

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

WHEREAS, a property owner petition requesting the detachment of certain land from the City of Iona was filed with the Office of Administrative Hearings - Municipal Boundary Adjustment unit pursuant to Minnesota Statutes 414.06 on August 23, 2005; and

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

WHEREAS, the City of Iona did not support the detachment request; and

WHEREAS, on September 15, 2005, the Chief Administrative Law Judge directed the parties into mediation; and

WHEREAS, after due and appropriate legal notice, a hearing, as required by statute, was convened on October 11, 2005 and was continued to an indefinite date to allow the parties time to complete mediation; and

WHEREAS, on December 7, 2005, the assigned mediator advised this office that the parties had reached a settlement on contested issues; and

WHEREAS, on December 27, 2005, Municipal Boundary Adjustments received the City of Iona's Resolution withdrawing its objection to the detachment and requesting the continued

hearing be canceled and the file be closed; and

WHEREAS, on January 11, 2006, the Chief Administrative Law Judge granted the City of Iona's request to cancel the continued hearing and approved the detachment; 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 city resolution was duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments for the detachment of property from the City of Iona.

2. The petition contained all the information required by statute including a description of the territory proposed for detachment, which is as follows:

The West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 8, Township 105, Range 41, Murray County, Minnesota.

Lot 1 of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 8, Township 105, Range 41, Murray County, Minnesota.

Lot 7 of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), except one (1) acre deeded to the City of Iona, in Section 8, Township 105, Range 41, Murray County, Minnesota.

The railroad right-of-way lying southeasterly of the northwest corner of Lot 7 of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) in Section 8, Township 105, Range 41, Murray County, Minnesota.

Lots 1 and 2, Block 1, Creedon's Addition, City of Iona, Murray County, Minnesota.

Lots 1 and 2, Block 2, Creedon's Addition, City of Iona, Murray County, Minnesota.

Lots 1 and 2, Block 3, Creedon's Addition, City of Iona, Murray County, Minnesota.

Lots 1, 2, and 3, Block 4, Creedon's Addition, City of Iona, Murray County, Minnesota.

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

4. The area proposed for detachment is approximately 120 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 Iona, Murray County.

CONCLUSIONS OF LAW

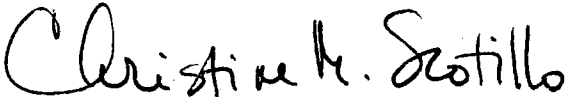
1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.
2. An order should be issued by the Chief Administrative Law Judge detaching the area described herein.

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 Iona and made a part of the Town of Iona, the same as if it had originally been made a part thereof.

Dated this 11th day of January, 2006.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments