

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of D-508
Lake Benton/Lake Benton Township
Pursuant to Minnesota Statutes 414
(Trautman Property)

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

The detachment petition by all of the property owners and the supporting resolution from the City of Lake Benton 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 April 8, 2013, a petition requesting the detachment of certain property from the City of Lake Benton to Lake Benton Township was filed by all of the property owners with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit pursuant to Minnesota Statutes § 414.06.

2. The petition 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 Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) also Government Lots Numbered One (1), Two (2), Three (3) and Four (4) also the East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) all of Section Numbered Seven (7) in Township Numbered One Hundred Nine (109) North of Range Numbered Forty-five (45) West of the Fifth (5th) Principal Meridian. Excepting therefrom:

That part of the W2 of Sec. 7 in Twp, 109N., Range 45 West of the 5th

P.M. bounded and described as follows, to-wit: Beginning at the center of said Section 7; thence running South 1 degree West 1,323.5 feet; thence West by a deflection angle of 84 degrees 24 minutes a distance of 1,713 feet; thence North by a deflection angle of 92 degrees 54 minutes a distance of 1,680 feet; thence East by a deflection angle of 86 degrees 35 minutes a distance of 491 feet; thence North by a deflection angle of 83 degrees 1 minute a distance of 750 feet; thence East by a deflection angle of 89 degrees 15 minutes a distance of 142 feet; thence North by a deflection angle of 89 degrees 55 minutes a distance of 1,358.7 feet to the center line of Trunk Highway #14; thence in a SE'y direction along the center line of Trunk Highway #14 1,178.3 feet to the North-South quarter line of said Sec. 7, thence South along said North-South quarter line 1,769 feet to the point of beginning, containing in the aggregate 115.4 acres, more or less, Lincoln County, Minnesota.

AND EXCEPTING THEREFROM

That part of the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Seven (7) lying North of U.S. Highway No. 14, Township One Hundred Nine (109) Range Forty-five (45) West of the Fifth P.M., City of Lake Benton, Lincoln County, Minnesota.

3. On April 29, 2013, the Office of Administrative Hearings-Municipal Boundary Adjustment Unit received Lake Benton Township's resolution, dated April 25, 2013, supporting the petition for detachment.
4. On May 21, 2013, the Office of Administrative Hearings-Municipal Boundary Adjustment Unit received the City of Lake Benton's resolution, dated May 20, 2013, supporting the petition for detachment.
5. The area proposed for detachment is situated within the City of Lake Benton and abuts the common boundary between the City of Lake Benton and Lake Benton Township, Lincoln County.
6. The area proposed for detachment is approximately 273.32 acres.
7. The area proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.

8. There are no municipal improvements, buildings, or population in the area proposed for detachment.

CONCLUSIONS OF LAW

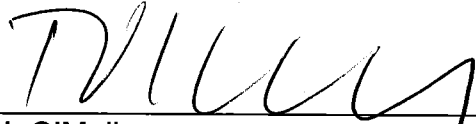
1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.

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 Lake Benton and made a part of Lake Benton Township, the same as if it had originally been made a part thereof.

Dated: June 11, 2013



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