

Council member Davis offered the following ordinance and moved for its adoption:

**AN ORDINANCE PROVIDING FOR THE MATTER OF ANNEXATION PURSUANT  
TO MINNESOTA STATUTES 414.033, SUBD. 2 (3) TO THE CITY OF HINCKLEY**

**ORDINANCE # 2-2008**

WHEREAS, the City of Hinckley has received a petition signed by all affected property owners to annex certain property in accordance with State Statutes 414.033 Subd. 2 (3) owned by Dale & Marlene Gray and Jerry Schultz in the County of Pine, State of Minnesota, described in the attached Certificate of Survey Exhibit 'A' by GGG, Inc and incorporated herein by reference,

AND WHEREAS, the above described property is located in the Township of Barry, abuts existing municipal boundaries, and is approximately 33.05 acres in size,

AND WHEREAS, the Hinckley City Council has determined that the affected land is urban or suburban in character or is about to become so,

AND WHEREAS, the petitioners have stated that the proposed use of the property for commercial and residential development requires the use of City utilities and infrastructure,

AND WHEREAS, the property shall be served by City water and sewer services, and all required permits and approvals shall be secured prior to development of the property being petitioned for annexation,

AND WHEREAS, in accordance with City ordinance the property shall be zoned R-1, One Family Dwelling District, upon annexation approval and a zoning amendment shall be required to permit commercial or multiple family development consistent with the City Codes,

AND WHEREAS, pursuant to M.S. 414.036, that with respect to the property taxes payable on the area legally described in the attached 'Exhibit A', hereby annexed, the City of Hinckley shall make a payment to the Town of Barry in the year 2009 of \$11.14 and in the second and final year, 2010, in the amount of \$11.14,

AND WHEREAS, the City of Hinckley and Barry Township may amend the above tax payment schedule upon mutual agreement,

AND NOW THEREFORE, pursuant to Minn. Stat. § 414.033, Subd. 2 (3), the land described above is hereby annexed, added to and made part of the City of Hinckley, Minnesota, as if it had originally been a part thereof.

This ordinance shall take effect and be in force following its official publication and from and after the filing of a certified copy of hereof with the Minnesota Department of Administration

REC'D BY  
MME


APR 14 2008

Municipal Boundary Adjustments, the Barry Town Clerk, the County Auditor, and the Secretary of State.

Council member Klar duly seconded the foregoing ordinance and all voted in favor.

Whereby the ordinance was declared duly passed and ordained.

Adopted this 1<sup>st</sup> day of April 2008.

  
\_\_\_\_\_  
Tom Lymburner, Mayor

ATTEST:

  
\_\_\_\_\_  
James M. Ausmus, City Clerk/Administrator

## EXHIBIT "A"

## CERTIFICATE OF SURVEY

SECTIONS 19 & 20  
T. 41 N., R. 20 W.

REC'D BY  
MAMB

APR 14 2008

## Exhibit 'A'

The Southwest Quarter of the Southeast Quarter, EXCEPTING the South 1047.75 feet of the Southwest Quarter of the Southeast Quarter, all in Section 19, Township 41, Range 20, Pine County, Minnesota.

AND

The Southeast Quarter of the Southeast Quarter, EXCEPTING the South 1047.75 feet of the Southeast Quarter of the Southeast Quarter, all in Section 19, Township 41, Range 20, Pine County, Minnesota.

AND

The Southwest Quarter of the Southwest Quarter, EXCEPTING the South 1047.75 feet of the Southwest Quarter of the Southwest Quarter, all in Section 20, Township 41, Range 20, Pine County, Minnesota.

AND

The Southeast Quarter of the Southwest Quarter, EXCEPTING the South 1047.75 feet of the Southeast Quarter of the Southwest Quarter, all in Section 20, Township 41, Range 20, Pine County, Minnesota.

The above described conveyance contains 33.05 acres.

SHEET 2 OF 2

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

*MM*  
Geoffrey G. Griffin  
DATE *J-4-08* REG. NO. 21940

**G G G** INC.  
14070 Hwy 52 SE  
Chotfield, MN 55923

Engineering  
Surveying  
Planning  
Ph. 507-867-1666  
Fax 507-867-1665  
www.ggg.to

DATE OF SURVEY: 1-3-08

Prepared For:  
Jerry Schultz

31462 Castle Dr.

Donbary, WI 54830

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