

BEFORE THE MUNICIPAL BOARD
OF THE STATE OF MINNESOTA

Robert J. Ferderer Chair
Lea De Souza Speeter Commissioner
Paul E. Double Commissioner

IN THE MATTER OF THE PETITION FOR) FINDINGS OF FACT
THE DETACHMENT OF CERTAIN LAND FROM) CONCLUSIONS OF LAW
THE CITY OF TAUNTON PURSUANT TO) AND ORDER
MINNESOTA STATUTES 414.06))

On September 9, 1994, the Minnesota Municipal Board received a petition by all of the property owners for the detachment of certain land from the City of Taunton. A resolution for the detachment of the same land was received from the City of Taunton on September 9, 1994.

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 Taunton.

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 the Southeast Quarter (SE¼) of Section Eighteen (18), Township One Hundred Thirteen (113), Range Forty-three (43), West of the Fifth Principal Meridian, described as follows, to-wit:

Commencing at the Northeast corner of said Southeast Quarter of Section 18, thence South 280 feet on the East line of said Southeast Quarter; thence West and parallel with the North line of said Southeast Quarter 330 feet;

thence North at right angles and parallel with the East line of said Southeast Quarter 280 feet; thence East on the North line of said Southeast Quarter 330 feet to the point of beginning, said parcel containing 2.12 acres, more or less.

and

All that part of the North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) and the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Seventeen (17), Township One Hundred Thirteen (113) North, Range Forty-three (43) West described as follows: A strip of land 50 feet in width lying Southwesterly of and adjoining said original main track center line in the North Half of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section Seventeen (17), and lying Northwesterly of a line drawn at a right angles to said original main track center line at a point therein distant 1,756 feet Southeasterly from the intersection thereof with the West line of said Section 17.

3. The area proposed for detachment is situated within the City of Taunton and abuts the municipal boundary.
4. The area proposed for detachment is 9 acres.
5. The area proposed for detachment is rural in character; and not developed for urban residential, commercial, or industrial purposes.
6. The area proposed for detachment has one house, one barn, one garage, and two chicken houses on it.
7. There are no municipal improvements on the area proposed for detachment.
8. The population of the area proposed for detachment is 2.
9. The area abuts the Town of Eidsvold, Lyon 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. The area subject to detachment is not needed for reasonably anticipated future development.

5. The remainder of the municipality can continue to carry on the functions of government without undue hardship.

6. An order should be issued by the Minnesota municipal board detaching the area described herein.

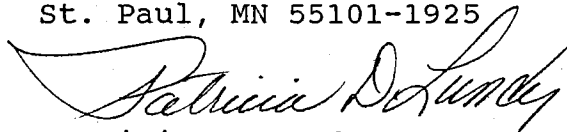
O R D E R

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 Taunton and made a part of the Town of Eidsvold, 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 August 4, 1995.

Dated this 15th day of August, 1995.

MINNESOTA MUNICIPAL BOARD
Suite 475 McColl Building
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Patricia D. Lundy
Acting Director