

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

Andrew D. Hultgren	Chair
Paul B. Double	Vice Chair
Charles W. DeVore	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 HANCOCK PURSUANT TO )	<u>CONCLUSIONS OF LAW</u>
MINNESOTA STATUTES 414.06 )	<u>AND ORDER</u>

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On September 23, 1998, the Minnesota Municipal Board received a petition by all of the property owners for the detachment of certain land from the City of Hancock. A resolution for the detachment of the same land was received from the City of Hancock on September 23, 1998.

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 Hancock.

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:

Lot "A" Description: That part of Lots 11 and 12, County Subdivision of the Southeast of the Southeast Quarter of Section 34, Township 124, Range 41 West, Stevens County, Minnesota lying west of the westerly right-of-way line of

Stevens County Road #1 and lying north of the north line of a tract as described in Document No. 123083 as recorded in the Office of the County Recorder in said county. Containing in all 7.9 acres; AND

Lot "B" Description: That part of the East Half of the Northwest Quarter of the Southeast Quarter and that part of Lots 11 and 12, County Subdivision of the Southeast Quarter all in Section 34, Township 124 North, Range 41 West described as follows: Commencing at the Southwest corner of the Southeast Quarter (SE 1/4) of Section 34, a distance of 2325.0 feet to the north right-of-way line of State Trunk Highway No. 9: thence deflect an angle to the right of 112 degrees 08 minutes a distance 1217.6 feet to the north right-of-way line of State Trunk Highway No. 9, at which point shall be the point of 56 minutes a distance of 541.8 feet to the west right-of-way line of Stevens County No. 1; thence south and along the west right-of-way line of Stevens County Road No. 1 a distance of 164.3 feet to the north right-of-way line of State Trunk Highway No. 9; thence deflect an angle to the right of 51 degrees 12 minutes and along the north right-of-way of State Trunk Highway No. 9 a distance of 107.6 feet; thence westerly and along the north right-of-way line of State Highway No. 9, a distance of 417.9 feet to the point of beginning and there terminating. Containing in all, 1.32 acres more or less.

3. The area proposed for detachment is situated within the City of Hancock and abuts the municipal boundary.
4. The area proposed for detachment is approximately 9.22 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 and one small shop located on it.
7. There are no municipal improvements on the area proposed for detachment.
8. The area abuts the Town of Hodges, Stevens County.

#### CONCLUSIONS OF LAW

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

within proceeding.

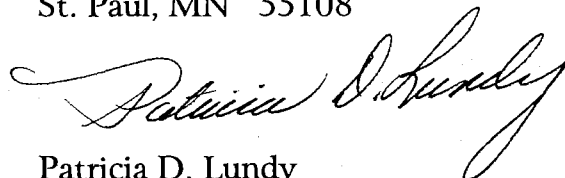
2. The area subject to detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
3. The area subject to detachment is not needed for reasonably anticipated future development.
4. The remainder of the municipality can continue to carry on the functions of government without undue hardship.
5. 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 Hancock and made a part of the Town of Hodges, 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 2, 1998.

Dated this 28<sup>th</sup> day of October, 1998.

MINNESOTA MUNICIPAL BOARD  
Suite 225 Bandana Square  
1021 Bandana Boulevard East  
St. Paul, MN 55108



Patricia D. Lundy  
Assistant Director