

On motion by Bircher, second by Cekalla, the following amending ordinance to Ordinance 598 is adopted.  
Carried.

**ORDINANCE # 609**

**AMENDING ORDINANCE #598  
EXTENDING THE CORPORATE LIMITS OF THE  
CITY OF HINCKLEY TO CLARIFY THE  
LEGAL DESCRIPTION OF THE ANNEXED PROPERTY**

**WHEREAS**, on September 5<sup>th</sup> 2000 the City Council of the City of Hinckley duly adopted Ordinance #598 extending the corporate limits of the City of Hinckley to include certain land owned by the Mille Lacs Band of Ojibwe Indians.

**AND WHEREAS**, the Pine County Auditor's office have reviewed the legal description of the property to be annexed and developed a new legal description of the property to be annexed and developed a new legal description for the subject property.

**AND WHEREAS**, the new legal description clarifying the description of the subject property has been approved by the State and to be adopted needs an amending ordinance.

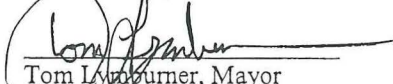
**NOW THEREFORE**, the City Council of Hinckley, Minnesota, does ordain:

Section 1. Exhibit "A" of Ordinance #598 is hereby amended and replaced with the following:

Northeast Quarter of Northeast Quarter (NE ¼ of NE ¼), Section 29, Township 41, Range 20, except the north 667 feet of the east 1,065 feet thereof; and East half of the Northwest Quarter of the Northeast Quarter (E ½ of NW ¼ of NE ¼), Section 29, Township 41, Range 20.

Passed by the Hinckley City Council this 6<sup>th</sup> day of March, 2001.

Attest:  
  
Jim Ausmus, City Clerk/Administrator

  
Tom Lyndburner, Mayor

**Annexation Ordinance # 598  
Minnesota Planning Docket #A-6262**

**An Ordinance Extending the Corporate Limits  
Of the City of Hinckley  
To Include Certain Land Owned by  
The Mille Lacs Band of Ojibwe Indians Abutting the  
City of Hinckley**

**Whereas**, the Mille Lacs Band of Ojibwe Indians has filed a Petition dated March 10, 2000, (Received by the City of Hinckley March 21, 2000) requesting that certain land legally described on the attached Exhibit "A" being annexed to the City of Hinckley.

**And Whereas**, copies of the Mille Lacs Band of Ojibwe Indians represents that it is the sole owner of the above-described real estate abuts the city limits of the City of Hinckley and is not included within any other municipality and is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes 414.0325, and is unplatted land of less than 200 acres.

**And Whereas**, copies of said petition have been filed with the Minnesota Planning Board, (Minnesota Boundary Adjustments) and with the Town of Barry and with the County Board of Pine County, and that more than ninety (90) days have elapsed since the filing of the Petition with the above-referenced entities. An objection had been filed by Barry Township, but said objection has since been withdrawn pursuant to an agreement of the parties.

**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 200 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 the provisions of Minnesota Statutes 414.033, and that copies of the Petition have been filed with the Minnesota Planning Board (Municipal Boundary Adjustments), the Town of Board of Barry Township, and the County Board of Pine County, and more than ninety (90) days have elapsed since the filing of said Petition. An objection was filed by Barry Township but that objection has since been withdrawn pursuant to an agreement of the parties.

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

**Section 3.** The corporate limits of the City of Hinckley 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 Planning Board, Barry Township and 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 director of Minnesota Planning.

Council member Cekalla seconded the foregoing Ordinance and the following voted in favor:

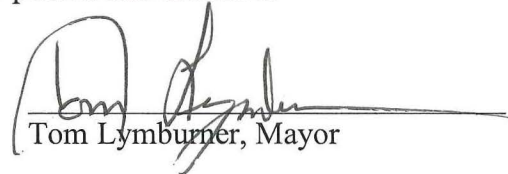
Lymburner, Cekalla, Fagerstrom, Hopkins and Bircher

And the following voted opposed to the adoption of the above Ordinance:

None

Whereby, the Ordinance was declared duly passed and ordained.

Adopted this 5<sup>th</sup> day of September, 2000

  
Tom Lymburner, Mayor

ATTEST:

  
James M. Ausmus, City Clerk/Administrator

This instrument was drafted by:

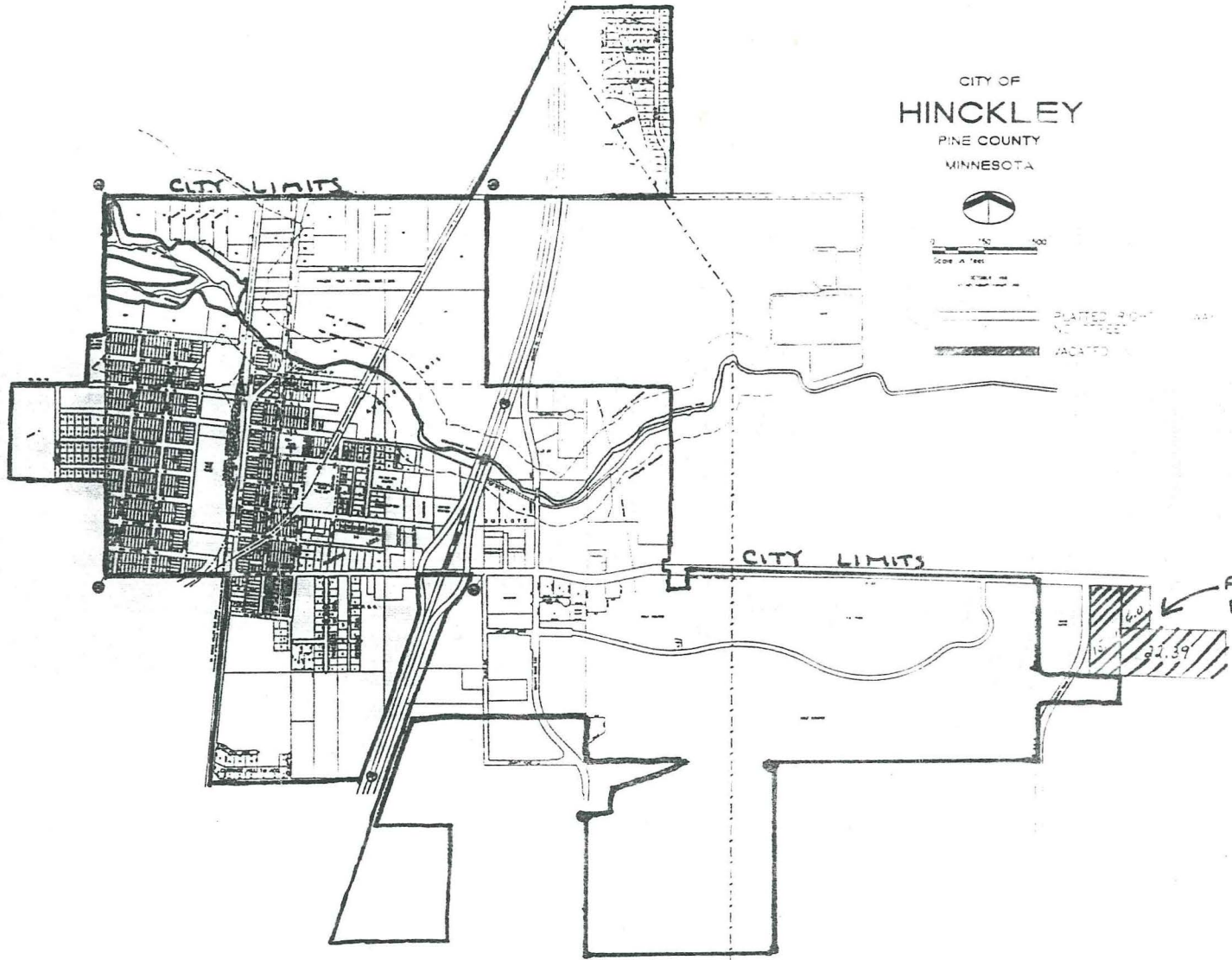
Daniel W. Blake  
Ledin & Hofstad  
539 Sixth Street  
Pine City MN 55063  
(320) 629 7537  
Attorney Registration #201248

SEP 10 2000 2:20PM CITY OF MINNEAPOLIS NO. 4010 P. 2

**Exhibit "A"**

Section 29, Township 41, Range 20, the west 490 feet of the north 667 feet of the East Half of the Northwest Quarter of the Northeast Quarter (E1/2 of NW1/4 of NE1/4) and the West 495 feet of the East Half of the Northwest Quarter of the Northeast Quarter (E1/2 of NW ¼ of NE ¼) except the north 667 feet, AND the north 667.00 feet of the Northeast Quarter of the Northeast Quarter (NE1/4 of NE1/4) except the east 1065.00 feet thereof and the north 667.00 feet of the East Half of the Northwest Quarter of the Northeast Quarter (E1/2 of NW1/4 of NE1/4) except the west 490 feet thereof, all in Section 29, Township 41, Range 20, Pine County, Minnesota. Subject to the right-of-way of Minnesota State Highway Number 48 over the north 75 feet of said tracts.

REC'D. BY  
M.A.B. MAY 01 2000



CITY OF  
HINCKLEY  
PINE COUNTY  
MINNESOTA



0 50 100  
Scale in feet

PLATTED RIGHT OF WAY  
VACATED

AREA PROPOSED  
FOR ANNEXATION  
43.43 ACRES