

REC'D. BY NOV 07 1991
MMB

DeVaughn Law Office
Attorneys at Law

320 West Broadway • P. O. Box 668 • Plainview, MN 55964 • (507) 534-3157

November 1, 1991

State of Minnesota Municipal Board
165 Metro Square Building
121 East 7th Place
St. Paul, MN 55101-2142

ATTN: Patricia D. Lundy, Assistant Director

RE: MMB Docket No. D-275 Houston Township

Dear Ms. Lundy:

I am enclosing the map of the area proposed to be detached, marked in yellow. I am also enclosing a corrected legal description, correcting certain minor discrepancies.

Thank you for your patience in this matter.

Sincerely,


Donald L. DeVaughn

kmp

cc: Mason Witt

Enclosure

5. The number of acres in the property proposed for detachment is 881.36 acres, more or less, and is described as follows:

The Northeast Quarter of Section 32, Township 104 North, Range 6 West.

The North Half of Section 33;

The Southeast Quarter of Section 33, except that part thereof described as follows:

All of Lots 8 through 13, Block 2, Crookston's Addition to Houston, Minnesota, as of record and on file in the office of the county Recorder for Houston County, Minnesota.

~~Together with~~ That part of the Southeast Quarter of the Southwest Quarter and that part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 104 North, Range 6 West, Houston County, Minnesota, described as follows:

Beginning at the Northwest corner of said Block 2 of Crookston's Addition to Houston; thence Southerly along the West line of said Block 2, a distance of 300.00 feet to the Southwest corner of said Block 2; thence Southwesterly deflecting to the right 80 degrees 02 minutes a distance of 65.10 feet to the East line of Erickson Street; thence Northerly deflecting to the right 99 degrees 08 minutes; and along said East line of Erickson Street, a distance of 302.20 feet to its intersection with the South line of Maple Street; thence Easterly deflecting to the right 89 degrees 52 minutes and along said South line of Maple Street, a distance of 66.20 feet to its intersection with the East line of Henderson Street; thence Northeasterly to the point of beginning.

All of Lots 14, 15 and 16 of Block 3, Crookston's Addition to Houston, Minnesota as of record and on file in the office of the County Recorder for Houston County, Minnesota.

~~Together with~~ That part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 104 North, Range 6 West, Houston County, Minnesota, described as follows:

Beginning at the Northwest corner of Block 2 of said Crookston's Addition to Houston; thence Northerly a distance of 66.00 feet to the Southwest corner of said Block 3 of Crookston's Addition to Houston; thence continuing Northerly along the West line of said Block 3, a distance of 150.00 feet to the Northwest corner of Lot 16 of said Block 3; thence Westerly deflecting to the left 90 degrees 12 minutes along the Westerly extension of the North line of said Lot 16 of Block 3, a distance of 7.55 feet to its intersection with the East line of Henderson Street; thence Southerly deflecting to the left 90 degrees 50 minutes and along said East line of Henderson Street, a distance of 224.20 feet to its intersection with the South line of Maple Street; thence Northeasterly to the point of beginning.

That part of Fifth (5th) Street in Crookston's Addition, being sixty-six (66) feet in width, extending from the East terminus of Maple Street of the City of Houston East to a line drawn from the Southeast corner of Lot Fourteen (14) of Block Three (3) to the Northeast corner of Lot Thirteen (13) of Block Two (2) of Crookston's Addition to Houston.

That part of the Northwest Quarter of the Southwest Quarter of Section 33, Township

104 North, Range 6 West, which lies North of Mons Anderson's Addition to Houston.

That part of the Northeast Quarter of the Southwest Quarter of Section 33, Township 104 North, Range 6 West, lying North of Mons Anderson's Addition to Houston, more particularly described as: Commencing at the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 33; thence South along the West line thereof to a point which lies 40 feet North of the North line of Block 3 of Mons Anderson's Addition to Houston; thence East to a point on the ~~West~~ East line of Chase Street, which lies 60 feet East and 40 feet North of the Northeast corner of Block 1 of Mons Anderson's Addition to Houston; thence Northwesterly to a point which is 850 feet West and 260 feet South of the center of said Section 33; thence North 260 feet to a point on the North line of the Northeast Quarter of the Southwest Quarter of said Section 33, which is 850 feet West of the center of said Section 33; thence West to a point of beginning and there ~~terminates~~ terminating.

