

D-451 Alden
Petition Dated 6-25-07

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE PETITION)
FOR THE DETACHMENT OF CERTAIN) NOTICE OF CANCELLATION
LAND FROM THE CITY OF ALDEN) OF HEARING; AND
PURSUANT TO MINNESOTA) ORDER TO DISMISS
STATUTES 414)

WHEREAS, a property owner petition requesting the detachment of certain land from the City of Alden was filed with the Office of Administrative Hearings-Municipal Boundary Adjustments (herein after MBA) pursuant to Minnesota Statutes 414.06 on July 2, 2007, MBA Docket D-451; 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 Alden did not support the detachment request; and

WHEREAS, on August 15, 2007, the Chief Administrative Law Judge, pursuant to Minnesota Statutes 414.01, Subd. 16, ordered the City of Alden, the Town of Carlston, and the petitioner to meet at least three times over a period of sixty days to address resolution of disputed issues; and

WHEREAS, pursuant to statutory requirements a first hearing was convened on the petition on August 23, 2007, after due and appropriate legal notice, and was continued to an indefinite date to allow the parties time to complete the directed meetings; and

WHEREAS, on October 4, 2007 Municipal Boundary Adjustments received the petitioner's written request to withdraw the petition for detachment. The petitioner also requested the continued hearing be cancelled and the file closed; and

WHEREAS, on October 16, 2007, the Assistant Chief Administrative Law Judge, in his capacity as Director, granted the petitioner's request to withdraw the petition; cancelled the continued hearing; and closed MBA Docket D-451 Alden; therefore

IT IS HEREBY ORDERED: That the petition for the detachment of certain property from the City of Alden described as:


The South One-Half (S ½) of the Southwest Quarter (SW ¼) of Section Thirty-five (35), Township One Hundred Three (103) North, Range Twenty-three (23) West of the Fifth Principal Meridian, Freeborn County, Minnesota excepting therefrom a tract described as follows:

Commencing at the Southwest corner of said Section Thirty-five (35); thence East 225 feet along the South line of said section; thence North 270 feet at a deflection angle of 90 degrees 00 minutes left; thence West 225 feet at a deflection angle of 90 degrees 00 minutes; thence West 225 feet at a deflection angle of 90 degrees 00 minutes left; thence South 270 feet at a deflection angle of 90 degrees 00 minutes left to the point of beginning.

is withdrawn, the continued hearing in this matter is cancelled, and MBA Docket D-451 Alden is closed without prejudice.

Dated this 16th day of October, 2007.

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



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments