

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

Paul B. Double	Chair
Lea De Souza Speeter	Vice Chair
Andrew D. Hultgren	Vice Chair

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

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On September 22, 1997, the Minnesota Municipal Board received a petition by all of the property owners for the detachment of certain land from the City of Austin. A resolution for the detachment of the same land was received from the City of Austin on September 22, 1997.

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 Austin.
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:

Outlot A of Orchard Creek

3. The area proposed for detachment is situated within the City of Austin and abuts the municipal boundary.
4. The area proposed for detachment is approximately 3 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 four buildings located on it.
7. There are no municipal improvements on the area proposed for detachment.
8. The area abuts the Town of Austin, Mower 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.

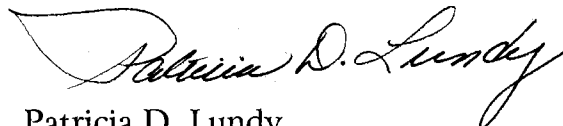
6. An order should be issued by the Minnesota Municipal Board detaching the area described herein. ORDER

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 Austin and made a part of the Town of Austin, 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 3, 1997.

Dated this 7<sup>th</sup> day of October, 1997.

MINNESOTA MUNICIPAL BOARD  
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Patricia D. Lundy  
Assistant Director