

IN THE MATTER OF THE PETITION FOR DETACHMENT OF
CERTAIN LAND FROM THE CITY OF KIESTER, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.06

TO: Office of Administrative Hearings
Municipal Boundary Adjustments
P. O. Box 64620
St. Paul, MN 55164-0620
651-361-7900

RECD BY
MAMP MAY 30 2008

PETITIONERS STATE: The number of petitioners required by Minnesota Statutes § 414.06, Subd. 1, to commence this proceeding is: all of the property owners if the area is less than 40 acres; or 75% or more of the property owners in number if the area is more than 40 acres.

It is hereby requested by:

X all of the property owners, the area is less than 40 acres; or
 75% or more of the property owners, the area is more than 40 acres;
to detach certain properties described herein from the City of Kiester and make a part of the Township of Kiester.

1. There are two (2) property owners in the area proposed for detachment.
2. Two (2) property owners have signed this petition. (If the land is owned by both the husband and wife, both must sign the petition to represent all owners.)
3. The property is situated within the City of Kiester, abuts the municipal boundary and the boundary of the Township of Kiester in the County of Faribault.
The petitioned area abuts on the city's N S (E) W (circle one) boundary (ies).
4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. The number of acres in the property proposed for detachment is 3.72 and is described as follows:

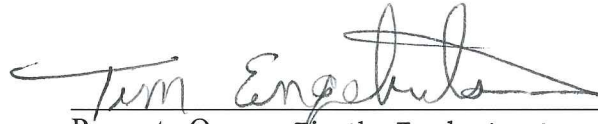
See attached Addendum

Only 3.72 acres of the described property is located within the city limits. The remainder is within Kiester Township.

6. The reason detachment is requested is that the property does not benefit from city services, yet carries a property tax rate 21 times higher than the abutting township property tax rate.

7. The number of residents in the area proposed for detachment is four (4) (The number of residents is not necessarily the same as number of owners.)
8. The number and character of buildings on said property is four (4) (1 house, two (2) barns, one (1) garage/shed.
9. Public improvements on said property are: None.

Date: 5/27/08



Property Owner Timothy Engebretson



Property Owner Kristin Engebretson

REC'D BY
MAB

MAY 30 2008

Legal Description Addendum

A tract starting at the West quarter corner of Section 22, Township 101 North, Range 24 West of the Fifth Principal Meridian in Faribault County, Minnesota, thence South 89 degrees 54 minutes East 647.30 feet on the North line of the SW $\frac{1}{4}$ of said Section; thence South 00 degrees 06 minutes West 600.00 feet to a point which is hereinafter called the point of beginning; thence South 00 degrees 00 minutes West 259.89 feet; thence South 59 degrees 30 minutes East 130.20 feet; thence South 89 degrees 54 minutes, East 610.40 feet; thence North 24 degrees 46 minutes East 358.60 feet to a point hereinafter called Point X, passing to a point 100.00 feet Southwesterly of said Point X hereinafter called Point Y; thence North 89 degrees 54 minutes, West 872.80 feet to the point of beginning, being part of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 22, Township 101, Range 24 and containing 5.88 acres, together with an easement for ingress and egress over a strip of land 33 feet in width, the westerly and northerly lines of which are described as follows: Beginning at the afore-described Point Y; thence North 24 degrees 46 minutes East 100.00 feet to a Point X; thence North 18 degrees 41 minutes West 580 feet, more or less, to the southerly right of way line of County State Aid Highway No. 2; thence South 89 degrees 54 minutes East 250 feet on said southerly right of way line and there terminating; and together with an easement for ingress and egress over a strip of land 33 feet in width, the southerly line of which is coincidental with the following described line AB: Beginning at a point on the West line of the SW $\frac{1}{4}$ of Section 22, Township 101, Range 24, which point is 741.66 feet South of the NW corner thereof and is hereinafter called Point A; thence South 78 degrees 38 minutes East 277.93 feet; thence South 80 degrees 11 minutes East 379.42 feet to a point which is hereinafter called Point B and there terminating. All bearings in the foregoing description being referred to the West line of the SW $\frac{1}{4}$ of said Section 22 as North 00 degrees 00 minutes West.

RESOLUTION OF THE CITY OF KIESTER
FOR DETACHMENT OF CERTAIN LAND
PURSUANT TO MINNESOTA STATUTES § 414.06

RECD BY
AME

JUN 18 2008

The City of Kiester hereby requests by resolution the Office of Administrative Hearings - Municipal Boundary Adjustments to detach certain properties described herein from the City of Kiester and make a part of the Township of Kiester.

1. The property is situated within the City of Kiester, abuts the municipal boundary and the boundary of the Township of Kiester in the County of Faribault.
The petitioned area abuts on the city's N S (E) W (circle one) boundary (ies).
2. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
3. The number of acres in the property proposed for detachment is 3.72 and is described as follows:

See attached Addendum

Only 3.72 acres of this property is within the city limits. The remainder is within Kiester Township.

