

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HUTCHINSON TO INCLUDE CERTAIN LAND OWNED BY THE CITY OF HUTCHINSON PURSUANT TO MINNESOTA STATUTES 414.033, SUBDIVISION 2 (1)

WHEREAS, the City of Hutchinson is requesting that certain land be annexed to the City of Hutchinson, as legally described below, and:

Beginning at the southeast corner of Section 7, Township 116, Range 29, thence west along the south line of said Section Seven (7), 2476 feet to a point marked by a stone set in the public road; which is 1376.2 feet east of the west line of the East Half of the Southwest Quarter of said Section 7; thence north 778.6 feet to a point marked by an iron pipe 1376.2 feet east of the west line of the East Half of the Southwest Quarter of said Section 7; thence East parallel to the south line of said Section Seven (7) 2377.1 feet to the center line of a public highway, known as the Hutchinson and Glencoe road; thence southeasterly along the center line of said road to the south line of Section Eight (8) Township One Hundred Sixteen (116), Range Twenty-nine (29); thence west along the south line of said Section Eight (8) 264 feet to the place of beginning, now known as lot Twelve (12) of "AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116N, RANGE 29W" and Lot Two (2) of "AUDITOR'S PLAT OF THE SOUTH HALF OF SECTION 8, TOWNSHIP 116 NORTH, RANGE 29 WEST".

EXCEPTING THEREFROM THE FOLLOWING: That part of Lot 12 of "AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116N, RANGE 29W" and that part of Lot 2 of "AUDITOR'S PLAT OF THE SOUTH HALF OF SECTION 8, TOWNSHIP 116N, RANGE 29W" described as follows: Commencing at the southeast corner of said Section 7; thence West, assumed bearing, along the south line of said Section 7, a distance of 475.56 feet; thence North 490.12 feet to the point of beginning of the land to be described; thence continuing North 288.48 feet to the north line of said Lot 12; thence East, along said north line, 383.32 feet to the center line of County Highway No. 25; thence southeasterly, along said centerline, 317.70 feet to a point bearing East from the point of beginning; thence West 516.38 feet to the point or beginning.

WHEREAS, said property is unincorporated and abuts the City of Hutchinson on its southern boundary, is approximately 43 acres in size, and is not presently served by public water or sewer facilities; and

WHEREAS, the City of Hutchinson is the sole owner of the property, the property 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

WHEREAS, the City of Hutchinson held a public hearing on November 13th, 2007, and

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

SECTION 1. The City Council hereby determines and finds that the property is owned by the municipality, that the area to be annexed is approximately 43 acres, that the property is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes 414.0325, and that the request complies with all of the provisions of Minnesota Statutes 414.033 Subd. 2 (1).

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SECTION 2. The property abuts the city limits and is about to become urban or suburban in nature and that the property is about to be developed as a senior housing campus, and

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

SECTION 4. The population of the area legally described within and hereby annexed is zero.

SECTION 5. The City of Hutchinson, pursuant to Minn. Stat. 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to Hassan Valley Township in accordance with the following schedule:

- a. In the first year following the year in which the City of Hutchinson could first levy on the annexed area, an amount equal to \$205.84
- b. In the second and final year, an amount equal to \$205.84

SECTION 6. That pursuant to Minn. Stat. 414.036 with respect to any special assessments assigned by the township to the annexed property and any portion of debt incurred by the township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the property legally described herein, there are no special assessments or debt incurred by the township on the subject area for which reimbursement is required.


SECTION 7. The City Administrator is directed to file copies of this ordinance with the Office of Administrative Hearings - Municipal Boundary Adjustments, Hassan Valley Township, the McLeod County Auditor, and the Minnesota Secretary of State.

SECTION 8. This ordinance takes effect upon its passage and publication and the filing of the copies as directed in Section 4 and approval of the Ordinance by the Office of Administrative Hearings - Municipal Boundary Adjustments.

