

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of D-505
Echo/Echo Township
Pursuant to Minnesota Statutes 414

AMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The detachment petition of the property owners along a supporting resolution from the City of Echo 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 February 12, 2013, the Chief Administrative Law Judge or authorized designee reviewed the petition and supporting resolution which were duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on January 9, 2013.

2. The petition and supporting resolution requested the detachment of certain property from the City of Echo to be made a part of Echo Township. The detachment area was described in the Office of Administrative Hearings, Municipal Boundary Adjustment Unit's February 12, 2013, Findings of Fact, Conclusions of Law, and Order.

3. This Amended Findings of Fact, Conclusions of Law, and Order corrects an error in the description of the detachment area and is now correctly described as follows:

Tract 1:

The Northwest Fractional Quarter of Section Three (3), Township One Hundred Thirteen (113) North, Range Thirty-eight (38) West of the Fifth Principal Meridian.

EXCEPTING THEREFROM the following described parcel:

All that part of the Northwest Quarter (NW 1/4) of Section Three (3) in Township One Hundred Thirteen (113) North, of Range Thirty-eight (38) West of the Fifth Principal Meridian, described as follows, to wit: Commencing at the southwest corner of the Northwest Quarter of said Section 3; running thence north along the west line of said Section 3 a distance of 550 feet; thence east at right angles parallel to the south line of the Northwest Quarter a distance of 500 feet; thence south parallel to the west line of said Section 3 a distance of 420 feet; thence west parallel, to the south line of the Northwest Quarter of said Section 3 a distance of 130 feet; thence south parallel to the west line of said Section 3 a distance of 130 feet to the south line of the Northwest Quarter; thence west along said south line a distance of 370 feet to the point of beginning; said tract containing 5.92 acres, more or less.

AND

Tract II:

AND: Commencing 66 feet North and 417 feet West of the Northwest corner of Lot One(1) of Block Two (2) of Henry Mather Addition to Echo, according to plat of said addition on file and of record in the office of the Register of Deeds in and for said County Yellow Medicine, State of Minnesota; thence running in a Northerly direction along land sold to Gure Peterson, Fred Redetzke, Pethra Johnson about 688 feet or where it intersects the South line of said Northwest Quarter about 330 feet, or where it intersects the Northwest corner of the Echo Cemetery; thence in Southerly direction along the East line of said Echo Cemetery and German Lutheran Cemetery to the Southeast corner of said German Lutheran Cemetery or where it intersects the street running East and West, thence in an Easterly direction along the North side of said Street to place of beginning. Said parcel is also known as Lot Eighty-one (81) of Auditor's Plat Number Nine (9) of the Village, now City, of Echo.

Except: Commencing at a point on the North boundary line of the Southwest Quarter (SW1/4) of Section 3, Township 113 and range 38, 330 feet East of the Northwest corner of said Southwest Quarter (SW1/4) of Section 3. Running thence East 25 feet, thence South parallel with west boundary line of the said Southwest Quarter (SW1/4) of said Section 3, 528 feet, thence West 25 feet, thence North 528 feet to the place of beginning, said described tract of land being part of Lot 81 of Auditor's Plat 9 of the Village of Echo.

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

Medicine 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 158.08 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 3 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: July 2, 2013



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