

IN THE MATTER OF THE PETITION FOR DETACHMENT OF
CERTAIN LAND FROM THE **CITY OF BREEZY POINT**, 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
JAN 20 2009

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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:

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

1. There are 10 property owners in the area proposed for detachment.
2. 10 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 Breezy Point**, abuts the municipal boundary and the boundary of the **Township of Pelican**, in the **County of Crow Wing**.
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 312.79 and is described as follows:

Lou Ann Owens- Parcel ID #'s 100183203000009, 100183304A00009, 100183400B00009 (see exhibit A)

Joseph Zwack- Parcel ID # 100183100A00009 (see exhibit B)

Thomas & Mavis Thompson- Parcel ID # 100183100000009 (see exhibit C)

Jodell Rau-Parcel ID # 100183400000009 (see exhibit D)

John Berry- Parcel ID #'s 100183304B00009, 100192201A00009, 100192400B00009, 100192400A00009
(see exhibit E)

Douglas & Billie Jo Rach- Parcel ID #'s 100192100A00009, 101580020460009, 101580020450009,
101580020440009, 101580020430009 (see exhibit F)

Larry Rasmussen- Parcel ID #'s 100192100B00009, 101580020420009, 100192201B00009, 100192201C00009, 100192302B00009 (see exhibit G)

Diane Cleveland- Parcel ID # 100192302A00009 (see exhibit H)

- 6. The reason detachment is requested is: the property is zoned agricultural and is rural in character. As property owners we receive no tangible benefits from the City for the taxes paid annually.
- 7. The number of residents in the area proposed for detachment is 7 (The number of residents is not necessarily the same as number of owners.)
- 8. The number and character of buildings on said property is: 4 homes, 4 accessory buildings and 1 barn.
- 9. Public improvements on said property are: N/A

Date: _____

LouAnn Owens
Property Owner LOU ANN OWENS

Joseph M. Zwack
Property Owner JOSEPH M. ZWACK

Thomas D. Thompson
Property Owner

Mavis Thompson
Property Owner

Jodell Rau
Property Owner Jodell Rau

John Berry
Property Owner

Douglas J. Rach
Property Owner Douglas J. Rach

Billie Jo Rach
Property Owner Billie Jo Rach

Larry Rasmussen
Property Owner Larry Rasmussen.

Diane Cleveland Aichart
Property Owner DIANE CLEVELAND AICHART

Exhibit A

Property Owner: Lou Ann Owens

Legal Description

Parcel ID #100183203000009

Government Lot 3, Section 18, Township 136, Range 28. (36.95 acres)

Parcel ID #100183304A00009

N. 1/2 OF GOV. LOT 4 Section 18, Township 136, Range 28. SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD. (18.3 acres)

Parcel ID # 100183400B00009

(PARCEL B) THAT PART OF THE SE1/4 SW1/4, Section 18, Township 136, Range 28. DESC AS FOLLOWS, COMM AT THE SE CORNER OF SAID SESW, THEN S 89 DEG 16 MIN 51 SEC W, ASSUMED BEARING ALG THE S LINE OF SAID SESW, 33.01 FT TO THE W LINE OF THE E 33 FT OF SAID SESW, THEN N 00 DEG 52 MIN 48 SEC E ALG SAID W LINE 33.01 FT TO THE N LINE OF THE S 33 FT OF SAID SESW AND THE POINT OF BEG OF THE TRACT OF LAND TO BE DESC, THEN S 89 DEG 16 MIN 51 SEC W ALG SAID N LINE 367.14 FT TO THE W LINE OF THE E 400 FT OF SAID SESW, THEN N 00 DEG 52 MIN 48 SEC E ALG SAID W LINE 810.38 FT TO THE N LINE OF THE S 843.06 FT OF SAID SESW, THEN S 89 DEG 16 MIN 51 SEC W ALG SAID N LINE 932.85 FT TO THE W LINE OF SAID SESW, THEN N 00 DEG 42 MIN 51 SEC E ALG SAID W LINE 465.69 FT TO THE NW CORNER OF SAID SESW, THEN N 89 DEG 56 MIN 35 SEC E ALG THE N LINE OF SAID SESW 1301.00 FT TO SAID W LINE OF THE E 33 FT OF SAID SESW, THEN S 00 DEG 52 MIN 48 SEC W ALG SAID W LINE 1261.06 FT TO THE POINT OF BEG.

(20.5 acres)

Parcel E (access road) That part of the East 33.00 feet of the E 1/2 of the SW 1/4, Section 18, Township 136, Range 28. Which lies southerly of a line drawn from a point on the east line of said NW 1/4 of the SW 1/4 distant 1230.66 feet southerly of the NE corner of said NE 1/4 of the SW 1/4 as measured along the said east line to a point on the north line of said NE 1/4 of the SW 1/4 distant 1103.71 feet westerly of the NE corner of said NE 1/4 of the SW 1/4 as measured along said north line. Subject to power line easement and subject to easements, reservations and restrictions of record, if any.

Exhibit B

Property Owner: Joseph Zwack

Legal Description

Parcel ID #100183100A00009

(PARCEL C) THAT PART OF THE NE1/4 OF SW1/4, Section 18, Township 136, Range28. WHICH LIES SW'LY OF A LINE DRAWN FROM A POINT ON THE E LINE OF SAID NESW DIST 1230.66 FT S'LY OF THE NE CORNER OF SAID NESW AS MEASUR- ED ALG THE SAID E LINE TO A POINT ON THE N LINE OF SAID NESW DIST 1103.71 FT W'LY OF THE NE CORNER OF SAID NESW AS MEASURED ALG SAID N LINE, EXCEPT THE E 33 FT THEREOF. (24.25 acres)

Parcel E (access road) That part of the East 33.00 feet of the E 1/2 of the SW 1/4, Section 18, Township 136, Range 28. Which lies southerly of a line drawn from a point on the east line of said NW 1/4 of the SW 1/4 distant 1230.66 feet southerly of the NE corner of said NE 1/4 of the SW 1/4 as measured along the said east line to a point on the north line of said NE 1/4 of the SW 1/4 distant 1103.71 feet westerly of the NE corner of said NE 1/4 of the SW 1/4 as measured along said north line. Subject to power line easement and subject to easements, reservations and restrictions of record, if any.

Exhibit C

Property Owner: Thompson Family Living Trust-Thomas & Mavis Thompson

Legal Description

Parcel ID #100183100000009

(PARCEL D) THAT PART OF THE NE1/4 OF SW1/4, Section 18, Township 136, Range 28. WHICH LIES NE'LY OF A LINE DRAWN FROM A POINT ON THE E LINE OF SAID NESW DIST 1230.66 FT S'LY OF THE NE CORNER OF SAID NESW AS MEASURD ALG THE SAID E LINE TO A POINT ON THE N LINE OF SAID NESW DIST 1103.71 FT W'LY OF THE NE CORNER OF SAID NESW AS MEASURED ALG SAID N LINE.

(15.6 acres)

Parcel E (access road) That part of the East 33.00 feet of the E 1/2 of the SW 1/4, Section 18, Township 136, Range 28. Which lies southerly of a line drawn from a point on the east line of said NW 1/4 of the SW 1/4 distant 1230.66 feet southerly of the NE corner of said NE 1/4 of the SW 1/4 as measured along the said east line to a point on the north line of said NE 1/4 of the SW 1/4 distant 1103.71 feet westerly of the NE corner of said NE 1/4 of the SW 1/4 as measured along said north line. Subject to power line easement and subject to easements, reservations and restrictions of record, if any.

Exhibit D

Property Owner: Jodell Rau

Legal Description

Parcel ID # 100183400000009

(PARCEL A) THAT PART OF THE SE1/4 OF SW1/4, Section 18, Township 136, Range 28. DESC AS FOLLOWS; COMM AT THE SE CORNER OF SAID SESW, THEN S 89 DEG 16 MIN 51 SEC W, ASSUMED BEARING ALG THE S LINE OF SAID SESW, 33.01 FT TO THE W LINE OF THE E 33 FT OF SAID SESW AND THE POINT OF BEG OF THE TRACT OF LAND TO BE DESC, THEN N 00 DEG 52 MIN 48 SEC E, ALG SAID W LINE, 33.01 FT TO THE N LINE OF THE S 33 FT OF SAID SESW, THEN S 89 DEG 16 MIN 51 SEC W, ALG SAID N LINE 367.14 FT TO THE W LINE OF THE E 400 FT OF SAID SESW, THEN N 00 DEG 52 MIN 48 SEC E ALG SAID W LINE 810.38 FT TO THE N LINE OF THE S 843.06 FT OF SAID SESW, THEN S 89 DEG 16 MIN 51 SEC W, ALG SAID N LINE 932.85 FT TO THE W LINE OF SAID SESW, THEN S 00 DEG 42 MIN 51 SEC W ALG SAID W LINE 843.32 FT THE SW CORNER OF SAID SESW, THEN N 89 DEG 16 MIN 51 SEC E ALG THE S LINE OF SAID SESW TO THE POINT OF BEG. (18.3 acres)

Parcel E (access road) That part of the East 33.00 feet of the E 1/2 of the SW 1/4, Section 18, Township 136, Range 28. Which lies southerly of a line drawn from a point on the east line of said NW 1/4 of the SW 1/4 distant 1230.66 feet southerly of the NE corner of said NE 1/4 of the SW 1/4 as measured along the said east line to a point on the north line of said NE 1/4 of the SW 1/4 distant 1103.71 feet westerly of the NE corner of said NE 1/4 of the SW 1/4 as measured along said north line. Subject to power line easement and subject to easements, reservations and restrictions of record, if any.

Exhibit E

Property Owner: John Berry

Legal Description

Parcel ID # 100183304B00009

S 1/2 OF GOVT LOT 4, Section 18, Township 136, Range 28. EXCEPT THE S 33 FT OF THE S1/2 OF GOVT LOT 4. SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD. (17.71 acres)

Parcel ID # 100192201A00009

N. 1/2 OF N. 1/2 OF GOV. LOT 1 Section 19, Township 136, Range 28 (OR THE W. 1/2 OF N. 1/8 OF NW1/4 SEC. 19) (9.05 acres)

Parcel ID # 100192400B00009

W. 1/2 OF SE1/4 OF NW1/4, Section 19, Township 136, Range28. (20 acres)

Parcel ID # 100192400A00009

E. 1/2 OF SE1/4 OF NW1/4, Section 19, Township 136, Range28. (20 acres)

Exhibit F

Property Owner: Douglas & Billie Jo Rach

Legal Description

Parcel ID # 100192100A00009

N. 1/2 OF N1/2 OF NE1/4 OF NW1/4, Section 19, Township 136, Range 28 (OR THE E. 1/2 OF N. 1/8 OF NW1/4 SEC. 19) SUBJECT TO EASEMENTS OF RECORD. (10 acres)

Parcel E (access road) That part of the East 33.00 feet of the E 1/2 of the SW 1/4, Section 18, Township 136, Range 28. Which lies southerly of a line drawn from a point on the east line of said NW 1/4 of the SW 1/4 distant 1230.66 feet southerly of the NE corner of said NE 1/4 of the SW 1/4 as measured along the said east line to a point on the north line of said NE 1/4 of the SW 1/4 distant 1103.71 feet westerly of the NE corner of said NE 1/4 of the SW 1/4 as measured along said north line. Subject to power line easement and subject to easements, reservations and restrictions of record, if any.

Parcel ID # 101580020460009

Lot 46, Blk 2, Whitebirch Six. (1 acres)

Parcel ID # 101580020450009

Lot 45, Blk 2, Whitebirch Six. (1 acres)

Parcel ID # 101580020440009

Lot 44, Blk 2, Whitebirch Six. (1 acres)

Parcel ID # 101580020430009

Lot 43, Blk 2, Whitebirch Six. (1 acres)

Exhibit G

Property Owner: Larry Rasmussen

Legal Description

Parcel ID # 100192100B00009

S 1/2 OF N 1/2 OF N 1/2 OF NW1/4, Section 19, Township 136, Range 28. SUBJECT TO AN EASEMENT OF RECORD. (19.04 acres)

Parcel ID # 101580020420009

Lot 42, Blk 2, Whitebirch Six. (1 acres)

Parcel ID # 100192201B00009

N 1/2 OF S 1/2 OF N 1/2 OF NW1/4, Section 19, Township 136, Range 28. SUBJECT TO AN EASEMENT OF RECORD. (19.04 acres)