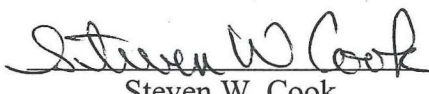
First Reading: November 13, 2007
Final Reading and Passed: November 27, 2007

Adopted by the City Council this 27th day of November, 2007.

ATTEST:



Gary D. Plotz
City Administrator



Steven W. Cook
Mayor

ALTA/ACSM LAND TITLE SURVEY FOR HUTCHINSON AREA HEALTH CARE

PROPERTY DESCRIPTION (SCHEDULE A, EXHIBIT A, Order No. 10-072261)

Beginning at the southeast corner of Section 7, Township 116, Range 29, thence west along the south line of said Section Seven (7), 2472.0 feet to a point marked by a stone set in the public road which is 1376.2 feet east of the west line of the East Half of the Southwest Quarter of Section 7; thence north 77.6 feet to a point marked by an iron pipe, 1376.2 feet east of the west line of the East Half of the Southwest Quarter of said Section 7; thence East parallel to the south line of said Section Seven (7), 2377.1 feet to the center line of a public highway, known as the Hutchinson and Quebec road; thence southeasterly along the center line of said road to the south line of Section Eight (8), Township One Hundred Sixteen (116), Range Twenty-nine (29); thence west along the south line of said Section Eight (8) 204 feet to the place of beginning, now known as Lot Seven (7) of "AUDITOR'S PLAT OF SECTION 7, TOWNSHIP 116N, RANGE 29W" AND Lot Two (2) of "AUDITOR'S PLAT OF THE SOUTH HALF OF SECTION 8, TOWNSHIP 116 NORTH, RANGE 29 WEST".

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(Abstract Property)

To Hutchinson Area Health Care, a subdivision of the City of Hutchinson and Stewart Title Guaranty Company.

This is to certify that this map of plat and the survey on which it is based were made in accordance with the "Minimum Standards and Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2000. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that, to the professional opinion of a land surveyor licensed in the State of Minnesota, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Jeffrey R. Roussin
 Jeffrey R. Roussin
 Minnesota License No. 24359
 Date: *September 2, 2007*

Palmer Land Surveying
 1848 202nd Circle
 P O Box 25
 Hutchinson, MN 56150
 Phone (320) 567-4759
 200 St. 27-128

NOTES TO EXCEPTIONS (SCHEDULE B - SECTION II)

Exception 7 of Schedule B, Section II, Commitment Order No. 10-07226, refers to MOLEOD COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 27 for County State Aid Highway No. 8, filed April 16, 1992 as Document No. 244665. This plat shows a highway right of way easement over the South 60.00 feet of the subject property, and referred to as Parcel 9 of said Right of Way Plat.

Exception 8 of Schedule B, Section II, Commitment Order No. 10-07226, refers to a Permanent Easement Agreement Document in favor of Moleod County filed on April 28, 1992 as Document No. 244647. Said easement Document covers terms and conditions for interest Parcel 8 of MOLEOD COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 27.

