

**PUBLICATION NO. 763
ORDINANCE NO. 246**

(City Owned Property)

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HUTCHINSON TO INCLUDE CERTAIN UNPLATTED LAND NOT EXCEEDING TWO HUNDRED ACRES.

Section 1. The governing body of the City of Hutchinson, Minnesota, is the sole owner of the following described real estate and now desires to have such land included within the City Limits of the City of Hutchinson, Minnesota:

Lot 2 of Auditor's Plat of NW $\frac{1}{4}$ of Section 1, Township 116, Range 30 lying South of Mill Pond, McLeod County, Minnesota according to the Plat on file in the office of the Register of Deeds of McLeod County, Minnesota.

East $7\frac{1}{2}$ feet of Lot 3 Auditor's Plat of the NW $\frac{1}{4}$ of Section 1, Township 116 North, Range 30 West.

The North 633 feet of Lot 16 of Auditor's Plat of Section 7, Township 116 North, Range 29 West, according to the map or plat thereof on file and of record in the office of the Register of Deeds in and for said county and state.

All that part of the Northeast Quarter of North east Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 7, Township 116 North, Range 29 West, included within a parcel of land 100 feet wide, having 50 feet of such width on each side of the center line of the Grantor's main track as heretofore laid and operated, and extending between the north line of said quarter quarter section and a perpendicular to said main track center line at a distance of 1060 feet northwesterly measured along said center line from its intersection with the East line of said quarter quarter section, contains 0.98 acres more or less.

All of Lot 2 of the Auditor's Plat of Section 7 Township 116 North, Range 29 West, tract contains 31 acres more or less.

A part of Lot 6 of Auditor's Plat of the South $\frac{1}{2}$ of Section 30 and the North $\frac{1}{2}$ section 31 Township 117 N., Range 29 West, McLeod County, Minnesota, according to plat on file in the Register of Deeds Office, McLeod County, Minnesota, and more particularly described as follows:

Beginning at a point on the West line of said Lot 6, said point lying 169.0 feet Southerly from the northwest corner of said Lot 6; thence continuing southerly along said West line of Lot 6, 195 feet; thence Easterly on a line parallel with the North line of said Lot 6, 30 feet; thence Northerly on a line parallel with the West line of said Lot 6, 195 feet; thence westerly on a line parallel with the North line of said Lot 6 30 feet to point of beginning. To be used for street purposes in connection with the Addition of Earl Hansen to the West.

A part of Lot 6 of Auditor's Plat of the South $\frac{1}{2}$ of Section 30 and the North $\frac{1}{2}$ of Section 31, T 117, N. Rg. 29 W., McLeod County, Minnesota, according to plat on file in the Register of Deeds Office, McLeod County, Minnesota, and more particularly described as follows:

Beginning at a point on the West line of said Lot 6, said point lying 364 feet Southerly from the Northwest corner of said Lot 6; thence continuing Southerly along said West line of Lot 6, 296 feet; thence East-

erly on a line parallel with the North line of said Lot 6, 30 feet; thence Northerly on a line parallel with the West line of said Lot 6, 296 feet; thence Westerly on a line parallel with the North line of said Lot 6, 30 feet to point of beginning. To be used for street purposes in connection with the Addition of Earl Hansen to the West.

The South 30 feet of the East 378.10 feet of Lot 19 of the Auditor's Plat of the NW $\frac{1}{4}$ of Section 1, Township 116, Range 30 lying South of Mill Pond, McLeod County, Minnesota according to the Plat on file in the office of the Register of Deeds, McLeod County, Minnesota. Also, the East 30 feet of Lot 20 of the Auditor's Plat of the NW $\frac{1}{4}$ of Section 1, Township 116, Range 30 lying South of Mill Pond, McLeod County, Minnesota, according to the Plat on file in the office of the Register of Deeds of McLeod County, Minnesota.

All that part of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ (NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 7, Township 116 North, Range 29 West, included within a parcel of land 100 feet wide, having 50 feet of such width on each side of the center line of the Grantor's former main track, now retired, and extending between the east line of said quarter quarter section and a perpendicular to said center line at a distance of 1,060 feet northwesterly, measured along said former main track center line from its intersection with the east line of said $\frac{1}{4}$ $\frac{1}{4}$ section, containing 2.43 acres, more or less.

Beginning at a point on the Southerly 75 foot right-of-way line of Minnesota Trunk Highway 7 - 22, where said point intersects the West line of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36, Township 117 North, Range 30 West, McLeod County, Minn.; thence Southerly along said West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36-117-30 for 911.3 feet to the Southwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36; thence Westerly for 1 rod (16.5') thence Northerly on a line 16.5' West and parallel with the said West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36 to the Southerly 75 foot right-of-way line of said Trunk Highway No. 7 - 22; thence Northeasterly along said right-of-way to the point of beginning.

That portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, Township 117 North, Range 30 West, McLeod County, Minn. described as follows: Commencing at the SW corner of the SE $\frac{1}{4}$ of Section 36 Township 117 North, Range 30 West; thence north along the west line of said SE $\frac{1}{4}$ a distance of 436 feet more or less to the center line of Grantor's main line railroad track; thence north 77 degrees 49 minutes east and along the center line of Grantee's main line railroad track as now constructed and operated a distance of 198.6 feet to the point of beginning of the land herein to be conveyed; thence south 2 degrees 19 minutes east a distance of 253.9 feet; thence north 82 degrees 27 minutes east a distance of 500 feet; thence south 2 degrees 19 minutes east a distance of 290.83 feet more or less to a point on the South line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ which is 712.5 feet east of the point of beginning; thence West along said South line to the point of beginning, containing 5 acres more or less, subject to existing railroad right-of-way.

existing railroad right-of-way. Also that portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 1, Township 116 North, Range 30 West; McLeod County, Minnesota described as follows:

Commencing at the SW corner of the SE $\frac{1}{4}$ of Section 36, Township 117 North, Range 30 west; thence east along the north line of said section 1 a distance of 712.5 feet to the point of beginning of the land herein to be conveyed; thence east along said north line of said Section 1 a distance of 179.40 feet; thence south 2 degrees 19 minutes east a distance of 16.43 feet; thence south 82 degrees 27 minutes west a distance of 180 feet; thence north 2 degrees 19 minutes west a distance of 40.17 feet to the point of beginning, containing 0.12 acres more or less.

That portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, Township 117 North, Range 30 West, McLeod County, Minnesota, described as follows: Commencing at the SW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section 36 Township 117 North, Range 30 West; thence North along the west line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 436 feet more or less to the center line of Grantee's main line railroad track; thence North 77 degrees 49 minutes East and along the center line of Grantee's main line railroad track as now constructed and operated a distance of 198.6 feet; thence South 2 degrees 19 minutes East a distance of 253.9 feet; thence North 82 degrees 27 minutes East a distance of 500 Feet; thence South 2 degrees 19 minutes East a distance of 290.83 feet more or less to a point on the South line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ which is 712.5 feet East of the point of beginning; thence West along said South line to the point of beginning, containing 5 acres more or less, subject to existing railroad right-of-way.

Also that portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 1, Township 116 North, Range 30 West; McLeod County, Minnesota described as follows:

Commencing at the SW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, Township 117 North, Range 30 West; thence South 65 degrees 33 minutes East a distance of 240 feet; thence North 82 degrees 27 minutes East a distance of 500 feet; thence North 40.17 feet to a point on the North line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 1, Township 116 North, Range 30 West, 712.5 feet East of the point of beginning; thence West along said North line of said quarter quarter to the point of beginning, containing 1 acre more or less, all according to the U. S. Government Survey thereof.

All that part of the hereinafter described real estate lying South of the presently existing railroad right-of-way originally owned by the Electric Short Line Railway Company and now occupied by the Minn. Western Railway, together with the West 2 rods of the hereinafter described real estate lying between the present railroad right-of-way hereinabove mentioned, Northerly to present Minn. Trunk Highway No. 7 & 22:

The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, Township 117, Range 30 except a strip of land 100 feet in width deeded to Electric Short Line Railway Co., the center line of which is described as follows: Commencing at a point on the East line of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 36, being 612 feet South of the NE corner, thence southwesterly along a

tangent line a distance of approximately 1,347 feet to a point in the West boundary line being 874 feet South of the NW corner, said strip containing approximately 3.09 acres. Also $11\frac{1}{2}$ acres of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 1 Township 116, Range 30 described as follows, to-wit:

Beginning at the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36 Township 117, Range 30, and running thence South 20 rods, thence South 83 degrees West to a point 40 rods West and 24 rods South of said SE corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36, Township 117, Range 30, thence East 80 rods to place of beginning; said land in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, Township 116, Range 30 now being Lot 3 Lynn Addition to Hutchinson, Minnesota, less trunk highway lands described in that certain Notice of Lis Pendens dated June 18, 1925, recorded June 19, 1925 in Book 1 of Misc. at Page 328 in the office of the Register of Deeds for McLeod County, Minn., and less lands conveyed to George H. Magdanz described in that certain Warranty Deed dated July 16, 1938, recorded on July 21, 1938 in Book 66 of Deeds at Page 338 in the office of the Register of Deeds for McLeod County, Minn.; and, less lands conveyed to Minn. Western Railway Co. described in that certain Warranty Deed dated April 9, 1947 and recorded on April 24, 1947 in Book 77 of Deeds at Page 360 in the office of the Register of Deeds for McLeod County, Minnesota; and, less lands conveyed to the Minn. Western Railway Co. described in that certain Warranty Deed dated December 3, 1951 and recorded on December 20, 1951 in Book 94 of Deeds at Page 175 in the office of the Register of Deeds for McLeod County, Minnesota; and, less trunk highway lands described in that certain Certified Copy of Final Certificate dated November 27, 1959 and recorded August 24, 1960, in Book 46 of Misc. at Page 185 through 212 in the office of the Register of Deeds for McLeod County, Minnesota; and, less lands sold to Arnel T. Erickson and Irene Erickson described in that certain Quit Claim Deed dated March 13, 1958 and recorded March 28, 1958 in Book 109 of Deeds at Page 517 in the office of the Register of Deeds for McLeod County, Minnesota.

Section 2. The quantity of land embraced within the foregoing description, and bounded as described is less than 200 acres.

Section 3. The City Council hereby determines (1) that the annexation will be to the best interests of the City of Hutchinson, Minnesota, and of the territory affected; (2) that the territory described herein abuts upon the City and is so conditioned as properly to be subjected to City government.

Section 4. Therefore, the City of Hutchinson, Minnesota, hereby ordains and declares that the property hereinbefore described by and the same is hereby annexed to, and included in, the City of Hutchinson, Minnesota, as effectually as if it had originally been a part thereof.

Section 5. This ordinance shall be final and shall take effect and be in force from and after filing Certified Copy thereof with the Minnesota Municipal Commission, the County Auditor and the Secretary of State, and from and after its passage and publication.

Adopted this 23rd day of April, 1962.

Lida E. Rolander
City Clerk

I certify that the above is a true and correct copy as it appears in the permanent Minute Book

Lida E. Rolander Lida E. Rolander, City Clerk

1. Cc.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY - 9 1962

#15801

Joseph L. Benson
Secretary of State