

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1521-1
Hamburg/Young America Township
Pursuant to Minnesota Statutes 414

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The joint resolution for orderly annexation submitted by the City of Hamburg and Young America Township was reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On August 7, 2012, the Chief Administrative Law Judge or authorized designee reviewed and accepted the joint resolution which was adopted by the City on January 25, 2011 and the Township on March 15, 2011, and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit (MBAU) on November 18, 2011. Said joint resolution was amended by the City on February 28, 2012 and the Township on March 15, 2012 and duly filed with the MBAU on August 3, 2012.

2. The joint resolution requests the designation and immediate annexation of certain property to the City of Hamburg described as follows:

That part of the Southwest Quarter of the Southeast Quarter of Section 28, Township 115 North, Range 26 West, Carver County, Minnesota, described as follows:

Beginning at the Northeast corner of Lot 8, Block 1 of Muellers Subdivision of Hamburg, Minnesota, according to the recorded plat thereof; thence on an assumed bearing of North along the Northerly extension of the East line of said

Lot 8 for a distance of 141.00 feet; thence North 89 degrees 39 minutes 00 seconds West parallel with the North line of said Lot 8 for a distance of 150.00 feet to its intersection with the Northerly extension of the West line of said Lot 8; thence south along the Northerly extension of Lot 8 for a distance of 141.00 feet to the Northwest corner of said Lot 8; thence South 89 degrees 39 minutes 00 seconds East along said North line of Lot 8 for a distance of 150.00 feet to the point of beginning. Subject to a drainage and utility easement over, under and across the West 10.00 feet thereof.

3. Minnesota Statutes § 414.0325, subd. 1(h) states that in certain circumstances the Chief Administrative Law Judge may review and comment, but shall within 30 days order the annexation pursuant to the terms of a joint resolution for orderly annexation.

4. The joint resolution contains all the information required by Minnesota Statutes § 414.0325, subd. 1(h), including a provision that the Chief Administrative Law Judge may review and comment but shall order the annexation within 30 days in accordance with the terms of the joint resolution.

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.

2. An order should be issued by the Chief Administrative Law Judge or authorized designee annexing the area described herein.

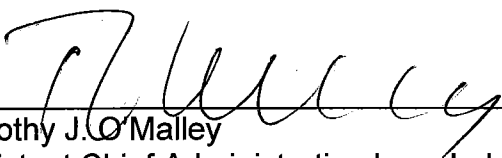
ORDER

1. The property described in Findings of Fact 2 is annexed to the City of Hamburg, the same as if it had originally been made a part thereof.

2. Pursuant to Minnesota Statutes § 414.036, Young America Township will be reimbursed by the City of Hamburg in accordance with the terms of Joint Resolution

No. 2011-05/3-15-11 (Amended) signed by the City on February 28, 2012 and the Township on March 15, 2012.

Dated: August 7, 2012



Timothy J. O'Malley
Assistant Chief Administrative Law Judge
Municipal Boundary Adjustment Unit