

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of D-507
Hutchinson/Hassan Valley Township
Pursuant to Minnesota Statutes 414

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The detachment petition of the property owner along with supporting resolutions from the City of Hutchinson and Hassan Valley Township 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 March 14, 2013, the Chief Administrative Law Judge or authorized designee reviewed the petition and supporting resolutions which were duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on February 19, 2013.

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

The East Half of the Southwest Quarter of Section Five (5), Township One Hundred Sixteen (116) North, Range Twenty-nine (29) West, NOW KNOWN AS Lot Thirty-seven (37), Auditor's Plat of the West One Half of Section Five (5), Township One Hundred Sixteen (116) North, Range Twenty-nine (29) West, EXCEPTING THEREFROM the Right-of-way of the Great Northern Railway Company, ALSO EXCEPTING the following described land, to-wit:

All that part of the Northeast Quarter of the Northeast Quarter of the

Southwest Quarter of Section 5, Township 116 North, Range 29 West of the 5th Principal Meridian lying South of the right of way of the Great Northern Railway Company and Easterly of a line parallel with and distant 30 feet Westerly from the center line of the Westerly leg of the wye and tail tract of the Great Northern Railway Company as now located and established, said center line being described as follows: Beginning at a point in the center line of the main tract of the Railway of the Great Northern Railway Company as now located and constructed distant 501.4 feet Westerly measured along said center line, from the North and South Quarter line of said Section 5; thence Southeasterly along a 7 degree 30 minute curve to the right through an angle of 7 degrees 30 minutes a distance of 100 feet to a point; thence Southeasterly along a 12 degree 30 minute curve to the right through an angle of 78 degrees 45 minutes a distance of 630 feet to a point; thence Southeasterly along a 3 degree 45 minute curve to the right through an angle of 3 degrees 45 minutes a distance of 100 feet to a point; thence Southerly tangent to said 3 degree 45 minute curve a distance of 145 feet more or less to the South line of said Northeast Quarter of the Northeast Quarter of the Southwest Quarter of Section 5.

3. The area proposed for detachment is situated within the City of Hutchinson and abuts the common boundary between the City of Hutchinson and Hassan Valley Township, McLeod 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 78.04 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

Hutchinson and made a part of Hassan Valley Township, the same as if it had originally been made a part thereof.

Dated: March 14, 2013



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