

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of MBAU Docket No.
D-494 Moorhead/Moorhead Township
Pursuant to Minnesota Statutes 414
(Astrup Property; 144.76 acres)

**NOTICE OF HEARING CANCELLATION
AND ORDER TO DISMISS**

The petition for detachment submitted by the property owners, and other pertinent documents in the file were reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge hereby makes and files the Notice of Hearing Cancellation and Order to Dismiss.

On July 2, 2012, a petition requesting the detachment of certain property from the City of Moorhead to Moorhead Township was filed by all of the property owners with the Office of Administrative Hearings, Municipal Boundary Adjustment Unit pursuant to Minnesota Statutes § 414.06.

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

Section 03 Township 139 Range 048
NW ¼ LESS HWY & E 185'

The City of Moorhead, by Resolution 2012-0723-9 dated July 23, 2012, opposed the petition for detachment.

After due and appropriate legal notice, the first statutory hearing on the petition was convened August 27, 2012, and was continued to an indefinite date.

On August 27, 2012, the Chief Administrative Law Judge, through the undersigned designee, ordered the petitioners, 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.

The parties requested and were granted a 90-day extension of time for local discussions until January 25, 2013.

The parties requested and were denied an additional 90-day extension of time for local discussions.

On January 25, 2013, the Office of Administrative Hearings, Municipal Boundary Adjustment Unit referred the matter to the Chief Administrative Law Judge for assignment of an administrative law judge to conduct an evidentiary hearing.

On April 15, 2013, the Office of Administrative Hearings, Municipal Boundary Adjustment Unit received the petitioners' request to withdraw the petition for detachment.

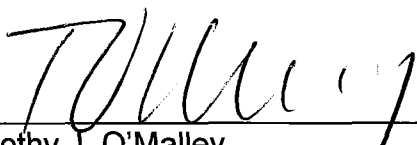
On April 16, 2013, the Office of Administrative Hearings, Municipal Boundary Adjustment Unit received a Stipulation for Dismissal signed by the petitioners and the City of Moorhead.

IT IS HEREBY ORDERED: That the Chief Administrative Law Judge, through the undersigned designee, grants the petitioners' request to withdraw the petition for detachment of certain property from the City of Moorhead described as:

Section 03 Township 139 Range 048
NW ¼ LESS HWY & E 185'

IT IS FURTHER ORDERED: That the continued hearing in this matter is cancelled and MBAU Docket No. D-494 Moorhead/Moorhead Township is closed.

Dated: April 16, 2013



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