

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of OA-1522-1  
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 and the Township on November 8, 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 2, 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 Tract D, REGISTERED LAND SURVEY NUMBER 70, files of Registrar of Titles, Carver County, Minnesota, described as follows:

Beginning at the most northwesterly corner of said Tract D, said point also being the southwest corner of Tract A of said REGISTERED LAND SURVEY NUMBER 70; thence South 89 degrees 23 minutes 09 seconds East, assumed bearing, along the south line of said Tract A and its easterly extension 227.00 feet; thence South 00 degrees 00 minutes 00 seconds East 455.00 feet to the approximate centerline of Lateral 4 of Sibley, Carver, McLeod Joint Ditch Number 3A; thence

along the following five courses, generally being the centerline of said ditch; North 86 degrees 24 minutes 34 seconds West 163.00 feet; thence North 85 degrees 17 minutes 14 seconds West 161.00 feet; thence North 84 degrees 26 minutes 13 seconds West 93.00 feet; thence North 79 degrees 15 minutes 52 seconds West 24.00 feet; thence North 68 degrees 54 minutes 09 seconds West 51.92 feet to the westerly line of said Tract D; thence North 32 degrees 58 minutes 42 seconds East along said westerly line 479.00 feet to the point of beginning. This tract contains 3.70 acres of land and is subject to any and all easements of record.

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.

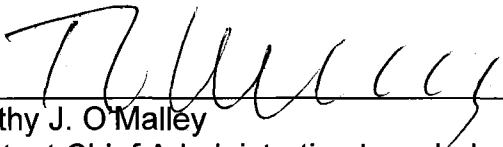
### **ORDER**

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. 2011-16/11-8-11 (Amended) signed by the City on February 28, 2012 and the Township on March 15, 2012.

Dated: August 7, 2012

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