

FOR ANNEXATION OF TAXABLE PROPERTY

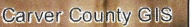
April 13th, 2021

Pursuant to Minnesota Statutes Section 414.036. Young America Township hereby acknowledges the receipt of a single payment of \$250.00 as reimbursement for all the taxable property being annexed to the City of Hamburg as described in Exhibit A and depicted on Exhibit B to City of Hamburg Ordinance Number 164 and consents to the annexation of such land. There are no special assessments assigned by Young America Township to the annexed property and no debt incurred by Young America Township prior to the annexation attributable to the annexed property.

~~Resolution 2021-02~~ Ordinance # 164
~~City of Hamburg~~

YOUNG AMERICA TOWNSHIP

Bradley Shroyer
By: Young America Township Chair
Its: Alc. Hummer
Clerk / Treasurer



Map Date: 4/19/2021