

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

SEP 28 1993

James Andrew Howe
Secretary of State

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Robert J. Ferderer Chair
John W. Carey Vice Chair
Dorothy E. Kobs Commissioner

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

FINDINGS OF FACT
CONCLUSIONS OF LAW
AND ORDER

On September 13, 1993, the Minnesota Municipal Board received a petition by all of the property owners for the detachment of certain land from the City of Renville. A resolution for the detachment of the same land was received from the City of Renville on September 13, 1993.

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 Renville.

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:

1. The Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$), and the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$), excepting therefrom the West 99 feet of said Northeast Quarter of Northeast Quarter, all in Section Five (5), Township One Hundred Fifteen (115) North of Range Thirty-six (36), West of the 5th P.M.

2. The West half of the Northwest quarter of the Northeast quarter and the West half of the East half of the Northwest quarter

of the Northeast quarter except the East six (6) rods of said West half of the East half of the Northwest quarter of the Northeast quarter, of section five (5) of township one hundred fifteen (115) North of range thirty-six (36) containing 27 acres more or less, excepting a tract of land thirty-three (33) feet wide along the entire south line of said tract containing one (1) acre more or less which was dedicated by Anton N. Holtan to the public for its use as a public road.

3. The Northwest Quarter, including Lot 1 and Outlots 2 and 3, except Howe's First Addition to the Village (now City) of Renville, and the Southwest Quarter of the Northeast Quarter, except Lot 1;

EXCEPT: Commencing at the South East corner of the North East quarter of North West quarter of Section Five (5) in Township One Hundred and Fifteen (115) North of Range Thirty six (36) as paid corner has been established and marked by the stone post set by County Surveyor C.G. Johnson, running thence north Thirty three feet thence west Five hundred ninety four (594) feet, thence south thirty three feet (33) ft and thence East to the place of beginning.

EXCEPT: The South 110 feet of the West 190 feet of Outlot 3 (except the West 33 feet thereof), in the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Five (5), Township One hundred fifteen North (115N), Range Thirty-six West (36W), according to the recorded plat thereof.

EXCEPT: Commencing at a point 110 feet due North of the Southwest corner of Outlot 3 in the South Half of the Northwest Quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$) of Section Five (5), Township One Hundred Fifteen (115) North of Range Thirty-six (36); running thence North a distance of 135 feet; running thence East a distance of 190 feet; thence running South a distance of 135 feet; and running thence West a distance of 190 feet to the point of original beginning, except the West 33 feet thereof.

EXCEPT: A tract commencing at a point 245 feet due North of the Southwest corner of Outlot 3 in the South Half of the Northwest Quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$) of Section Five (5), Township One Hundred Fifteen (115), Range Thirty-six (36); thence running North a distance of 135 feet; thence running East a distance of 190 feet; thence running South a distance of 135 feet; thence running West a distance of 190 feet to the point of beginning, excepting therefrom the West 33 feet thereof.

EXCEPT: Commencing at a point 380 feet due North of the Southwest corner of Outlot 3 in the South Half of the Northwest Quarter ($S\frac{1}{2}$ of $NW\frac{1}{4}$) of Section 5, Township 115, Range 36, running thence North a distance of 110 feet, running thence East a distance of 190 feet, running thence South a distance of 110 feet, running thence West a distance of 190

feet to the point of beginning, except the West 33 feet thereof.

EXCEPT: Commencing at the northwest corner of lot 12 in block 8, Parson's 2nd Addition to the City of Renville, Minnesota as the point of beginning and, running thence north a distance of seventy-five (75) feet and, thence east in a line parallel to the north boundary of said lot 12, a distance of one hundred fifty (150) feet and, thence south seventy-five (75) feet to the north boundary of said lot 12 and, thence west a distance of one hundred fifty (150) feet to the point of beginning.

EXCEPT: Commencing at a point 75 feet due North of the Northwest corner of Lot Twelve (12) in Block Eight (8), Parson's Second Addition, City of Renville, as a point of beginning and, running thence North a distance of 75 feet and, running thence East a distance of 150 feet and, running thence South a distance of 75 feet and, running thence west a distance of 150 feet to the point of beginning; said described land lying in and being a part of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$), Section 5, Township 115 North, Range 36 West, in the City of Renville, Minnesota.

EXCEPT: Commencing at a point 150 feet due North of the Northwest corner of Lot 12 in Block 8, Parson's Second Addition to Renville, Minnesota, as a point of beginning; thence running North a distance of 92 feet; running thence East a distance of 150 feet; running thence South a distance of 92 feet; running thence West 150 feet to the point of beginning, said described land lying in and being a part of the Southeast Quarter of the Northwest Quarter of Section 5, Township 115N, Range 36 W, City of Renville,

EXCEPT: Commencing at a point 334 feet due North of the Northwest corner of Lot 12, Block 8, Parson's Second Addition to Renville, Minnesota, as a point of beginning; and running thence North a distance of 252 feet; thence running East a distance of 150 feet; thence running South a distance of 252 feet; and running thence West a distance of 150 feet to the point of beginning; excepting a roadway easement 12 feet wide running from West to East 150 feet located North of a point 80 feet North of the original 334 foot point, said described land lying in and being a part of the Southeast Quarter of the Northwest Quarter of Section 5, Township 115, Range 36, in the City of Renville, Minnesota.

EXCEPT: Commencing at point 586 feet due North of the Northwest Corner of Lot 12, in Block 8, Parson's 2nd Addition to Renville, Minnesota, as a point of beginning; running thence North a distance of 210 feet; running thence East a distance of 150 feet; running thence South a distance of 210 feet; thence running West a distance of 150 feet to the point

of beginning, said described land lying in and being a part of the Southeast Quarter of the Northwest Quarter of Section 5, Township 115 North of Range 36 West of the Fifth Principal Meridian in the City of Renville.

EXCEPT: Lot One (1) in the Southwest quarter of the Northeast quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section Five (5), Township One Hundred Fifteen (115) North, Range Thirty-six (36) West of the 5th Principal Meridian.

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

4. The area proposed for detachment is 262.87 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, or buildings, on the area proposed for detachment.

7. Public improvements in the area proposed for detachment consist solely of a gravel road and an asphalt road bordering the easterly edge of the property.

8. The area abuts the Town of Emmet, Renville County.

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.

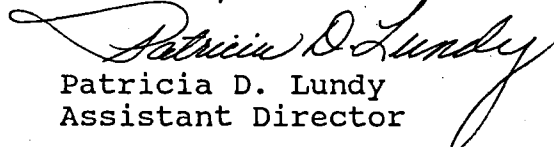
O R D E R

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 Renville and made a part of the Town of Emmet, 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 September 15, 1993.

Dated this 17th day of September, 1993.

MINNESOTA MUNICIPAL BOARD
475 McColl Building
St. Paul, Minnesota 55101


Patricia D. Lundy
Assistant Director