

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

John W. Carey	Chair
Kenneth F. Sette	Vice Chair
Shirley J. Mihelich	Commissioner

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IN THE MATTER OF THE PETITION FOR	)	<u>FINDINGS OF FACT</u>
THE DETACHMENT OF CERTAIN LAND FROM	)	<u>CONCLUSIONS OF LAW</u>
THE CITY OF FERTILE PURSUANT TO	)	<u>AND ORDER</u>
MINNESOTA STATUTES 414.06	)	

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On March 28, 1990, the Minnesota Municipal Board received a petition by all of the property owners for the detachment of certain land from the City of Fertile. A resolution for the detachment of the same land was received from the City of Fertile on April 6, 1990.

After review of the petition and resolution, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. That a petition was duly filed with the Municipal Board by the requisite number of property owners and a resolution for the detachment of the same property was filed by the City of Fertile.

2. The petition and resolution contained all the information required by statute including a description of the territory proposed for detachment, which is as follows:

All that part of Section Nineteen (19), Township One Hundred Forty-seven (147) North, Range Forty-four (44), West of the Fifth Principal Meridian, Polk County, Minnesota described as follows:

The North Half of the North Half of the Northeast Quarter of the Southwest Quarter (N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ ), the North Half of the

Northwest Quarter of the Northwest Quarter of the Southeast Quarter ( $N\frac{1}{2}NW\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ), and the North Half of the North Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter ( $N\frac{1}{2}N\frac{1}{2}NE\frac{1}{2}NW\frac{1}{2}SE\frac{1}{2}$ ).

3. The area proposed for detachment is situated within the City of Fertile and abuts the municipal boundary.

4. The area proposed for detachment is approximately 17.5 acres.

5. The area proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.

6. There are no people, buildings, or municipal improvements on the area proposed for detachment.

7. The area abuts the Town of Garfield.

#### CONCLUSIONS OF LAW

1. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.

2. The area subject to detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.

3. The detachment would not unreasonably affect the symmetry of the detaching municipality.

4. An order should be issued by the Minnesota Municipal Board detaching the area described herein.

#### O R D E R

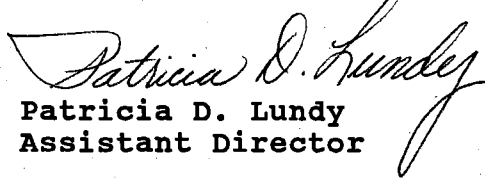
1. IT IS HEREBY ORDERED: That the property described herein

in Findings of Fact 2 be, and the same hereby is, detached from the City of Fertile and made a part of the Town of Garfield, the same as if it had originally been made a part thereof.

2. IT IS FURTHER ORDERED: That the effective date of this order is October 1, 1990.

Dated this 9th day of October, 1990

MINNESOTA MUNICIPAL BOARD  
165 Metro Square Building  
St. Paul, Minnesota 55101

  
Patricia D. Lundy  
Assistant Director