

Public Notices

LYNN TOWNSHIP NOTICE OF FILING

To all qualified voters of the Town of Lynn, County of McLeod, State of Minnesota, who desire to be a candidate for Township Office, to be voted on March 11, 2008, at the Annual Meeting.

An Affidavit of Candidacy must be filed with the Town Clerk at 21584 160th Street, between the dates of January 2nd, 2008 through January 15th, 2008 at 5 p.m., and paying a filing fee of two dollars (\$2.00).

Officers to be elected:

One (1) Supervisor for a three (3) year term.
One (1) Clerk for a two (2) year term.

Cheryl Bleil
Lynn Township Clerk

L100

STATE OF MINNESOTA SECRETARY OF STATE CERTIFICATE OF ASSUMED NAME Minnesota Statutes Chapter 333

1. State the exact assumed name under which the business is or will be conducted:

Bridgeland Properties

2. State the address of the principal place of business: **960 Goebel Circle, Hutchinson, MN 55350**

3. List the name and complete street address of all persons conducting business under the above Assumed Name.

Jon Gelschus, 960 Goebel Circle, Hutchinson, MN 55350

Laurie Gelschus, 960 Goebel Circle, Hutchinson, MN 55350

4. I certify that I am authorized to sign this certificate and I further certify that I understand that by signing this certificate, I am subject to the penalties of perjury as set forth in Minnesota Statutes section 609.48 as if I had signed this certificate under oath.

Dated: November 30, 2007

Laurie Gelschus, Owner

L100,101

NOTICE OF MORTGAGE FORECLOSURE SALE

NOTICE IS HEREBY GIVEN that default has occurred in the conditions of the following described mortgage:

DATE OF MORTGAGE: August 7, 1998

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$73,755.00

MORTGAGOR(S):

Rhonda M. Bombeck, and Joey E. Bombeck, wife and husband

MORTGAGEE: Centex Home Equity Corporation

Hutchinson Township Board
Donna Wahl, Clerk

DATE AND PLACE OF RECORDING:

Recorded: August 12, 1998

McLeod County Recorder

Document #: 288618

ASSIGNMENTS OF MORTGAGE:

And thereafter assigned to:

Norwest Bank Minnesota, N.A., as Trustee of Centex Home Equity Loan Trust 1998-3 under the Pooling and Servicing Agreement dated as of February 1, 1998

Dated: August 13, 1998

Recorded: February 25, 1999

Document #: 293380

And thereafter assigned to:

Centex Home Equity Company, LLC

Dated: March 16, 2006

Recorded: March 20, 2006

Document #: 360357

And thereafter assigned to:

JPMorgan Chase Bank, N.A.; as Trustee for the Truman Capital Mortgage Loan Trust 2006-1, Asset Backed Cert., Series 2006-1
Dated: September 17, 2007

LEGAL DESCRIPTION OF PROPERTY:
Lots 8 and 9 and the North five feet of Lot 12, in Block 20, in the Town of Stewart.

COUNTY IN WHICH PROPERTY IS LOCATED: McLeod

AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE: \$104,414.18

THAT all pre-foreclosure requirements have been complied with; that no action or proceeding has been instituted at law or otherwise to recover the debt secured by said mortgage, or any part thereof;

PURSUANT to the power of sale contained in said mortgage, the above described property will be sold by the Sheriff of said county as follows:

DATE AND TIME OF SALE: January 10, 2008 10:00 A.M.

PLACE OF SALE: Sheriff's Main Office Main Lobby
McLeod County Law Enforcement Center
Glencoe, MN

to pay the debt secured by said mortgage and taxes, if any, on said premises and the costs and disbursements, including attorneys fees allowed by law, subject to redemption within 6 months from the date of said sale by the mort-

gagor(s), their personal representatives or assigns.

Mortgagor(s) released from financial obligation: NONE

THIS COMMUNICATION IS FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION 582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

Dated: November 20, 2007

JPMorgan Chase Bank, N.A.; as Trustee for the Truman Capital Mortgage Loan Trust 2006-1, Asset Backed Cert., Series 2006-1
Assignee of Mortgagee

Wilford & Geske
Attorneys for Assignee of Mortgagee

Lawrence A. Wilford

James A. Geske

7650 Currell Boulevard

Suite 300

Woodbury, Minnesota 55125

(651)209-3300

File ID: 18378

L93,94,96,98,100,102

HUTCHINSON TOWNSHIP NOTICE OF FILING

To qualified voters of the Town of Hutchinson, County of McLeod, and the State of Minnesota, who desire to be a candidate for township office to be voted upon at the annual meeting on Tuesday, March 11, 2008.

An affidavit of candidacy must be filed with the Clerk at 23585 Highway 15 between the dates of January 2, 2008 and January 15, 2008 at 5 P.M., and paying the filing fee of two dollars (\$2.00).

Officers to be elected are:

One (1) Supervisor for a three (3) year term.

One (1) Clerk for a two (2) year term.

L100

HASSAN VALLEY TOWNSHIP NOTICE OF FILING

Notice is hereby given to the qualified voters of Hassan Valley Township, County of McLeod, State of Minnesota, that those who desire to be a candidate for Township Office to be voted upon at the annual meeting on Tuesday, March 11, 2008.

An affidavit of candidacy must be filed with the Township Clerk at 1545 Adams St., between the dates of January 2, 2008 and January 15, 2008 by 5:00 PM and paying a filing fee of two dollars (\$2.00).

Officers subject to election are:

One (1) Supervisor for a three (3) and the Clerk's position for a two (2) year term.

Dated: December 3, 2007

Robert Anderson
Hassan Valley Township Clerk

L998,100

STATE OF MINNESOTA COUNTY OF McLEOD

DISTRICT COURT PORBATE DIVISION FIRST JUDICIAL DISTRICT Court File No. P5-06-548

Estate of
CHARLES K. RADUNZ
Decedent

NOTICE AND ORDER FOR HEARING ON PETITION TO FORMALLY PROBATE WILL PREVIOUSLY PROBATED INFORMALLY, CONFIRM APPOINTMENT AND ACTS OF PERSONAL REPRESENTATIVE PREVIOUSLY APPOINTED INFORMALLY, ALLOW FINAL ACCOUNT, SETTLE AND DISTRIBUTE ESTATE

The personal representative of this Estate has filed a Final Account and a Petition which requests Formal Probate of Will, dated May 7, 1999, previously probated informally, confirmation of the appointment and acts of personal representative previously appointed informally, approval of Final Account and an Order Settling Estate and for a Decree or Order of distribution to the persons entitled to the Estate.

IT IS ORDERED that the Petition will be heard on January 14th, 2008, at 8:30 A.M., by this Court at McLeod County Courthouse, 830 11th Street East, Glencoe, Minnesota. Any objections to the petition must be filed with the

Court prior to or at the hearing.

(1) Notice shall be given to all interested persons (Minn. Stat. 524.1-401) and persons who have filed a demand for notice pursuant to Minn. Stat. 524.3-204.

(2) Notice shall be given by publishing this Notice and Order as provided by law and by:

Mailing a copy of this Notice and Order at least 14 days prior to the hearing date.

Dated this 29th day of November, 2007

Michael R. Savre
Judge of District Court
Robert L. Schmidt
Court Administrator

Attorney for Personal Representative
Steven E. Hettig
KRAFT, WALSER, HETTIG, HONSEY
& KLEINMAN, PLLP
107 NORTH 9th Street, P.O. Box 148
Olivia, MN 56277
Telephone: 320-523-1322
Facsimile: 32-523-1328
Attorney License No.: 44751

L98,100

PUBLICATION NO. 7635 ORDINANCE NO. 07-0486

AN ORDINANCE OF THE CITY OF HUTCHINSON, MINNESOTA, AUTHORIZING THE SALE OF MUNICIPALLY OWNED REAL PROPERTY AND ADOPTING, BY REFERENCE, CITY CODE CHAPTER 10 AND SECTION 2.99, WHICH AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

THE CITY OF HUTCHISON ORDAINS:

Section 1. That the municipally owned real property legally described as follows:

The east 135.00 feet of Lot 5, Block 2, GOEBEL'S ADDITION, according to the recorded plat thereof

for good and valuable consideration thereto, is hereby sold and conveyed to Cenex, together with all hereditaments and appurtenances belonging thereto.

Section 2. The sale of municipally owned real estate is authorized in exchange for certain parcels owned by Cenex and legally described as follows:

Parcel 1 - Legal Description: N 57' of Lots 4 & 5 North Half of Hutchinson

Parcel 2 - Legal Description: S 75' of Lots 4 & 5 North Half of Hutchinson

Parcel 3 - Legal Description: Lots 2 & 3 North Half of Hutchinson

Parcel 4 - Legal Description: Part of Lot 1 North Half of Hutchinson

Section 3. City Code Chapter 10 entitled "General Provisions" and Section 10.99 entitled "General Penalty" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 4. This ordinance shall take effect upon its adoption and publication.

Section 5. Gary D. Plotz, City Administrator, or his designee, is hereby empowered to execute any and all documents required to effectuate the purchase of the above-described property or at the real estate closing for the purchase of this parcel.

Adopted by the City Council this 11TH, day of December, 2007.

ATTEST:

Gary D. Plotz, City Administrator
Steven W. Cook, Mayor

PUBLISHED IN THE HUTCHINSON LEADER
Tuesday, December 18, 2007

PUBLICATION NO. 7639 Ordinance No. 07-0474

AN ORDINANCE APPROVING A DEBT SERVICE ESCROW AGREEMENT WITH HUTCHINSON HEALTH CARE

WHEREAS, the City of Hutchinson has enacted ordinance number 07-0474 which authorizes the City to enter into a lease agreement with Hutchinson Health Care concerning the lease of certain property currently owned by the City; and,

WHEREAS, said lease requires Hutchinson Health Care to undertake certain financial obligations and make rent payments to the City; and,

WHEREAS, to facilitate the exercise of those obligations, the City and Hutchinson Health Care desire to enter into a debt service agreement to ensure that there is adequate security to make said payments in a timely manner,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUTCHINSON, THAT THE DEBT SERVICE ESCROW AGREEMENT ATTACHED AS EXHIBIT A TO THIS ORDINANCE IS HEREBY ADOPTED BY THE CITY COUNCIL AND THAT THIS ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION.

Adopted by the City Council this 11TH, day of September, 2007.

ATTEST:

Gary D. Plotz, City Administrator
Steven W. Cook, Mayor

PUBLISHED IN THE HUTCHINSON LEADER
Tuesday, December 18, 2007

Publication No. 7636 ORDINANCE NO. 07-0487

An Ordinance Amending Ordinance No. 06-0449, the Hutchinson smoke-Free Workplace Ordinance, to Permanently Exclude the Provisions of the Smoke-Free Workplace Ordinance as It Applies to Hotels and Motels

The City Council of Hutchinson, Minnesota hereby ordains that the provisions of Ordinance No. 06-0449 (the Hutchinson Smoke-Free Workplace Ordinance) shall be amended to permanently exclude application of Ordinance No. 06-0449 as it applies to rented hotel and motel sleeping rooms as indicated in the attached Exhibit A.

Dated: December 11, 2007

ATTEST:

Steven W. Cook, Mayor

Gary D. Plotz, City Administrator

EXHIBIT A

SECTION 1. FINDINGS OF FACT AND PURPOSE.

The City Council finds that:

Tobacco smoke is a leading cause of disease in nonsmokers and a major source of indoor air pollution. Secondhand smoke causes premature death and disease in children and in adults. Secondhand smoke causes heart disease, lung cancer, respiratory infections, decreased respiratory function, and other health problems.

In a 2006 Report of the United States Surgeon General, U.S. Surgeon General Carmona concluded that "exposure to secondhand smoke remains an"alarming public health hazard" and that "more than 126 million nonsmokers are still exposed."

Numerous, nationally recognized medical and scientific authorities, including the American Medical Association, the U. S. Surgeon General, the National Institute on Occupational Safety and Health, the National Cancer Institute, the Environmental Protection Agency, the National Academy of Sciences, the National Toxicology Program, and the World Health Organization, have issued reports and health advisories addressing the adverse effects of exposure to secondhand smoke.

It is estimated that between 24,300 and 71,900 low birth-weight or pre-term deliveries, about 202,300 episodes of childhood asthma (new cases and exacerbations), between 150,000 and 300,000 cases of lower respiratory illness in children, and about 789,700 cases of middle ear infections in children occur in the United States each year as a result of exposure to secondhand smoke.

It is estimated that in the U.S., secondhand smoke causes about 46,000 (a range of 22,700 to 69,600) deaths per year from cardiac-related illnesses (including 700 to 1,240 deaths among Minnesotans), and 3,400 deaths per year from lung cancer.

There is no known safe level of exposure to secondhand smoke; neither the separation of smokers and nonsmokers nor the introduction of new ventilation systems can eliminate the health hazards caused by secondhand smoke. The scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke. Eliminating smoking in indoor spaces protects nonsmokers from exposure to secondhand smoke. Separating smokers from nonsmokers, cleaning the air, or ventilating buildings cannot eliminate exposure of nonsmokers to secondhand smoke. The only means of effectively eliminating health risks associated with indoor exposure is to prohibit smoking.

Objective evidence does not support fears that restricting smoking in enclosed, indoor areas will harm a community's economy. On the contrary, many independent economic studies have shown that the elimination of smoking has no material economic impact on a community. These studies have drawn from the experience of hundreds of communities that have successfully eliminated smoking in workplaces and public places. Numerous U.S. cities, counties, and states, and many nations, have adopted laws ending all smoking in bars, restaurants, and other public places.

Business owners have no legal or constitutional right to expose their employees and customers to airborne toxins, such as those found in secondhand smoke. On the contrary, employers have a common law duty to provide workers with a workplace that is not unreasonably dangerous.

Restricting smoking in public places and places of work can help to model smoke-free behavior and to reduce youth exposure to secondhand smoke.

Public health policies, ordinances, and other laws are part of the system by which people learn behaviors, guide youth, reduce health threats, and reinforce community norms that

STAY INFORMED

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support the public's health.

Accordingly, the City Council finds and declares that the purpose of this Ordinance is to:

(1) Protect vulnerable populations, including employees, children, the elderly, and those with chronic health conditions; and

(2) Affirm that the right to breathe has priority over the desire to smoke; and

(3) Protect the public health, welfare and safety by better ensuring the ability of citizens to breathe safe and uncontaminated air;

SECTION 2. DEFINITIONS.

As used in this chapter:

(1) "Food Establishment" means any establishment, however designated, engaged in the preparation or serving of food or beverages for consumption either on or off the premises, or anywhere consumption of food occurs on the premises. This term includes any establishment, however designated, that has an on-sale non-intoxicating malt liquor license, an on-sale intoxicating liquor license, an on-sale wine license, and/or a strong beer liquor license issued by the State of Minnesota, the municipality within which it is located, or McLeod County.

(2) "Other Person in Charge" means the agent of the Proprietor authorized to provide administrative direction to, and general supervision of, the activities within a public place or place of work at any given time.

(3) "Place of Work" means any enclosed, indoor location at which two or more individuals perform any type of a service for consideration of payment under any type of employment relationship including, but not limited to, an employment relationship with or for a private corporation, partnership, individual, or government agency. This term includes any location where two or more individuals gratuitously perform services for which individuals are ordinarily paid. Examples of a place of work include, but are not limited to, enclosed, indoor areas of an office, a factory, a hotel or motel (~~except rented sleeping rooms~~), a vehicle, a warehouse, and other locations where services are performed under an employment relationship. Enclosed, indoor areas of a private clubs and rooms used for private meetings or social functions are "places of work" if two or more persons acting under an employment relationship provide cleaning, catering, food or beverage service, maintenance, or other support services in such locations.

(4) "Proprietor" means the party who ultimately controls, governs, or directs the activities within the public place or place of work, regardless of whether the party is owner or lessee of the public place or place of work. The term "proprietor" may apply to a corporation as well as an individual.

(5) "Public Place" means any enclosed, indoor area used by the general public or serving as a place of work including, but not limited to, arenas, auditoriums, bars, bowling alleys, bingo halls, commercial establishments, educational facilities other than public schools, as defined in Minnesota Statutes §120A.05, subdivisions 9, 11, and 13, hospitals, offices and other commercial establishments, pool halls, public conveniences, restaurants, retail stores, and common areas of rental apartment buildings. "Public Place" also means the outdoor dining or bar area of food establishments.

(6) "Smoking" means the inhaling, exhaling, or combustion of any tobacco product, weed, plant, or any other similar article, including any cigar, cigarette, pipe, or any other similar article. Smoking includes possessing or carrying a lighted cigar, cigarette, pipe or any other lighted, smoking equipment. The term "smoking" does not include the use of tobacco by an enrolled member of a federally-recognized Indian tribe as part of a traditional Indian spiritual or cultural ceremony.

SECTION 3. PROHIBITIONS.

Subd. 1. Except as provided in Subdivision 2, smoking is prohibited in the following locations:

A. Public places and places of work, including outdoor dining or bar areas of food establishments;

B. Within fifteen (15) feet of entrances, exits, open windows, and ventilation intakes of public places and places of work; and

C. Within fifteen (15) feet of any outdoor dining or bar areas of food establishments.

Subd. 2. The prohibitions of this Section do not apply to the following places or situations:

A. Private residences;

B. Motor vehicles in private use;

C. Motor vehicles that serve as a place of work for no more than one employee;

D. Outdoor areas, except as provided in subdivision 1; ~~and~~

E. The use of tobacco by an enrolled member of a federally-recognized Indian tribe as part of a traditional Indian spiritual or cultural ceremony; and

F. A hotel or motel sleeping room rented to one or more guests.

SECTION 4. RESPONSIBILITIES OF PROPRIETORS AND OTHER PERSONS IN CHARGE.

The proprietor or other person in charge of a public place or place of work where smoking is prohibited shall:

1. Post "No Smoking" signs that comply with the Minnesota Clean Indoor Air Act Rules, Minnesota Rules Part 4620.0500, as amended from time to time;

2. Ensure that ashtrays, lighters, matchbooks, or other smoking paraphernalia are not provided in areas where smoking is prohibited;

3. Place any receptacles for the deposit of extinguished cigarettes, cigars, pipe tobacco, and other smoking materials more than fifteen (15) feet from entrances, exits, open windows, and ventilation intakes of public places and places of work; and

4. Ask any person who smokes in any area where smoking is prohibited to refrain from smoking and, if the person does not refrain from smoking after being asked to do so, ask the person to leave. If the offending party refuses to leave, the proprietor or other person in charge shall handle the situation consistent with lawful methods for handling other persons acting in a disorderly manner or as a trespasser. Appropriate action shall include calling the Hutchinson Police Department for assistance.

SECTION 5. PRIVATE PROHIBITIONS.

Nothing in this Ordinance prevents the proprietor or other person in charge of any place, including, without limitation, any residence, motor vehicle, or outdoor space, from prohibiting smoking in any such place.

SECTION 6. RETALIATION PROHIBITED.

No person or employer shall discharge, refuse to hire, penalize, discriminate against, or in any manner retaliate against any employee, applicant for employment, or customer because the employee, applicant, or customer exercises any right to a smoke-free environment afforded by this Ordinance or other law.

SECTION 7. EMPLOYEES' RIGHTS PRESERVED.

An employee who consents to work in a setting where an employer allows smoking does not waive or otherwise surrender any legal rights the employee may have against the employer or any other party.

SECTION 8. OTHER LAWS.

This Ordinance is intended to complement the Minnesota Clean Indoor Air Act, Minnesota Statutes, Sections 144.411 to 144.417, as amended from time to time. Nothing in this Ordinance authorizes smoking in any location where smoking is prohibited or restricted by other laws.

SECTION 9. VIOLATIONS AND PENALTIES.

Subd. 1. Smoking Where Prohibited. It is a violation of this Ordinance for any person to smoke in an area where smoking is prohibited by this Ordinance.

Subd. 2. Proprietor or Other Person in Charge. It is a violation of this Ordinance for the proprietor or other person in charge of any premises subject to this Ordinance to fail to comply with the requirements of Section 4 of this Ordinance or to retaliate against an employee, applicant for employment or customer, as prohibited by Section 6 of this Ordinance.

Subd. 3. Penalties.

A. Violation of any provision of this Ordinance shall be a petty misdemeanor for the first offense. Any additional violation of any provision this Ordinance shall be a misdemeanor. Each day of violation constitutes a separate offense.

B. Violation of any provision of this chapter by a licensee shall be adequate grounds for the denial, refusal to renew, suspension, or revocation of any food, liquor, or other business license.

Subd. 4. Enforcement. The provisions of this chapter shall be enforced by the Hutchinson Police Department or other enforcement agency designated by the City.

Subd. 5. Injunctive Relief. In addition to the penalties provided in subdivision 3 of this Section, the City Attorney may bring a civil action against the proprietor or other person in charge of a public place or place of work to enjoin repeated or continuing violations of this Ordinance.

SECTION 10. SEVERABILITY.

If any portion of this Ordinance, or its application to any circumstances, is held invalid, the remaining provisions shall be considered severable and shall be given effect to the maximum extent possible.

SECTION 11. EFFECTIVE DATE.

The provisions of this Ordinance shall become effective