Parcel ID # 100192201C00009

S 1/2 OF S 1/2 OF N 1/2 OF NW1/4, Section 19, Township 136, Range 28. SUBJECT TO AN EASEMENT OF RECORD. (19.05 acres)

Parcel ID # 100192302B00009

W. 1/2 OF GOV. LOT 2, Section 19, Township 136, Range 28. (20 acres)

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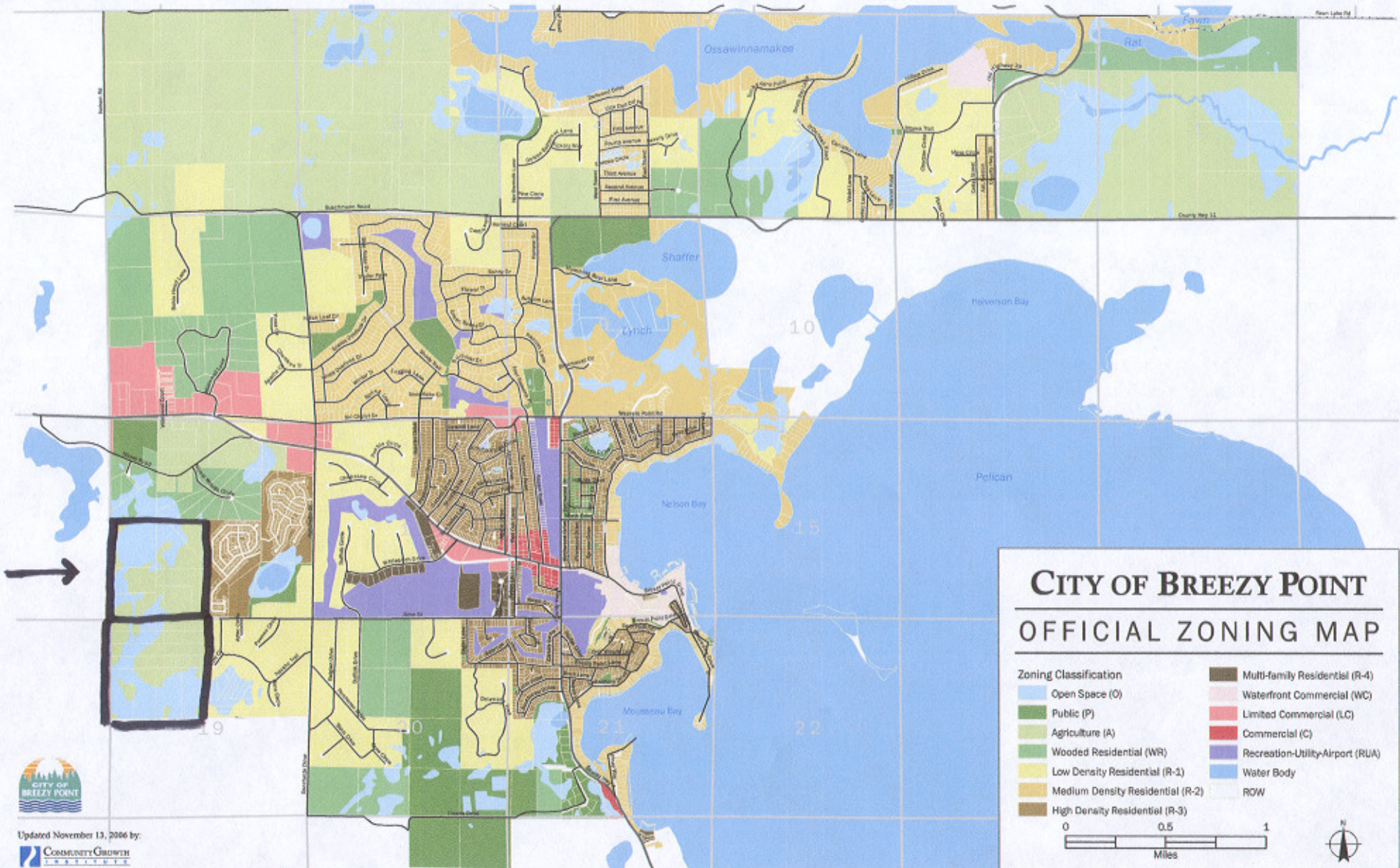
Exhibit H

