

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

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

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The detachment petition of the sole property owner along with a supporting resolution from the City of Audubon was reviewed for conformity with applicable law. The undersigned Assistant Chief Administrative Law Judge, acting under a delegation from the Chief Administrative Law Judge, hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On January 22, 2009, the Chief Administrative Law Judge reviewed the detachment petition and supporting city resolution filed by all of the property owners on January 16, 2009 with the Office of Administrative Hearings-Municipal Boundary Adjustments.

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:

The Southwest Quarter of the Northeast Quarter of the Southeast Quarter (SW<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub>) of Section Nine (9) in Township One Hundred Thirty-Nine (139) North, Range Forty-Two (42) West of the Fifth Principal Meridian, containing, according to the United States Government Survey thereof, 10 acres.

3. The area proposed for detachment is situated within the City of Audubon and abuts the common boundary between the city and Audubon Township, Becker County.

4. The area proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes, nor is it needed for reasonably anticipated future development.

5. The area proposed for detachment is approximately 10 acres and needs no municipal improvements and its detachment will not unreasonably affect the symmetry of the City of Audubon.

CONCLUSIONS OF LAW

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

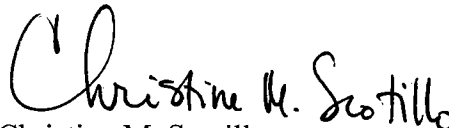
2. An order should be issued by the Chief Administrative Law Judge detaching the area described herein.

ORDER

1. The property described in Findings of Fact 2 is detached from the City of Audubon and made a part of Audubon Township, the same as if it had originally been made a part thereof.

Dated this 22<sup>nd</sup> day of January, 2009.

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



Christine M. Scotillo  
Executive Director  
Municipal Boundary Adjustments