

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of D-493 Echo/Echo Township
Pursuant to Minnesota Statutes 414
(Ousky Property)

**NOTICE OF HEARING CANCELLATION AND
FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

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

FINDINGS OF FACT

1. On June 4, 2012, a petition requesting the detachment of certain property from the City of Echo to Echo Township was filed by the sole property owner with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit pursuant to Minnesota Statutes §414.06.

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

The Northeast Quarter (NE $\frac{1}{4}$) of Section Three (3), Township One Hundred Thirteen (113) North, Range Thirty Eight (38) West, Yellow Medicine County, Minnesota.

3. A first statutory hearing on the petition was convened July 26, 2012, after due and appropriate legal notice, and the hearing was continued to an indefinite date.

4. On July 26, 2012, the Chief Administrative Law Judge, through his designee, ordered the petitioner, the City and the Township to meet at least three times over a period of sixty days to address resolution of issues pursuant to Minnesota Statutes Section 414.01, subd. 16.

5. On September 20, 2012, the Office of Administrative Hearings-Municipal Boundary Adjustment Unit received documentation from the City of Echo supporting the detachment petition.

6. The area proposed for detachment is situated within the City of Echo and abuts the common boundary between the city and Echo Township, Yellow Medicine County.

7. The area proposed for detachment is approximately 160 acres.

8. The area proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.

9. There are no municipal improvements needed on the area proposed for detachment.

10. There are no buildings and no population on the area proposed for detachment.

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 cancelling the continued hearing and detaching the area described herein.

ORDER

1. The Chief Administrative Law Judge, through his designee, hereby cancels the continued hearing in this matter.

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

Dated: October 9, 2012



Timothy J. O'Malley
Assistant Chief Administrative Law Judge
Municipal Boundary Adjustment Unit