4. The reason detachment is requested is that the property does not benefit from city services, yet carries a higher property tax rate than the abutting township property tax rate.
5. The number of residents in the area proposed for detachment is four (4) (The number of residents is not necessarily the same as number of owners.)
6. The number and character of buildings on said property is four (4), one (1) house, two (2) barns, one (1) garage/shed.
7. Public improvements on said property are: None.

Date: 6-9-08

Roger Oldfather
Mayor

Kari L. Jackson
City Clerk

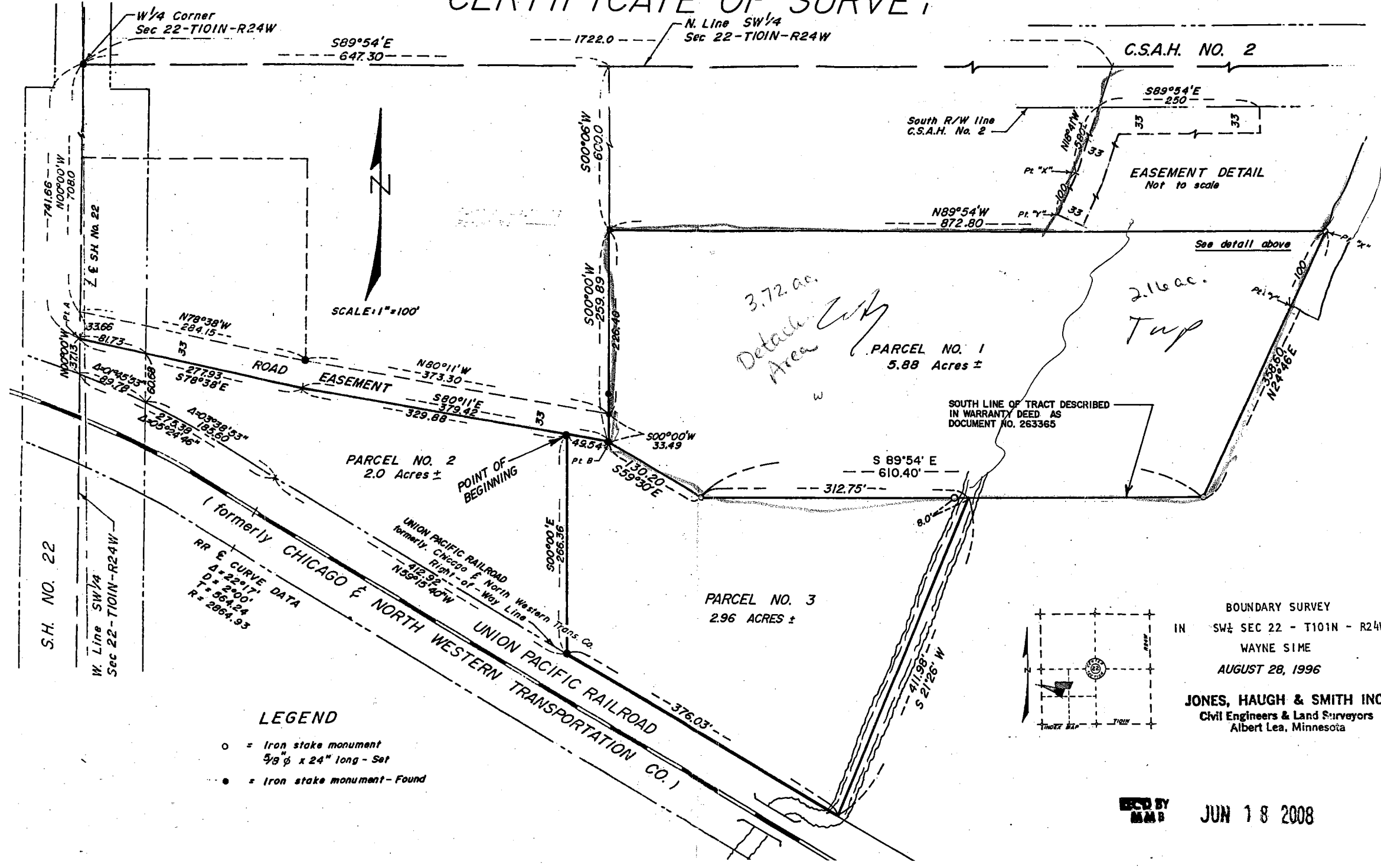
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CERTIFICATE OF SURVEY



LEGEND

- = Iron stake monument
5/8" φ x 24" long - Set
- = Iron stake monument - Found

BOUNDARY SURVEY
IN SW 1/4 SEC 22 - T101N - R24W
WAYNE SIME
AUGUST 28, 1996
JONES, HAUGH & SMITH INC.
Civil Engineers & Land Surveyors
Albert Lea, Minnesota

RECORDED BY M&M JUN 18 2008