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ORJ DEC16 '19 AM 9:10

December 12, 2019

Office of Administrative Hearings
Attn: Star Holman
P.O. Box 64620
Harold E. Stassen Office Bldg
600 N. Robert St.
St. Paul, MN 55164-0620

Re: D-607 Minn Lake/Minn Lake Twp


Dear Ms Holman:

Enclosed please find an Amended Petition in the above-noted case. By copy of this letter, I am serving a copy of this Amended Petition on the City of Minnesota Lake, and the Townships of Minnesota Lake and Danville.

As described in the introduction to the Amended Petition, it does not change the property that is the subject of this case, but only corrects some legal descriptions.

Thank you.

Sincerely;



Steven J. Vatndal

- c. David F. Frundt, City Attorney, City of Minnesota Lake
Scott Radke, Town Clerk, Minnesota Lake Township
Laurie Stenzel, Town Clerk, Danville Township

**IN THE MATTER OF THE PETITION FOR DETACHMENT OF CERTAIN
LAND FROM THE CITY OF MINNESOTA LAKE, MINNESOTA
PURSUANT TO MINNESOTA STATUTES SEC. 414.06**

TO: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
P.O. Box 64620
St. Paul, MN 55164-0620

AMENDED PETITION

This Amended Petition is the same as the original Petition, except that the descriptions of the parcels described in 7(b) (Tax Parcel ID number R28.003.0500), 7(c) (Tax Parcel ID number R28.003.0301), and 7(d) (Tax Parcel ID number R28.003.0300) are corrected. These corrections to parcel descriptions do not increase the area to which the Petition and Amended Petition apply.

PETITIONERS STATE: The number of petitioners required by Minnesota Statutes sec. 414.06 subd. 1 to commence this proceeding is: all of the property owners if the area is less than 40 acres; or 75% or more of the property owners in number if the area is more than 40 acres.

It is hereby requested by all of the property owners to detach certain property described herein from the City of Minnesota Lake and make a part of the Township of Minnesota Lake.

1. There are four property owners of the property proposed for detachment.
2. All (i.e. four) property owners have signed this petition.
3. The property is situated within the City of Minnesota Lake, abuts the municipal boundary, and is located in the County of Faribault. The petitioned area abuts on the City's East and South boundaries.
4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.

5. The reasons detachment is requested are:

The property that is the subject of this petition receives no benefits from the City but is subjected to a City rural service tax rate that is approximately 3.2 times the rate in Minnesota Lake Township (39.9000 compared to 12.1290).

Because of the rural character of the property, County rather than City ordinances regulating the use of property are more appropriate.

Furthermore:

- (a) The detachment would not unreasonably affect the symmetry of the City.
- (b) The land is not needed for reasonably anticipated future development. The area subject to this Petition is far away from the retail area of the City, and there are no shortages of housing or buildable lots for residential or commercial purposes in the City.
- (c) There is no basis for finding that the remainder of the City cannot continue to carry on the functions of government without undue hardship. The City does not run any of its services through the area to be detached.

6. Summary of efforts to resolve the issues: In approximately the Summer of 2013, Petitioner Lori M. Sonnek asked the City Clerk whether the City Council would be willing to detach the Sonnek property, and was told it would not. Note that the Sonneks requested detachment not only because of the higher taxes paid to the City compared to what would be paid to the town, but also because some city ordinances appropriate for regulating land use in an urban area are inappropriate for Petitioners' rural property. In approximately 1998 and 2006, Petitioner Mark Gregor asked the City Council for relief from the disproportionately high City tax rate. In both instances, some relief was provided via a rural service district, but the difference between the City tax and what would be the tax in the town continues to grow.

7. The number of acres in the property proposed for detachment is 394.6 and is described as follows:

(a) Tax Parcel ID number R28.003.0400:

The East Half of the Southeast Quarter (E1/2 SE1/4), Sect. Three (3), T104N R25W.

(80 acres, owned by Petitioners Mark Gregor and Rebecca Gregor)

(b) Tax Parcel ID number R28.003.0500:

The East Four (4) acres of the Southwest Quarter of the Northeast Quarter (SW1/4 NE ¼), the East Half of the Northeast Quarter (E1/2 NE1/4), and the East Nine (9) acres of the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4), all in Sect. Three (3) T104N R25W,

Except the following described tract:

Commencing at a point 559.5 feet South of a point 26 feet North 89 degrees 15.75 minutes West of the Northeast corner of the East Half of the Northeast Quarter (E1/2 NE1/4) os said Sect. Three (3), running thence North 87 degrees 39 minutes West 952.10 feet; thence South 3 degrees 38.5 minutes East 908.9 feet; thence South 89 degrees 18.5 minutes East 451.9 feet to a point; thence South 68 degrees 57.5 minutes East 150.90 feet to a point; thence South 89 degrees 57.5 minutes East 291.35 feet; thence North 0 degrees 35.25 minutes East 927.88 feet to point of beginning, containing 19.22 acres more or less.

(73.78 acres, owned by Petitioners Mark Gregor and Rebecca Gregor)

(c) Tax Parcel ID number R28.003.0301:

The West 62 acres of the following: the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) and the East Half of the Southwest Quarter (E1/2 SW ¼) lying East of State Highway 22 right of way; the East boundary of which shall be parallel with the West line of said tract in Sect. Three (3), T104N R25W.

(62 acres, owned by Petitioners Mark Gregor and Rebecca Gregor)

(d) Tax Parcel ID number R28.003.0300:

The Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4), the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4 except the East four (4) acres thereof, the West Half of the Southeast Quarter (W1/2 SE1/4), the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4, and all that part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) which lies East of the right of way of Trunk Highway 22, all in Sect. Three (3) T104N R25W,

Except the following described tract:

The West 62 acres of the following: the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) and the East Half of the Southwest Quarter (E1/2 SW ¼) lying East of State Highway 22 right of way; the East boundary of which shall be parallel with the West line of said tract in Sect. Three (3), T104N R25W.

(159.60 acres, owned by Petitioners Mark Gregor and Rebecca Gregor)

(e) Tax Parcel ID number R28.003.0200:

Commencing at a point 559.5 feet South of a point 26 feet North 89 degrees 15.75 minutes West of the Northeast corner of the East Half of the Northeast Quarter (E1/2 NE1/4) of said Sect. Three (3), running thence North 87 degrees 39 minutes West 952.10 feet; thence South 3 degrees 38.5 minutes East 908.9 feet; thence South 89 degrees 18.5 minutes East 451.9 feet to a point; thence South 68 degrees 57.5 minutes East 150.90 feet to a point; thence South 89 degrees 57.5 minutes East 291.35 feet; thence North 0 degrees 35.25 minutes East 927.88 feet to point of beginning, containing 19.22 acres more or less.

(19.22 acres, owned by Petitioners Peter C. Sonnek and Lori M. Sonnek)


8. Tax Parcel ID number R280.030.0200 contains two buildings, including one house in which Petitioners Peter C. Sonnek and Lori M. Sonnek reside. There are no buildings on any of the other property to be detached.

9. The number of residents in the area proposed for detachment is two (i.e. Petitioners Peter C. Sonnek and Lori M. Sonnek).

10. There are no public improvements on the property to be detached.

Date: 12/5/2019


Mark Gregor, Parcel Owner


Rebecca Gregor, Parcel Owner


Peter C. Sonnek, Parcel Owner


Lori M. Sonnek, Parcel Owner


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