The Southwest Quarter of Section 34, Township 104 North, Range 6 West.

The Northeast Quarter of Section 4, Township 103 North, Range 6 West.

That part of the Northeast Quarter of the Northwest Quarter of Section 4 described as: Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence West along the North line thereof, 464.9 feet, more or less, to the ~~West~~ East line of Chase Street, as extended South; thence South along the ~~West~~ East line of Chase Street, as extended, a distance of 594 feet; thence at a right angle West, 46.6 feet to a point which is 511.5 feet West of the North-South centerline of Section 4; thence South to the South line of the Northeast Quarter of the Northwest Quarter of Section 4; thence East 511.5 feet to the East line of the Northeast Quarter of the Northwest Quarter along the East line 1,320 feet, more or less to the point of beginning.

The Southeast Quarter of the Northwest Quarter of Section 4, Township 104 North, Range 6 West.

IN THE MATTER OF THE PETITION FOR DETACHMENT OF
CERTAIN LAND FROM THE CITY OF HOUSTON, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.06

TO: Minnesota Municipal Board
165 Metro Square Building
St. Paul, Minnesota 55101

PETITIONERS, representing 75% or more of the property owners in the area to be detached, hereby request the detachment of certain property described herein from the city of Houston to be made a part of the township of Houston.

1. There are 78 property owners in the area proposed for detachment.
2. 62 property owners have signed this petition.
3. The property is situated in the city of Houston and abuts the municipal boundary and the boundary of the township of Houston. The petitioned area abuts on the city's North, 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 number of acres in the property proposed for detachment is 881.36 acres, more or less, and is described as follows:

SE 1/4
The Northeast Quarter of Section 32, Township 104 North, Range 6 West.

The North half of Section 33;

The Southeast Quarter of Section 33, except that part thereof described as follows:

All of Lots 8 through 13, Block 2, Crookston's Addition to Houston, Minnesota, as of record and on file in the office of the county Recorder for Houston County, Minnesota.

Together with that part of the Southeast Quarter of the Southwest Quarter and that part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 104 North, Range 6 West, Houston County, Minnesota, described as follows:

Beginning at the Northwest corner of said Block 2 of Crookston's Addition to Houston; thence Southerly along the West line of said Block 2, a distance of 300.00 feet to the Southwest corner of said Block 2; thence Southwesterly deflecting to the right 80° 02' a distance of 65.10 feet to the East line of Erickson Street; thence Northerly deflecting to the right 99° 08'; and along said East line of Erickson Street, a distance of 302.20 feet to its intersection with the South line of Maple Street; thence Easterly deflecting to the right 89° 52' and along said South line of Maple Street, a distance of 66.20 feet to its intersection with the East line of Henderson Street; thence Northeasterly to the point of beginning.

All of Lots 14, 15 and 16 of Block 3, Crookston's Addition to Houston, Minnesota, as of record and on file in the office of the County Recorder for Houston County, Minnesota.

Together with that part of the Southwest Quarter of the Southeast Quarter of Section 33, Township 104 North, Range 6 West, Houston County, Minnesota, described as follows:

Beginning at the Northwest corner of Block 2 of said Crookston's Addition to Houston; thence Northerly a distance of 66.00 feet to the Southwest corner of said Block 3 of Crookston's Addition to Houston; thence continuing Northerly along the West line of said Block 3, a distance of 150.00 feet to the Northwest corner of Lot 16 of said Block 3; thence Westerly deflecting to the left $90^{\circ} 12'$ along the Westerly extension of the North line of said Lot 16 of Block 3, a distance of 7.55 feet to its intersection with the East line of Henderson Street; thence Southerly deflecting to the left $90^{\circ} 50'$ and along said East line of Henderson Street, a distance of 224.20 feet to its intersection with the South line of Maple Street; thence Northeasterly to the point of beginning.

