

An Equal Opportunity Employer



Phone: (612) 603-6757  
Fax: (612) 603-6762  
Twin Cities TDD: (612) 297-5353  
Greater MN TDD: 1-800-627-3529

STATE OF MINNESOTA  
MUNICIPAL BOARD

Suite 225 Bandana Square  
1021 Bandana Boulevard East  
St. Paul, Minnesota 55108

James M. Ausmus  
City Clerk/Administrator  
Hinckley City Hall  
P.O. Box 366  
106 First Street S.E.  
Hinckley, MN 55037

March 7, 1997

Docket Number: A-5710

City of Hinckley  
M.S. 414.033, Subd. 5  
Ordinance No. 585

Dear Mr. Ausmus:

The Minnesota Municipal Board has now processed and approved the above ordinance in accordance with Minnesota Statutes, Chapter 414, and the Rules of Procedure.

The law requires that a copy of the annexation ordinance must be delivered immediately by the governing body of the municipality to the appropriate county auditor or auditors, and filed with the township and the Secretary of State. We recommend that you also file the annexation ordinance with the County Recorder.

The annexation is final upon the date the ordinance is approved by the Board, which is the date of this letter.

Sincerely,

MUNICIPAL BOARD

A handwritten signature in cursive script, appearing to read "Patricia D. Lundy".

Patricia D. Lundy  
Assistant Director

PDL:ry

cc: Pine County Auditor  
Barry Township Clerk  
✓ Bruce A. Fagan, Property Owner  
Secretary of State

9701180



Council member Skip Fagerstrom offered the following Ordinance and moved its adoption:

**ORDINANCE NO. 585**

(Municipal Board Docket #A-5710)

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS  
OF THE CITY OF HINCKLEY TO INCLUDE CERTAIN LAND OWNED BY  
AMERICAN DREAM DEVELOPMENT, INC.  
ABUTTING THE CITY OF HINCKLEY**

**WHEREAS**, American Dream Development, Inc./CO Burnet Realty has filed a Petition dated June 14, 1996 (Received by the City of Hinckley August 4, 1996) requesting that certain land, as legally described as follows:

**REAL ESTATE DESCRIPTION**

East Half of Southwest Quarter (E 1/2 of SW 1/4), Section Thirty (30), Township Forty-one (41), Range Twenty (20), less the following described portion:

Beginning at the Northwest corner of the East Half of Southwest Quarter (E 1/2 of SW 1/4) of Section Thirty (30), Township Forty-one (41), Range Twenty (20), thence South 00 degrees 48 minutes 50 seconds West assumed bearing, along the West line of said E 1/2 of SW 1/4 a distance of 188 feet, thence South 88 degrees 55 minutes 46 seconds East a distance of 367 feet, thence South 00 degrees 48 minutes 50 seconds West a distance of 478.5 feet; thence North 88 degrees 55 minutes 46 seconds West a distance of 367 feet to the West boundary line of said E 1/2 of SW 1/4; thence North over and along the West boundary line of said E 1/2 of SW 1/4 a distance of 478.5 feet to the point of beginning.

AND

West Half of Southeast Quarter (W 1/2 of SE 1/4), Section Thirty (30), Township Forty-one (41), Range Twenty (20).

**And less the following described premises:**

That part of the Northeast Quarter of the Southwest Quarter (NE 1/4 of SW 1/4) and that part of the Northwest Quarter of the Southeast Quarter (NW 1/4 of SE 1/4) of Section 30, Township 41, Range 20, described as follows: Beginning at Northwest corner of said NE 1/4 of SW 1/4; thence South 00 degrees 58' 50" West, assumed bearing, along West line 188 ft., thence South 88 degrees 55'46" East 367 ft., thence South 00 degrees 48'50" West 126.22 feet, thence North 74 degrees 54'34" East 1128.93 ft. to North line of NW 1/4 of SE 1/4, thence North 88 degrees 55' 46" West, along the North line of said NW 1/4 of SE 1/4 and NE 1/4 of SW 1/4 a distance of 1452.73 feet to the point of beginning.

be annexed to the City of Hinckley.

**AND WHEREAS**, American Dream Development, Inc. represents that it is the sole owner of the above-described real estate and that said 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 Municipal Board and with the Town Board of Barry Township 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 Municipal Board and the Town Board of Barry Township and the County Board of Pine County and no objection has been filed to the annexation.

**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 two hundred (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 of the provisions of Minnesota Statutes 414.033, and that copies of the Petition have been filed with the Municipal Board and the Town 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 and no objections have been made to the proposed annexation.

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

Section 3. The corporate limits of the City of Hinckley are 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 Municipal Board, Barry Township, the 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 Minnesota Municipal Board.


Council member Tom Lymburner seconded the foregoing Ordinance and all voted in favor.

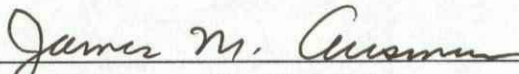
And the following voted opposed of the adoption of the above Ordinance: None

**WHEREBY** the Ordinance was declared duly passed and ordained.

Adopted this 4th day of February, 1997.

ATTEST:

  
\_\_\_\_\_  
Robert C. Bircher, Mayor

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

THIS DOCUMENT WAS DRAFTED BY:

Daniel W. Blake  
Ledin & Hofstad, Ltd.  
Attorneys at Law  
539 6th Street  
Pine City, MN 55063  
(320) 629-7537  
Attorney Registration #201248