

REC'D BY JUN 28 1996
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ORDINANCE NO. 577A

AN ORDINANCE AMENDING ORDINANCE # 577 TO CORRECT THE LEGAL DESCRIPTION THAT EXTENDS THE CORPORATE LIMITS OF THE CITY OF HINCKLEY TO INCLUDE CERTAIN LAND OWNED BY MICKEY NILSEN & KEN SMITH ABUTTING THE CITY OF HINCKLEY

WHEREAS, Mickey Nilsen and Ken Smith have filed a petition dated 7/28/95 requesting that certain land, as legally described below:

That part of the East Half of the Southwest Quarter of Section 19, Township 41, Range 20, Pine County, Minnesota, which lies southerly of the northern shoreline of the Grindstone River.

Except the following described parcels:

- 1.) That part of the Southeast Quarter of the Southwest Quarter of Section 19, Township 41, Range 20, Pine County, Minnesota, described as follows:

Beginning at the southwest corner of said Southeast Quarter of the Southwest Quarter; thence east, along the south line of said Southeast Quarter of the Southwest Quarter, a distance of 297 feet; thence north, at right angles, 387 feet; thence west, at right angles, 298.46 feet, more or less, to the west line of said Southeast Quarter of the Southwest Quarter; thence south, along said west line, 387 feet to the point of beginning.

- 2.) That part of the East Half of the Southwest Quarter of Section 19, Township 41, Range 20, described as follows:

Beginning at the intersection of the east line of said East Half of the Southwest Quarter and the north boundary line of Minnesota Highway No. 48; thence west, along the said north line of Highway No. 48, a distance of 100 feet; thence at right angles north a distance of 150 feet; thence at right angles east a distance of 100 feet to the east line of said East Half of the Southwest Quarter; thence south, along said east line of the East Half of the Southwest Quarter, to the point of beginning, Book 127 of Deeds, page 572.

- 3.) That part of the East Half of the Southwest Quarter of Section 19, Township 41, Range 20, Pine County, Minnesota, described as follows:

Commencing at the southwest corner of said East Half of the Southwest Quarter; thence on an assumed bearing of North 00 degrees 27 minutes 37 seconds" West, along the west line of said East Half of the Southwest Quarter, a distance of 703.95 feet to the point of beginning of the property to be described; thence North 89 degrees 32 minutes 23 seconds" East 270.35 feet; thence North 21 degrees 03 minutes 05 seconds" East 255.66 feet; thence North 4 degrees 14 minutes 55 seconds" West 453.25 feet to the center line of the River Road, thence South 50 degrees 50 minutes 44 seconds West, along said center line, 250.99 feet; thence southwesterly 159.97 feet, along said center line, which is a tangent curve concave to the southeast, having a radius of 694.93 feet and a central angle of 13

degrees 11minutes 21 second"; thence South 37 degrees 39 minutes 23 seconds" West, along said center line, 4206 feet to the west line of said East Half of the Southwest Quarter; thence South 0 degrees 27 minutes 37 seconds East, along said west line, 386.68 feet to the point of beginning.

Subject to the River Road over and across the northwest 33 feet thereof, as measured at right angles to and parallel with said center line.

Subject to easements of record.

AND WHEREAS, Mickey Nilson & Ken Smith represents that they are the owners of the respective property, abuts the limits of the City of Hinckley, is not included within any other municipality, is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes 414.0325, and is approximately 47 acres in size.

AND WHEREAS, A public hearing was held on April 2, 1996 with the required 30 day public notice sent to the Town of Barry and all contiguous property owners.

NOW THEREFORE, the City Council of Hinckley, Minnesota, does hereby ordain:

Section 1. The City Council hereby determines and finds that the property abuts the municipality, that the area to be annexed is sixty (60) acres or less, that the property is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes 414.0325, that the municipality has received a properly prepared Petition for Annexation from all of the owners of the property, and that the Petition complies with all of the provisions of Minnesota Statutes 414.033.

Section 2. The property is urban in nature or about to become so.

Section 3. The corporate limits of the City of Hinckley are hereby extended to include the property and the same is hereby annexed to and included within the City of Hinckley as if the property had originally been part thereof.

Section 4. The City Clerk is directed to file certified copies of this Ordinance with the Minnesota Municipal Board, Barry Township, the Pine County Auditor, and the Minnesota Secretary of State.

Section 5. This Ordinance takes effect upon its passage and publication and the filing of the certified copies as directed in Section 4 and approval of the Ordinance by the Minnesota Municipal Board.

Councilmember Tom Buetel seconded the foregoing Ordinance and all voted in favor.

And the following voted opposed of the adoption of the above ordinance:

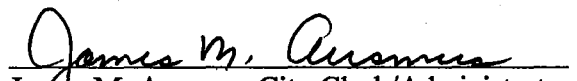
WHEREBY the Ordinance was declared duly passed and ordained.

Adopted this 2nd day of April, 1996.



Tom R. Cieluch, Mayor

ATTEST:



James M. Ausmus, City Clerk/Administrator