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That part of the Northeast Quarter of the Southwest Quarter of Section 33, Township 104 North, Range 6 West, lying North of Mons Anderson's Addition to Houston, more particularly described as: Commencing at the Northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 33; thence South along the West line thereof to a point which lies 40 feet North of the North line of Block 3 of Mons Anderson's Addition to Houston; thence East to a point on the West line of Chase Street, which lies 60 feet East and 40 feet North of the Northeast corner of Block 1 of Mons Anderson's Addition to Houston; thence Northwesterly to a point which is 850 feet West and 260 feet South of the center of said Section 33; thence North 260 feet to a point on the North line of the Northeast Quarter of the Southwest Quarter of said Section 33, which is 850 feet West of the center of said Section 33; thence West to the point of beginning and there terminates.

The Southwest Quarter of Section 34, Township 104 North, Range 6 West.

The Northeast Quarter of Section 4, Township 103 North, Range 6 West.

That part of the Northeast Quarter of the Northwest Quarter of Section 4 described as: Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence West along the North line thereof, 464.9 feet, more or less, to the West line of Chase Street, as extended South; thence South along the West line of Chase Street, as extended, a distance of 594 feet; thence at a right angle West, 46.6 feet to a point which is 511.5 feet West of the North-South centerline of Section 4; thence South to the South line of the Northeast Quarter of the Northwest Quarter of Section 4; thence East 511.5 feet to the

East line of the Northeast Quarter of the Northwest Quarter along the East line 1,320 feet, more or less, to the point of beginning.

The Southeast Quarter of the Northwest Quarter of Section 4, Township 104 North, Range 6 West.

- 6. Detachment is requested because the city of Houston has never regarded the area to be within the city limits, and all services have been provided by the township since the establishment of the Village of Houston in 1874. Further, all of the residents have voted in elections for the township and have not been permitted to vote in elections for the city of Houston. Further, the township has taxed the area as part of the township for over 100 years. In short, neither the city of Houston nor the township of Houston realized that the property was within the boundaries of the city until recently. Since the township has installed substantial improvements and has exercised all dominion and control of a township over the entire area, and since the area is rural in character, the area should be officially detached from the city.
- 7. The number of residents in the area proposed for detachment is 55.
- 8. The number and character of buildings on said property is:


One fuel oil distributor; one auto service station; one natural gas distribution building; one car-wash; one feed store; and several farm building sites.
- 9. Public improvements on said property are: Public township roads as shown on the map of the area.

Dated: May 24, 1991


Section 4:

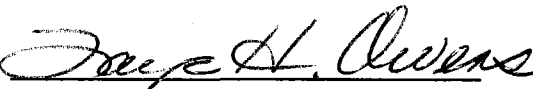
Charles A. Houge
433 S. 7th Street #1310
Minneapolis, MN 55415-1642

Lois Houge
433 S. 7th Street #1310
Minneapolis, MN 55415-1642


Christine Rischette
Drawer C
Houston, MN 55943

Randy Muller


Jon W. Owens
Box 197
Houston, MN 55943


Faye Owens
Box 197
Houston, MN 55943

Craig Kellstrom
Craig Kellstrom
Box 711
Houston, MN 55943

Debra Kellstrom
Debra Kellstrom
Box 711
Houston, MN 55943

Northern Natural Gas
2223 Dodge Street
Omaha, NE 68102

State of Minnesota

Carl H. Ask
Carl H. Ask
Rt. 2, Box 277
Houston, MN 55943

Ellimore C. Ask
Ellimore C. Ask
Rt. 2, Box 277
Houston, MN 55943

Ralph Johnston
Ralph Johnston
Rt. 2, Box 280
Houston, MN 55943

Thelma Johnston
Thelma Johnston
Rt. 2, Box 280
Houston, MN 55943

Harriet Johnson
Hillside Cemetery Harriet Johnson
Houston, MN 55943

Cross of Christ Lutheran Church
Houston, MN 55943

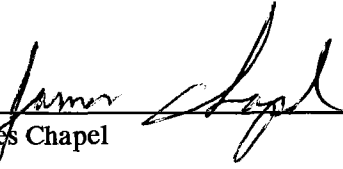
Section 32:

