

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE PETITION FOR)	
THE DETACHMENT OF CERTAIN LAND)	<u>FINDINGS OF FACT</u>
FROM THE CITY OF LANESBORO)	<u>CONCLUSIONS OF LAW</u>
PURSUANT TO MINNESOTA STATUTES 414)	<u>AND ORDER</u>

WHEREAS, On February 22, 2005, Municipal Boundary Adjustments received a petition for the detachment of certain land from the City of Lanesboro and a City Resolution Dated August 26, 2004 supporting the petition for detachment; and

WHEREAS, Reorganization Order No. 192, effective March 8, 2005, has transferred the duties of the Director to the Chief Administrative Law Judge; and

After review of the petition and resolution, the Chief Administrative Law Judge hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. That a petition and resolution were duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments for the detachment of property from the City of Lanesboro.

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:

The West one-half of the northwest quarter of section 18, except therefrom 2 68/100 acres heretofore deeded to Nels J. Eithun; and except the following described parcel, to-wit: beginning at the southwest corner of the northwest quarter of Section 18-103-9, running thence north 540 feet, thence east 800 feet, thence north 2100 feet to north line of

said northwest quarter, thence east to the northeast corner of the northwest quarter of the northwest quarter of said Sec. 18, thence south 2640 feet to the southeast corner of the southwest quarter of the northwest quarter of said Sec. 18, thence west to the point of beginning, ALSO ESCEPTING THE FOLLOWING DESCRIBED PARCEL:

A part of the West Half of the Northwest Quarter of Section 18, Township 103 North, Range 9 West, Fillmore County, Minnesota, described as follows:

Commencing at the southwest corner the northwest quarter of said section 18; thence North 00 degrees 09 minutes 43 seconds West (NOTE: all bearings are in relationship with the west line of said northwest quarter) along the west line of said Northwest quarter for a distance of 540 feet to the POINT OF BEGINNING; thence continue North 00 degrees 09 minutes 43 seconds East for a distance of 408.38 feet; thence South 89 degrees 50 minutes 17 seconds West for a distance of 800 feet to the POINT OF BEGINNING. Containing 7.50 acres, more or less.

Above described parcel is subject to an access easement for ingress and egress to the property to the north, said easement is 33 feet wide, being 16.5 feet on each side of the following described centerline: Commencing at the southwest corner of the northwest quarter of said Section 18; thence North 00 degrees 09 minutes 43 seconds West along the west line of said northwest quarter for a distance of 540 feet; thence North 89 degrees 50 minutes 17 seconds East for a distance of 345.24 feet to the point of beginning of the centerline of the easement; thence North 32 degrees 18 minutes 18 seconds East for a distance of 126.49 feet; thence North 08 degrees 49 minutes 15 seconds West for a distance of 221.46 feet; thence North 43 degrees 56 minutes 55 seconds East for a distance of 115.21 feet and there terminating. The sidelines of said easement are to be continuous and are lengthened or shortened to terminate at the property lines.

3. The area proposed for detachment is situated within the City of Lanesboro and abuts the municipal boundary.
4. The area proposed for detachment is approximately 25.04 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 municipal improvements needed on the area proposed for detachment.
7. The area abuts the Town of Holt, Fillmore County.

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.

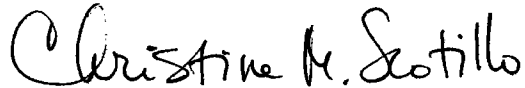
2. An order should be issued by the Chief Administrative Law Judge detaching the area described herein.

ORDER

1. IT IS HEREBY ORDERED: That the property described in Findings of Fact 2 be, and the same hereby is, detached from the City of Lanesboro and made a part of the Town of Holt, the same as if it had originally been made a part thereof.

Dated this 10th day of March, 2005.

For the Chief Administrative Law Judge
658 Cedar Street, Room 300
St. Paul, Minnesota 55155

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive style with a large initial 'C'.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments