

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE PETITION FOR )  
THE DETACHMENT OF CERTAIN LAND ) FINDINGS OF FACT  
FROM THE CITY OF KIESTER PURSUANT ) CONCLUSIONS OF LAW  
TO MINNESOTA STATUTES 414 ) AND ORDER  
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WHEREAS, on July 23, 2008, Municipal Boundary Adjustments received a petition for the detachment of certain land from the City of Kiester and City Resolution dated June 9, 2008, supporting the petition for 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 were duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments for the detachment of property from the City of Kiester.

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

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 ¼ 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 ½ of the SW ¼ 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 ¼ 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 ¼ of said Section 22 as North 00 degrees 00 minutes West.

3. The area proposed for detachment is situated within the City of Kiester and abuts the municipal boundary.
4. The area proposed for detachment is approximately 3.72 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 Kiester, Faribault 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

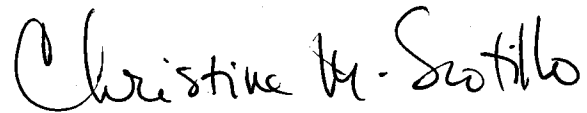
area described herein.

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

Dated this 23<sup>rd</sup> day of July, 2008.

For the Chief Administrative Law Judge  
P. O. Box 64620  
St. Paul, Minnesota 55164-0620

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