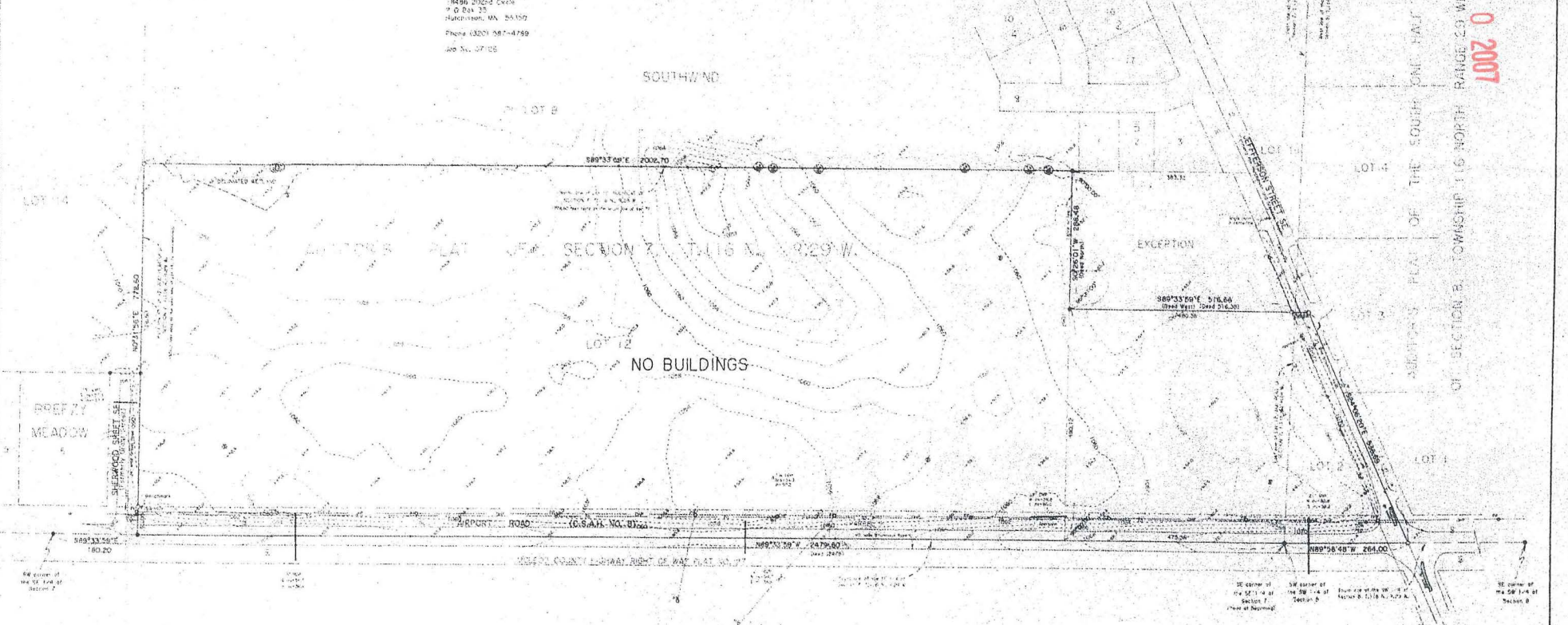
Exception 9 of Schedule B, Section II, Commitment Order No. 10-07226, refers to a title agreement between owners of the subject property, property owners to the west and property owners to the north and filed on April 3, 2003 as Document No. 330055. The agreement does not define the location of the tie line but grants a 5 foot easement on either side of the tie line. The agreement states the tie drains from west to east across the subject property and then flows in a general northeasterly line to property to the north. The tie line could not be located and is not shown on this survey.

