

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF NORWOOD)
YOUNG AMERICA AND THE TOWN OF YOUNG)
AMERICA PURSUANT TO MINNESOTA STATUTES)
414)

ORDER

WHEREAS, a joint resolution for orderly annexation was adopted by the City of
Norwood Young America and the Town of Young America; and

WHEREAS, a resolution was received from the City of Norwood Young America
indicating their desire that certain property be annexed to the City of Norwood Young America
pursuant to M.S. 414.0325; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of Strategic
and Long Range Planning may review and comment, but shall within 30 days order the
annexation of land pursuant to said subdivisions; and

WHEREAS, Reorganization Order No. 192, effective March 8, 2005, has transferred the
duties of the Director to the Chief Administrative Law Judge.

WHEREAS, on February 9, 2006, the Chief Administrative Law Judge reviewed and
accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed in
accordance with the terms of the joint resolution to the City of Norwood Young America,

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

The Subject Area to be annexed in the attached Joint Resolution is legally described as follows:

The North Half of Northeast Quarter of Section 23 Township 115 Range 26.

AND

The West Half of the East Half of the South East Quarter and the East Half of the East 80 acres of the South East Quarter of Section 14, Township 115, Range 26, excepting the right of way of the Chicago, Milwaukee & St. Paul Ry Co.

AND

All that part of the West Half of the Southeast Quarter of Section 14, Township 115, Range 26, lying Southerly of the right of way of the Milwaukee Road (formerly known as the Chicago, Milwaukee and St. Paul Railway Company and also formerly known as the Hastings & Dakota Railroad Company) and easterly of the right of way of the Chicago and Northwestern Railway Company (formerly known as the Minneapolis and St. Louis Railway Company), except the following described parcels:

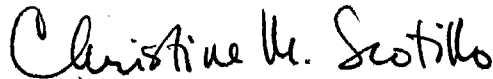
1. A strip of land 50 feet in width lying southerly of and adjoining the 100 foot wide railway of the Milwaukee Road as was established over and across that portion of the Northwest Quarter of the Southeast Quarter of Section 14, Township 115, Range 26.
2. Commencing at a point on the East right of way line of the Milwaukee Road 100 feet South of the center line of the Milwaukee Road, thence Southwesterly 300 feet along the East right of way line to the Chicago, Northwestern Railroad; thence parallel with the Milwaukee Road 450 feet; thence Northeasterly parallel with the Chicago and Northwestern Railroad 300 feet, to a point 100 feet south of said Milwaukee Road; thence west parallel to the Milwaukee Road 450 feet to the point of beginning.
3. That part of the East Half of Section 14, Township 115 North, Range 26 West, Carver County, Minnesota, as described: Commencing at the South Quarter Corner of said Section 14; thence north along the North-South Quarter line of said Section 14 for a distance of 1528.78 feet to the actual point of beginning of the tract to be described; thence continuing north along the North-South quarter line of said Section 14 for a distance of 458.44 feet to the easterly Right-of-Way line of the Chicago and Northwestern Railroad; thence northeasterly deflecting to the right 12 degrees 42 minutes 00 seconds along the easterly Right-of-Way line of the Chicago and Northwestern Railroad for a distance of 729.92 feet; thence easterly deflecting to the right 85 degrees 10 minutes 20 seconds for a distance of 396.00 feet; thence southwesterly deflecting to the right 94 degrees 49 minutes 40 seconds for a distance of 1145.16 feet; thence west deflecting to the right 77 degrees 18 minutes 00 seconds for a distance of 297.11 feet to the actual point of beginning.
4. That part of the Northwest Quarter of the Southeast Quarter (NW - ¼ of SE - ¼) of Section 14,

Township 115 North, Range 26 West, situated in Carver County, Minnesota, described as follows:

A tract of land lying between lines parallel with and distant 50 feet and 900 feet, respectively, easterly, measured at right angles, from the center line of the abandoned main tract of the Chicago and North Western Transportation Company, (formerly known as the Minneapolis and St. Louis Railway Company) as said main track centerline was originally located and established, and lying between lines parallel with and distant 50 feet and 350 feet, respectively, southerly, measured at right angles, from the southerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railway Company.

Dated this 9th day of February, 2006.

For the Chief Administrative Law Judge
658 Cedar Street, Room 300
St. Paul, Minnesota 55155



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

OA-1234-1 Norwood Young America

MEMORANDUM

In ordering the annexation contained in Docket No. OA-1234-1, the Chief Administrative Law Judge finds and makes the following comment:

The authority to impose the type of charge identified in paragraph 5 of the agreement is unclear. Reimbursement for taxable property annexed by order pursuant to Minnesota Statute Section 414.0325 is an optional provision authorized by the statute. The issuance of this order makes no determination as to the legality or validity of these provisions of the agreement. Any issue that may arise relative to the application or interpretation of these sections will be the sole responsibility the signatories to the agreement.

The parties are encouraged to consider this comment in light of any further amendments that may be otherwise necessary to this agreement for orderly annexation.

Cus