

RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

DATED: June 24, 2010
MORTGAGEE: Mortgage Electronic Registration Systems, Inc.

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File Number: 006736F02

**PUBLICATION NO. 7820
ORDINANCE NO. 10-0544**

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HUTCHINSON TO INCLUDE CERTAIN LAND OWNED BY HAZEL M. SITZ LOCATED IN HASSAN VALLEY TOWNSHIP, SECTION 7 PURSUANT TO MINNESOTA STATUTES 414.033, SUBDIVISION 2 (3)

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

Lot 14 of the Auditor's Plat of Section 7, Township 116 North, Range 29 West, McLeod County, Minnesota EXCEPTING THEREFROM the following described tracts, to-wit:

1. All that land that has been platted as BREEZY MEADOW.

2. Parcel 3 and 3A of CITY OF HUTCHINSON STREET RIGHT OF WAY PLAT NO. 7 in Lot 14, Auditor's Plat of Section 7, Township 116 North, Range 29 West, according to the map on file and of record in the Office of the County Recorder, McLeod County, Minnesota.

3. That part of Lot 14 of the Auditor's Plat of Section 7, Township 116 North, Range 29 West, McLeod County, Minnesota, described as follows: Commencing at the southeast corner of the Southwest Quarter of said Section 7; thence North 89 degrees 21 minutes 16 seconds West, assumed bearing along the south line of said Southwest Quarter 931.00 feet to the southwest corner of BREEZY MEADOW, according to the recorded plat thereof, and the point of beginning of the land to be described; thence continuing North 89 degrees 21 minutes 16 seconds West, along said south line 265.00 feet to the southeast corner of MENARD ADDITION, according to the recorded plat thereof; thence North 0 degrees 47 minutes 54 seconds East, along the east line of said MENARD ADDITION 722.00 feet; thence South 89 degrees 21 minutes 16 seconds East, parallel with said south line of the Southwest Quarter 298.00 feet; thence South 0 degrees 47 minutes 54 seconds West 381.60 feet to the north line of said BREEZY MEADOW; thence North 89 degrees 21 minutes 16 seconds West, along said north line of BREEZY MEADOW 33.00 feet to the northwest corner of said BREEZY MEADOW; thence South 0 degrees 47 minutes 54 seconds West, along the west line of said BREEZY MEADOW 340.00 feet to the point of beginning.

WHEREAS, said property is unincorporated and abuts the City of Hutchinson on its northern, eastern and western boundaries, is approximately 36.8 acres in size, and is not presently served by public water or sewer facilities; and

WHEREAS, the Hazel M. Sitz 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 April 13, 2010, 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 Hazel M. Sitz, that the area to be annexed is approximately 36.8 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).

SECTION 2. The property abuts the city limits and is about to become urban or suburban in nature and that the property is adjacent to a City of Hutchinson improvement project, 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 \$ 203.06

b. In the second and final year, an amount equal to \$ 203.06

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 Hear-

ings - 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: April 13, 2010

Final Reading and Passed:
April 27, 2010

Adopted by the City Council this 27th day of April, 2010.

ATTEST:

Gary D. Plotz
City Administrator

Bill Arndt
Mayor Protem

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