Richard W. Chapel
Richard W. Chapel
Rt. 1
Houston, MN 55943

Emma S. Olson
Emma S. Olson
Rt. 2, Box 8
Houston, MN 55943

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MMB

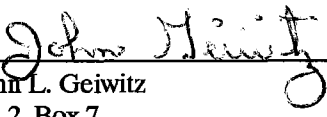
MAY 28 1991

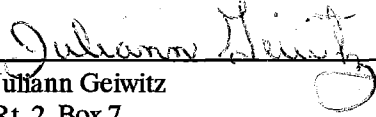

James Chapel
Rt. 1
Houston, MN 55943

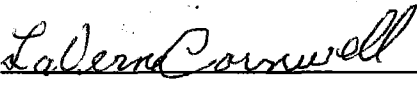
County of Houston
304 S. Marshall
Caledonia, MN 55921

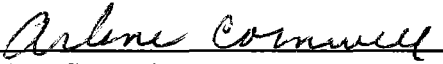
Frederick C. Hohn
Box 677
Houston, MN 55943

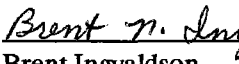
Marilyn I. Hohn
Box 677
Houston, MN 55943



John L. Geiwitz
Rt. 2, Box 7
Houston, MN 55943

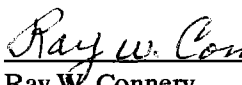

Jullann Geiwitz
Rt. 2, Box 7
Houston, MN 55943



LaVerne Cornwell
Rt. 2, Box 6
Houston, MN 55943

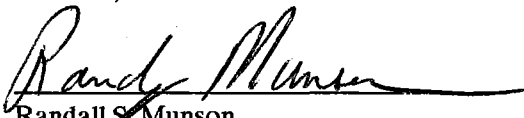

Arlene Cornwell
Rt. 2, Box 6
Houston, MN 55943

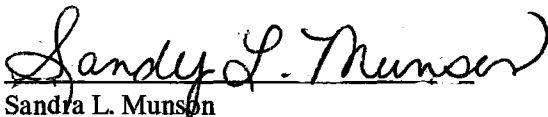

Brent Ingvaldson
Rt. 2, Box 833
Houston, MN 55943


Edna Ingvaldson
Rt. 2, Box 833
Houston, MN 55943


Ray W. Connery
Box 812
Houston, MN 55943


Lenore Connery
Box 812
Houston, MN 55943


Randall S. Munson
Rt. 2, Box 3
Houston, MN 55943


Sandra L. Munson
Rt. 2, Box 3
Houston, MN 55943

William G. Hoskins
Box 476
Houston, MN 55943

Dorothy Hoskins
Box 476
Houston, MN 55943

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Gerald Olson

Gerald Olson
Rt. 2, Box 2A
Houston, MN 55943

Doris Olson

Doris Olson
Rt. 2, Box 2A
Houston, MN 55943

Alvin C. Gaustad

Alvin Gaustad
Houston, MN 55943

Bethany C. Gaustad

Bethany Gaustad
Houston, MN 55943

Roland M. Dubbs

Roland M. Dubbs
Rt. 2, Box 2
Houston, MN 55943

Hazel A. Dubbs

Hazel A. Dubbs
Rt. 2, Box 2
Houston, MN 55943

Michael Olson

Michael Olson
Rt. 2, Box 1
Houston, MN 55943

Debra K. Olson

Debra K. Olson
Rt. 2, Box 1
Houston, MN 55943

Section 33:

