

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of D-501
Bemidji/Bemidji Township
Pursuant to Minnesota Statutes 414

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The city resolution and petitions by all of the property owners for detachment from the City of Bemidji were 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 December 11, 2012, the Chief Administrative Law Judge or authorized designee reviewed the city resolution and petitions for detachment which were duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on September 19 and 24, 2012, and November 5, 2012.

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

East one-half of the Southeast Quarter (E $\frac{1}{2}$ of SE $\frac{1}{4}$), Section 12, T146N, R33W.

South one-half of the Southwest Quarter (S $\frac{1}{2}$ of SW $\frac{1}{4}$), Section 12, T146N, R33W.

Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) Section 12, T146N, R33W.

That part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of SW $\frac{1}{4}$), Section 17, T146N, R33W, lying southwesterly of Trunk Highway 2 and 71.

3. The area proposed for detachment is situated within the City of Bemidji and abuts the common boundary between the City of Bemidji and Bemidji Township, Beltrami County.

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

5. The area proposed for detachment is approximately 165.71 acres.

CONCLUSIONS OF LAW

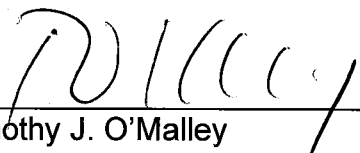
1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.

2. An order should be issued by the Chief Administrative Law Judge or authorized designee detaching the area described herein.

ORDER

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

Dated: December 11, 2012



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