

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 RECONVENED HEARING**

The evidentiary hearing concerning this Petition will reconvene on May 2, 2013, beginning at 9:30 a.m. at the Gilbert City Hall, Council Chambers, 16 South Broadway, Gilbert, Minnesota before Administrative Law Judge Amy J. Chantry. This is a continuation of the first hearing in this matter held on August 30, 2012.

The only formal parties to this proceeding to date are the Petitioners, City of Gilbert, and Fayal Township. The Petitioners have petitioned the State for authority to detach certain land.

The hearing will be conducted pursuant to the procedure set out in Minnesota Rules, Chapter 6000 as supplemented by Minnesota Rules 14.57 - 14.62. The Rules of the Municipal Boundary Adjustment Unit, Office of Administrative Hearings can be viewed at [www.revisor.mn.gov/rules/?id=6000](http://www.revisor.mn.gov/rules/?id=6000).

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**

Following the close of the hearing, the Chief Administrative Law Judge will issue a written final decision pursuant to Minnesota Statutes, Chapter 414 and the referral from the Municipal Boundary Adjustment Unit.

Any questions concerning the proposed detachment can be directed to Amy J. Chantry, Administrative Law Judge, at 320-282-8966, or Gary Mackley, Gilbert City Clerk, at 218-748-2232.

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

Dated: April 9, 2013

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