Kenneth D. Ranzenberger

Kenneth D. Ranzenberger
Rt. 1, Box 2
Houston, MN 55943

J.A. Ranzenberger

J.A. Ranzenberger
Rt. 1, Box 2
Houston, MN 55943

James A. Loken

James A. Loken
Rt. 1, Box 1
Houston, MN 55943

Glenn Loken

Glenn Loken
Rt. 1, Box 1
Houston, MN 55943

David Kiese

David Kiese
Rt. 1, Box 1A
Houston, MN 55943

Kathleen A. Mary-Kiese

Kathleen Kiese
Rt. 1, Box 1A
Houston, MN 55943

David Kiese

Paul Olson
Rt. 1
Houston, MN 55943

James Chapel
James Chapel
Rt. 1
Houston, MN 55943

Thenus Thorson
Thenus Thorson
Rt. 2, Box 195
Houston, MN 55943

James Chapel
James Chapel
Rt. 2, Box 195
Houston, MN 55943

John W. Benson
John W. Benson
Rt. 1, Box 4
Houston, MN 55943

Harla J. Benson
Harla J. Benson
Rt. 1, Box 4
Houston, MN 55943

Allton Peterson
Allton Peterson
Rt. 2, Box 178
Houston, MN 55943

Thersa Peterson
Thersa Peterson
Rt. 2, Box 178
Houston, MN 55943

James L. Price
James L. Price
Rt. 1, Box 91
Houston, MN 55943

Van Johnson Chairman
Van Johnson Chairman
Town of Houston

Lowell Birkeland
Lowell Birkeland
323 N. Badger
Caledonia, MN 55921

Marjorie Birkeland
Marjorie Birkeland
323 N. Badger
Caledonia, MN 55921

A. Peter Johnson
Rt. 1, Box 3
Houston, MN 55943

Jeanne Johnson
Rt. 1, Box 3
Houston, MN 55943

Michael H. Kelly
Michael Kelly
Houston, MN 55943

Charles Kelly
Charles Kelly
Houston, MN 55943

Robert P. Anderson

Robert P. Anderson
Box 144
Houston, MN 55943

Houston-Money Creed Co-op Creamery
Houston, MN 55943

Mary E. Botcher

Mary E. Botcher
Rt. 3, Box 38
Houston, MN 55943

Vivian Henderson
660 Grand Street
Winona, MN 55987

Leland L. Vetsch

Leland Vetsch
Rt. 3, Box 7
Houston, MN 55943

Kathryn S. Vetsch

Catherine Vetsch
Rt. 3, Box 7
Houston, MN 55943

James H. Botcher

James H. Botcher
Houston, MN 55943

Mary E. Botcher

Mary E. Botcher
Houston, MN 55943

Halvorsen Oil Company, Inc.
Houston, MN 55943

Chuck & Lyn's Amoco, Inc.

Chuck & Lyn's Amoco, inc.
Houston, MN 55943

Bernice E. Redding Armstrong

Bernice E. Redding/Armstrong
Box 648
Houston, MN 55943

PR Enterprises, Inc.
c/o Daniel Peterson
Rt. 2
Houston, MN 55943

Lyle C. Peterson

Lyle C. Peterson
Houston, MN 55943

Anita L. Peterson

Anita L. Peterson
Houston, MN 55943

Harold C. Siple

Harold C. Siple
657 Parklawn Estates
Onalaska, WI 54650

Charlotte Siple

Charlotte Siple
657 Parklawn Estates
Onalaska, WI 54650

Chw

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Richard C. Halvorson

Richard C. Halvorson
Rt. 3, Boxd 12
Houston, MN 55943

Jeffrey McNameer

Jeffrey McNameer
Rt. 3, Box 14
Houston, MN 55943

Robert L Papenfuss

Robert Papenfuss
Houston, MN 55943

Gayle Papenfuss

Gayle Papenfuss
Houston, MN 55943

Section 34:

Tenus B. Thorson

Tenus B. Thorson
Houston, MN 55943

Lala Thorson

For all property concerned

REC'D. BY MAY 28 1991
MMB

Section 32:

Kevin A. Thompson

Kevin A Thompson
Rt 2 Box 5
Houston, MN 55943

Laurie Thompson

Laurie A. Thompson
Rt 2 Box 5
Houston, MN 55943

NE 1/4 Sec. 32

N 1/2 Sec. 33

NW 1/4 SW 1/4
Sec. 33

NE 1/4 SW 1/4
Sec. 33

SE 1/4 Sec. 33

SW 1/4 Sec. 34

Scale: 1" = 812 feet

NE 1/4 Sec. 4

SE 1/4 NW 1/4
Sec. 4

