

STATE OF MINNESOTA

OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE PETITION FOR THE)	
DETACHMENT OF CERTAIN LAND FROM THE)	
CITY OF BREEZY POINT PURSUANT TO)	<u>NOTICE OF HEARING</u>
MINNESOTA STATUTES 414)	

Notice is hereby given that a public hearing will be held pursuant to Minnesota Statutes 414, as amended, before the Chief Administrative Law Judge, in the above-entitled matter.

The hearing will convene at 9:00 a.m. on the 6th day of March, 2009, in the Council Chambers of the Breezy Point City Hall, 8319 County Road 11, Breezy Point, Minnesota. The evidentiary part of the hearing will be continued to an indefinite date. All persons shall be given an opportunity to be heard orally and to submit written data, statements or arguments concerning the above-entitled matter when this hearing is reconvened at a future date. The right to testify and the admission of testimony and other evidence shall be governed by the Rules of the Minnesota Municipal Board and any other Statutes or rules that may be applicable.

The property proposed for detachment is described as follows:

Property Owner: Lou Ann Owens

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.

Property Owner: Joseph Zwack

Parcel ID #100183100A00009

(PARCEL C) THAT PART OF THE NE1/4 OF SW1/4, Section 18, Township 136, Range 28. 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.

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

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.

Property Owner: Jodell Rau

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.

Property Owner: John Berry

PARCEL ID# 100183304B00009

S 1/2 OF GOV. LOT 4, SECTION 18, TOWNSHIP 136, RANGE 28. EXCEPT THE S'LY 33 FEET OF GOV. LOT 4. SUBJET TO EASEMENTS, RESERVATIONS OR RESTRICTION OF RECORD.
(17.71 ACRES)

PARCEL ID# 100192400B00009

W 1/2 OF SE 1/4 OF NW 1/4, SECTION 19, TOWNSHIP 136, RANGE 28. (20 ACRES)

PARCEL ID # 100192400A00009

E 1/2 OF SE 1/4 OF NW 1/4, SECTION 19, TOWNSHIP 136, RANGE 28. (20 ACRES)

Property Owner: Douglas & Billie Jo Rach

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)

Property Owner: Larry Rasmussen

Parcel ID# 100192100B00009

S 1/2 OF N 1/2 OF N1/2 OF NW 1/4, SECTION 19, TOWNSHIP 136, RANGE 28.
SUBJECT TO AND EASEMENT OF RECORD. (19.04 ACRES)

Parcel ID# 101580020420009

LOT 42, BLOCK 2 WHITEBIRCH SIX (1 ACRE)

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 F N 1/2 OF NW 1/4, 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)

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 1/2 OF N 1/8 OF NW 1/4 SECTION 19) (9.05 ACRES)

Parcel ID# 100183304BA0009

THE S'LY 33 FEET OF THE S 1/2 OF GOV. LOT 4, SECTION 18, TOWNSHIP 136,
RANGE 28. TOGETHER WITH AN EASEMENT OF RECORD (.91 ACRES)

Property Owner: Diane Cleveland

Parcel ID # 100192302A00009

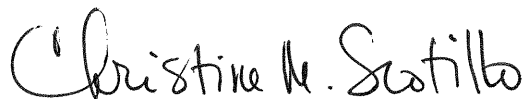
E. 1/2 OF GOV. LOT 2, Section 19, Township 136, Range 28. (20 acres)

After all testimony is complete and the record is closed, the Chief Administrative Law Judge will issue findings and an order in accordance with Minnesota Statutes Chapter 414. Any other person, group of persons, or governmental agency residing in, owning property in, or exercising jurisdiction over the subject area that submits a timely request, and is determined by the presiding judge to have a direct legal interest that will be affected by the outcome of this proceeding may become a party. A party bears a portion of the hearing costs.

For special accommodations, please contact the Office of Administrative Hearings at (651) 361-7900; or Greater Minnesota TTY 1-800-627-3529.

Dated this 10th day of February, 2009.

For the Chief Administrative Law Judge
P. O. Box 64630
St. Paul, Minnesota 55164-0620



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments