

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HUTCHINSON TO INCLUDE CERTAIN LAND THAT ABUTS THE MUNICIPALITY AND IS LESS THAN 120 ACRES PURSUANT TO MINNESOTA STATUTES 414.033, SUBDIVISION 2 (3)**

WHEREAS, the City of Hutchinson and Stephen E. Lee are requesting that certain land be annexed to the City of Hutchinson, as legally described below, and:

**Description for Northerly Parcel:**

That part of Lot 6, Auditor's Plat of the South Half of Section 30 and the North Half of Section 31, Township 117 North, Range 29 West, described as follows: Commencing at the northwest corner of the East Half of the Northeast Quarter of said Section 31, being the northwest corner of said Lot 6; thence South 89 degrees 41 minutes 31 seconds East, along the north line of said East Half of the Northeast Quarter, being the north line of said Lot 6, a distance of 413.00 feet to the point of beginning of the land to be described; thence South 2 degrees 39 minutes 59 seconds West, parallel with the west line of said East Half of the Northeast Quarter, being the west line of said Lot 6, a distance of 384.00 feet; thence westerly, parallel with the north line of said Lot 6 a distance of 179.00 feet; thence southerly, parallel with the west line of said Lot 6 a distance of 20.00 feet; thence westerly, parallel with the north line of said Lot 6 a distance of 204.00 feet; thence southerly, parallel with the west line of said Lot 6 a distance of 299.72 feet; thence North 89 degrees 57 minutes 21 seconds East 95.01 feet; thence south 84 degrees 32 minutes 55 seconds East 79.01 feet; thence South 68 degrees 42 minutes 00 seconds East 108.43 feet; thence South 82 degrees 06 minutes 18 seconds East 140.54 feet; thence South 89 degrees 36 minutes 25 seconds East 290.27 feet to the east line of said Lot 6; thence northerly, along said east line of Lot 6 to the northeast corner of said Lot 6; thence westerly, along the north line of said Lot 6 to the point of beginning.

**Description for Southerly Parcel:**

That part of Lot 6, Auditor's Plat of the South Half of Section 30 and the North Half of Section 31, Township 117 North, Range 29 West, described as follows: commencing at the northwest corner of the East Half of the Northeast Quarter of said Section 31, being the northwest corner of said Lot 6; thence south 89 degrees 41 minutes 31 seconds East, along the north line of said East half of the Northeast Quarter, being the north line of said Lot 6, a distance of 413.00 feet; thence South 2 degrees 39 minutes 59 seconds West, parallel with the west line of said East Half of the Northeast Quarter, being the west line of said Lot 6, a distance of 384.00 feet; thence westerly, parallel with the north line of said Lot 6 a distance of 179.00 feet; thence southerly, parallel with the west line of said Lot 6 a distance if 20.00 feet; thence westerly, parallel with the north line of said Lot 6 a distance of 204.00 feet; thence southerly, parallel with the west line of said Lot 6 a distance of 299.72 feet to the point of beginning of the land to be described; thence North 89 degrees 57 minutes 21 seconds East 95.01 feet; thence South 84 degrees 32 minutes 55 seconds East 79.01 feet; thence South 68 degrees 42 minutes 00 seconds East 108.43 feet; thence South 82 degrees 06 minutes 18 seconds East 104.54 feet; thence South 89 degrees 36 minutes 25 seconds East 290.27 feet to the east line of said Lot 6 thence southerly, along said east line of Lot 6 to the southeast corner of said Lot 6; thence westerly, along the south line of said Lot 6 to the easterly corner of



Hillcrest Second Addition, according to the recorded plat thereof; thence westerly, along the north line of said Hillcrest Second Addition, to the intersection with a line parallel with the west line of said Lot 6 as measured from the point of beginning; thence northerly, 532.22 feet along said parallel line to the point of beginning.

WHEREAS, said property is unincorporated and abuts the City of Hutchinson on its northeastern boundary, is approximately 16.8 acres in size, and is not presently served by public water or sewer facilities; and

WHEREAS, the City of Hutchinson (southerly parcel) and Stephen E. Lee (northerly parcel) are the sole owners 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 May 27, 2008, and

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

SECTION 1. The City Council hereby determines and finds that the property abuts the municipality and is less than 120 acres, that the area to be annexed is approximately 16.8 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 (3). and

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 by the City of Hutchinson for stormwater management facilities and allow future development by appropriately planning for the extension of municipal services, 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 Hutchinson 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 \$62.02
- b. In the second and final year, an amount equal to \$62.02

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 insured 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, Hutchinson 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 7 and approval of the Ordinance by the Office of Administrative Hearings - Municipal Boundary Adjustments.

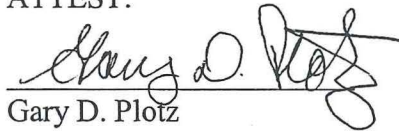
REC'D BY  
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JUN 12 2008

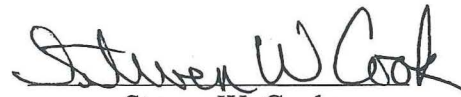
First Reading: May 27, 2008  
Final Reading and Passed: June 10, 2008

Adopted by the City Council this 10<sup>th</sup> day of June, 2008.

ATTEST:



Gary D. Plotz  
City Administrator



Steven W. Cook  
Mayor





REC'D BY  
MAB

JUN 12 2008