Property Owner: Diane Cleveland

Legal Description

Parcel ID # 100192302A00009

E. 1/2 OF GOV. LOT 2, Section 19, Township 136, Range 28. (20 acres)



CITY OF BREEZY POINT OFFICIAL ZONING MAP

Open Space (O)	Multi-family Residential (R-4)
Public (P)	Waterfront Commercial (WC)
Agriculture (A)	Limited Commercial (LC)
Wooded Residential (WR)	Commercial (C)
Low Density Residential (R-1)	Recreation-Utility-Airport (RUA)
Medium Density Residential (R-2)	Water Body
High Density Residential (R-3)	ROW

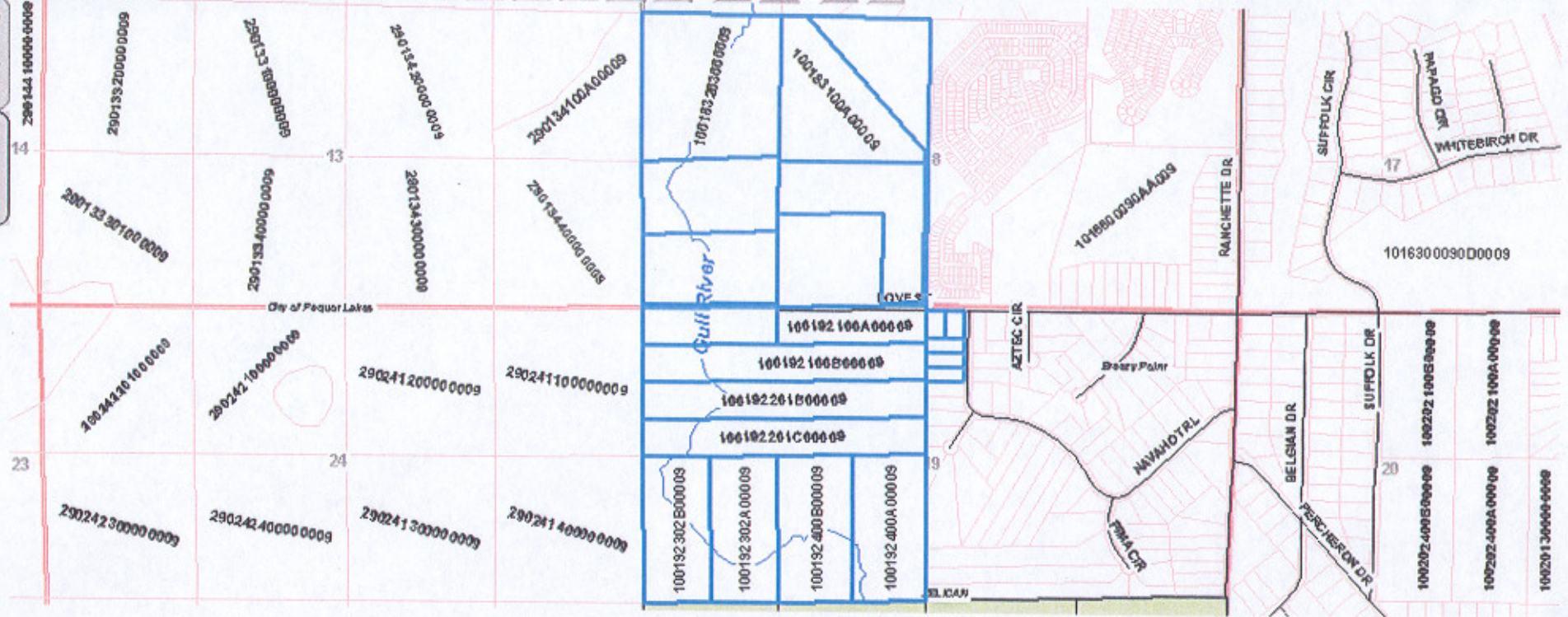


Updated November 13, 2006 by:
 COMMUNITY GROWTH INSTITUTE

REC'D BY
M M B JAN 20 2009



Overview
Map Layers



Table

REC'D BY
AMR
JAN 20 2009

Scale 1: 16494

Parcels: Records 1 to 26 (of 26 records selected)

No tool active