

ORDINANCE NO. 01- 2023**AN ORDINANCE OF THE CITY OF HINCKLEY ANNEXING LAND LOCATED
IN THE TOWN OF BARRY, PINE COUNTY, MINNESOTA PURSUANT TO
MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING
ANNEXATION BY ORDINANCE**

WHEREAS, a petition by the property owners, requesting that property legally described (herein) be annexed to the City of Hinckley Minnesota, was duly presented to the Council of the City of Hinckley on the 10th day of January 2023; and

WHEREAS, said property is unincorporated and abuts the City of Hinckley on its north and west boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently undeveloped and annexation is requested to facilitate the extension of city services for the future development of the property; and

WHEREAS, the City of Hinckley held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on February 28, 2023, following thirty (30) days written notice by certified mail to the Town of Barry and to all landowners within and contiguous to the area legally described herein, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HINCKLEY
ORDAINS AS FOLLOWS:**

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that future development is being proposed for said property, the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Hinckley, Minnesota, are hereby extended to include the following described property, said land abutting the City of Hinckley and being 120 acres or less in area, and is not presently served by public sewer facilities or

public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

The East 12.00 acres of the South Half of the Southwest Quarter of the Northwest Quarter (S 1/2 of SW 1/4 of NW 1/4) of Section Thirty (30), Township Forty-one (41) North, Range Twenty (20) West, except therefrom all that portion lying Easterly of the following described line:

Beginning at a point on the North line of the South Half of the Southwest Quarter of the Northwest Quarter (S 1/2 of SW 1/4 of NW 1/4) of said Section Thirty (30), distant 7 rods West of the Northeast corner thereof; thence run Southwesterly 15 rods to Point "C" as described on the recorded plat of FAIRWAY PINES, Pine County, Minnesota; thence run East along Line "A" as described on said plat a distance of 40 feet; thence run South parallel with the East line of said Southwest Quarter of the Northwest Quarter for 118 feet; thence run Southwesterly to a point on the South line of said South Half of the Southwest Quarter of the Northwest Quarter (S 1/2 of SW 1/4 of NW 1/4) of Section Thirty (30), distant 200 feet West of the Southeast corner thereof and said line there terminating.

Also excepting therefrom:

Beginning at the Southwest corner of the East 12.00 acres of the South Half of the Southwest Quarter of the Northwest Quarter (S 1/2 of SW 1/4 of NW 1/4) of said Section Thirty (30); thence run East along the South line thereof 208.71 feet; thence North, parallel with the West line thereof, for 208.71 feet; thence West parallel with said South line for 208.71 feet to the West line of said tract; thence South to the point of beginning.

The above-described property consists of a total of 9 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area legally described herein and hereby annexed is zero.
5. The City of Hinckley, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Town of Barry in accordance with the following schedule:
 - a. In the first year following the year in which the City of Hinckley could first levy on the annexed area, an amount equal to \$224.38; and
 - b. In the second and final year, an amount equal to \$224.38.

The above two-year repayment schedule is based on and equal to the amount of the current year taxes collected by the Township to be paid in two equal payments in accordance with Minn. Stat. §414.036.

6. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which

no special assessments are outstanding, for the area legally described herein, there are no special assessments or debt incurred by the Town on the subject area for which reimbursement is required.

7. That the City Clerk of the City of Hinckley is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Minnesota Office of Administrative Hearings, the Minnesota Secretary of State, the Pine County Auditor, and the Barry Township Clerk.

8. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED AND ADOPTED by the City Council of the City of Hinckley, Minnesota, this 14th day of March, 2023.


Don Zeman, Mayor

ATTEST:



Kyle Morell, City Clerk

(City Seal)



Overview



Legend

- Townships
- Roads
 - Interstate
 - Hwy
 - <all other values>
- Parcels

Parcel ID	030371000	Alternate ID	n/a	Owner Address	MILLE LACS CORPORATE VENTURES
Sec/Twp/Rng	30-041-020	Class	233 - COMM LAND & BLDGS	ATTN; ACCOUNTING	
Property Address		Acreage	9	700 GRAND AVE	
				ONAMIA, MN 56359	

District BARRY 2165

Brief Tax Description Sect-30 Twp-041 Range-020 9.00 AC EAST 12 ACRES OF SOUTH 1/2 OF SOUTHWEST 1/4 OF NORTHWEST 1/4 EXC THAT PORTION LYING ELY OF FOLL DESC LINE: BEG AT POINT ON NORTH LINE OF S1/2 OF SW1/4 OF NW1/4 7 RODS WEST OF NE CORNER THEREOF; THENCE SWLY 15 RODS TO SW CORNER OF PRESENT DUMP GROUNDS; THENCE EAST 40 FT; THEN SOUTH PARA WITH EAST LINE OF ABOVE DESC TRACT 118 FT; THENCE SWLY TO POINT ON SOUTH LINE OF S1/2 OF SW1/4 OF NW1/4 200 FT WEST OF SE CORNER THEREOF; ALSO EXC THEREFROM: BEG AT SW CORNER OF EAST 12 ACRES OF S1/2 OF SW1/4 OF NW1/4; THENCE EAST ALONG SOUTH LINE 208.71 FT; THENCE NORTH 208.71 FT; THENCE WEST 208.71 FT TO WEST LINE OF SAID TRACT; THENCE SOUTH TO PT OF BEG. MICRO #361769-772,573430

(Note: Not to be used on legal documents)

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