SURVEY NOTES

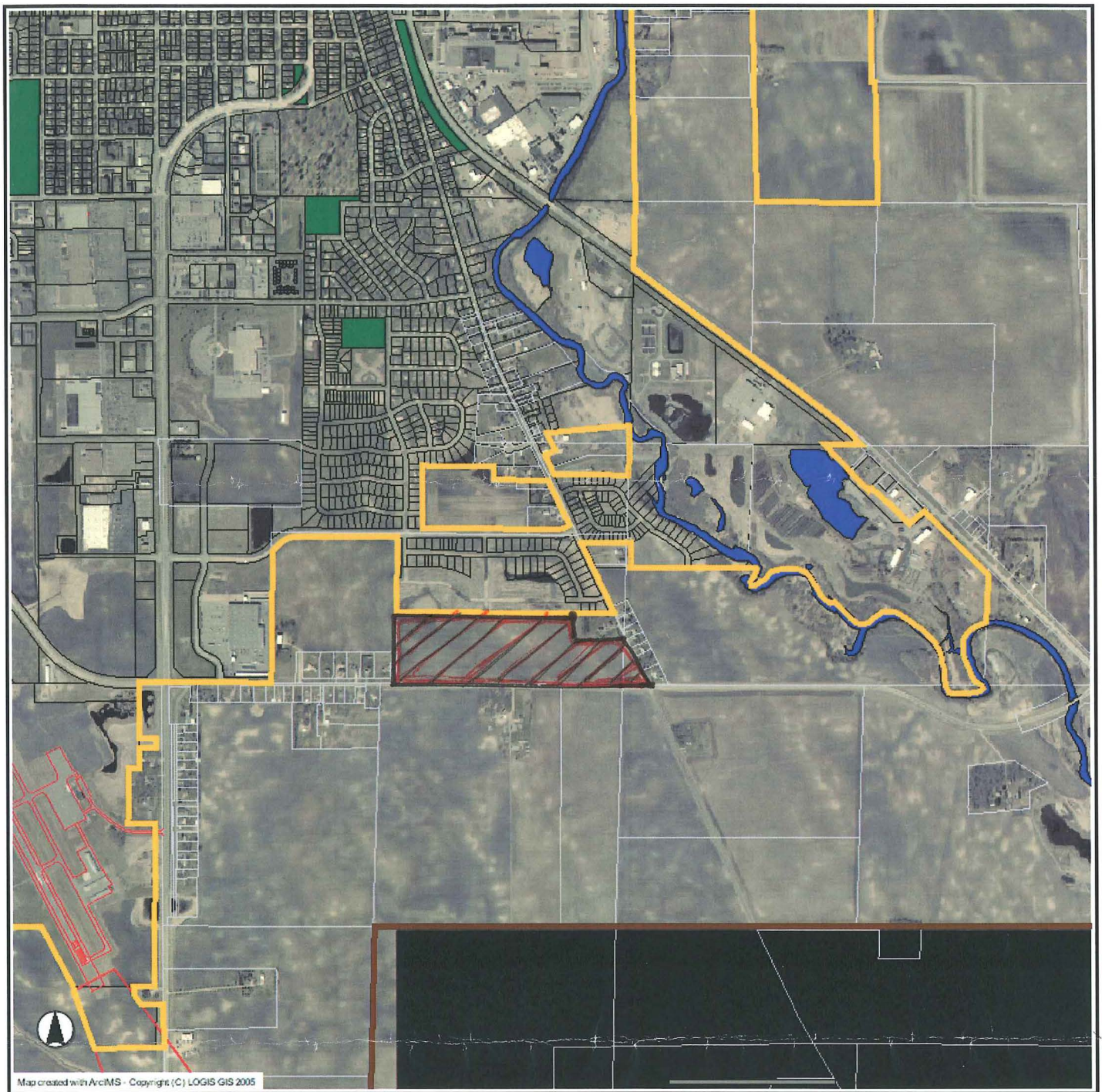
- The total area of the Subject Property is 1,867,632 Square Feet or 42.87 Acres.
- The Subject Property is zoned Agricultural and subject to the Hutchinson Joint Planning Area Zoning Ordinance, passed and approved December 3, 1997.
- The Delimited Wetland, as shown on this survey, is as marked on the ground by Sverdrup Ecological Resources.
- Underground utility locations shown on this survey are approximate and taken from maps provided by utility companies responding to a Dufferin State Pita-Cut Ticket No. 10501024 and field verified where visually evident.

- Delimited wetland boundary
- Delimited wetland spot
- △ Delimited power pole
- Delimited Communications Mast
- ▲ Delimited Flag-Pole survey
- ◇ Delimited Survey
- Delimited existing road location and 100' to 300' easement
- Delimited existing boundary line
- Delimited easement power line
- Delimited boundary line

BOUNDARIES
 See survey report in west face of sheet and on north side of Survey 7000 and instrument corner of property.
 Elevation: 1024.88 (3200) - (3200)



WCD BY MAMB DEC 10 2007
 SECTION 7, TOWNSHIP 116 NORTH, RANGE 29 WEST



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