

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of D-495 Echo/Echo Township
Pursuant to Minnesota Statutes 414
(Remmele Property)

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

The detachment petition by all of the property owners 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 July 5, 2012, a petition requesting the detachment of certain property from the City of Echo to Echo 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.

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

Starting at the Southwest corner of Lot Fifteen (15), Block Twelve (12), Echo, Minnesota, thence East 1112 feet to the east edge of East Street; thence East 666 feet; thence North 150 feet to the point of beginning; thence North 790 feet; thence West 666 feet to the East edge of East Street; thence North along edge of East Street, 849 feet to a point 46 feet East of the center of Section 3, Township 113, North, Range 38 West; thence East along the quarter line 2592 feet to the east quarter corner;

thence south 1759 feet to the north edge of Second Avenue; thence West along Second Avenue 1643 feet; thence North 150 feet; thence West 316 feet to the point of beginning, containing approximately 90.75 acres, all in the Southeast Quarter of Section Three (3), Township One Hundred Thirteen (113), North Range Thirty-eight (38), West. Lot Thirty-three (33) of Auditor's Plat No. 9, Echo, is including in the above description.

3. A first statutory hearing on the petition was convened August 28, 2012, after due and appropriate legal notice, and the hearing was continued to an indefinite date.

4. On August 28, 2012, the Chief Administrative Law Judge, through his 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.

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 90.75 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.

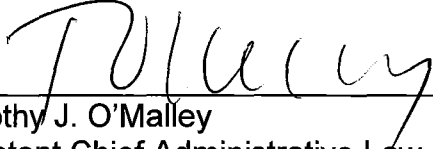
CONCLUSIONS OF LAW

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