

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of D-496
Gilbert/Fayal Township
Pursuant to Minnesota Statutes 414

NOTICE OF HEARING

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 11:30 a.m. on August 30, 2012, in the Conference Room, Gilbert City Hall, 16 South Broadway, Gilbert, MN 55741-5184. **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 1: 060-0055-00200

Section 35 Township 58 Range 17

SW1/4 OF SE1/4 EX COMM AT NE COR OF FORTY THENCE S02DEG54'39"E ALONG E LINE 41.99 FT TO SWLY R.O.W. LINE OF CO HWY 97 AND PT OF BEG THENCE CONT S02DEG54'39"E ALONG E LINE 614.67 FT THENCE S87DEG05'21"W 250 FT THENCE N02DEG 54'39"W 669 FT TO N LINE OF FORTY THENCE N89DEG54'34"E ALONG N LINE 218.63 FT TO SW R.O.W. LINE THENCE S38DEG54'46"E ALONG R.O.W. 53.83 FT TO PT OF BEG & EX COMM AT NE COR OF FORTY THENCE S02DEG54'39"E ALONG E LINE 656.66 FT TO PT OF BEG THENCE CONT S02DEG54' 39"E ALONG E LINE 118.38 FT THENCE S87DEG00' 27"W 250 FT THENCE N02DEG54'39"W 118.74 FT THENCE N87DEG05'21"E 250 FT TO PT OF BEG **38.70 acres**

Property 2: 060-0055-00193
Section 35 Township 58 Range 17
PART OF NW1/4 OF SE1/4 LYING ELY OF WLY 370
FT & SWLY OF SWLY R/W LINE OF CTY RD 97 INC
PART OF VAC OLD CTY RD 97 ADJ **11.71 acres**

Property 3: 060-0055-00190
Section 35 Township 58 Range 17
NW1/4 OF SE1/4 LYING NELY OF HWY R.O.W. **13.81 acres**

Property 4: 060-0055-00180
Section 35 Township 58 Range 17
NE 1/4 OF SE 1/4 **40.00 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: August 2, 2012



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