

IN THE MATTER OF THE PETITION FOR DETACHMENT OF
CERTAIN LAND FROM THE CITY OF LAKE BENTON, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.06

TO: Office of Administrative Hearings
Municipal Boundary Adjustments
P. O. Box 64620
St. Paul, MN 55164-0620
651-361-7900

PETITIONERS STATE: The number of petitioners required by Minnesota Statutes § 414.06, Subd. 1, to commence this proceeding is: all of the property owners if the area is less than 40 acres; or 75% or more of the property owners in number if the area is more than 40 acres.

It is hereby requested by:

 all of the property owners, the area is less than 40 acres; or
 X 75% or more of the property owners, the area is more than 40 acres;
to detach certain properties described herein from the City of Lake Benton and make a part of the Township of Lake Benton, Lincoln County, Minnesota.

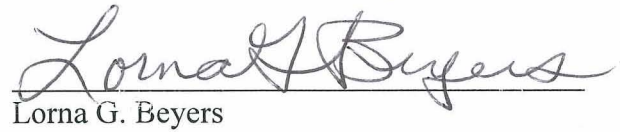
1. There are two (2) property owners in the area proposed for detachment: Elvin A. Beyers and Lorna G. Beyers.
2. All property owners have signed this petition.
3. The property is situated within the City of Lake Benton, abuts the municipal boundary and the boundary of the Township of Lake Benton, in the County of Lincoln.
The petitioned area abuts on the city's northerly and easterly boundaries.
4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. The number of acres in the property proposed for detachment is one hundred thirty four and sixty six hundredths (134.66) and is described as follows:

See Exhibit A attached hereto for legal description.
6. The reason detachment is requested is the real estate is used solely for agricultural purposes. There are no city services provided to the property.
7. The number of residents in the area proposed for detachment is zero (0). (The number of residents is not necessarily the same as number of owners.)

8. The number and character of buildings on said property is none.
9. Public improvements on said property are: none.
10. Reasons for seeking detachment: exorbitant real estate taxes with no corresponding benefit. The Petitioners attended a Lake Benton City Council meeting in March, 2013.

Date: August 5, 2013.


Elvin A. Beyers


Lorna G. Beyers

**EXHIBIT A
LEGAL DESCRIPTION**

Government Lots 5 and 6 and the Northwest Quarter of the Southeast Quarter of Section 5, Township 109 North, Range 45 West, of the Fifth Principal Meridian, Lincoln County, Minnesota, excepting therefrom the following described parcels:

- 1) (Book 102 of Deeds, Page 545)

That part of Tract A described below:

Tract A. That part of Government Lot 6 of Section 5, Township 109 North, Range 45 West, Lincoln County, Minnesota, lying westerly of the westerly right of way line of Trunk Highway No. 75 as the same is now located and established;

which lies easterly of a line run parallel with and distant 100 feet westerly of Line 1 described below:

Line 1. From a point on the north line of said Section 5, distant 1057 feet west of the northeast corner thereof, run southwesterly at an angle of 60 degrees 05 minutes 00 seconds from said north section line (measured from west to south) for 423.9 feet; thence deflect to the left at an angle of 31 degrees 53 minutes 00 seconds for 1921.1 feet; thence deflect to the right at an angle of 08 degrees 20 minutes 00 seconds for 1126.5 feet; thence deflect to the left on a 01 degree 00 minute 00 second curve, having a delta angle of 07 degrees 58 minutes 00 seconds and a length of 796.7 feet for 713.2 feet to the point of beginning of Line 1 to be described; thence continue southerly along said curve for 83.5 feet; thence on tangent to said curve for 316.5 feet and there terminating;

containing 0.23 acre, more or less;

also a right to use the following described strip for highway purposes, which right shall cease on December 1, 1994, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes:

A strip being that part of Tract A hereinbefore described adjoining and westerly of the above described strip which lies easterly of a line run parallel with and distant 150 feet westerly of Line 1 described above;

containing 0.46 acre, more or less.

; and

2) (Book 72 of Deeds, Page 11)

Parcel 47 S. P. 4108-01 (75-6) 902

All that part of the two following described tracts;

1. Government Lots 5 and 6 of section 5, township 109 north, range 45 west;
2. The northwest quarter of the southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of section 5, township 109 north, range 45 west;

which lies within a distance of 75 feet on each side of the following described line:

From a point on the north line of said section 5, distant 1027 feet west of the northeast corner thereof, run northeasterly at an angle of 60°05' with said north section line for 456.1 feet to the point of beginning of line to be described; thence run southwesterly along last described course for 100 feet; thence deflect to the left on a ten chord spiral curve of decreasing radius (spiral angle 3°07'30") for 250 feet; thence deflect to the left on a 2°30' circular curve (delta angle 25°38') for 1025.3 feet; thence deflect to the left on a ten chord spiral curve of increasing radius (spiral angle 3°07'30") for 250 feet; thence on tangent to said curve for 723.7 feet; thence deflect to the right on a 1°00' curve (delta angle 8°20') for 833.3 feet; thence on tangent to said curve for 709.1 feet; thence deflect to the left on a 1°00' curve (delta angle 7°58') for 796.7 feet; thence on tangent to said curve for 466.2 feet and there terminating;

together with a strip 25 feet in width adjoining and easterly of the above described strip; beginning opposite a point distant 196.0 feet southerly of the north line of the northwest quarter of the southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of said section 5 and extending southerly for 630 feet (both measurements being along the above described line);

also together with a strip of land 30 feet in width adjoining and westerly of the first above described strip and extending over and across the northwest quarter of the southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of said section 5;

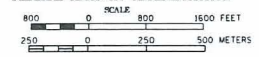
also together with a strip of land 45 feet in width adjoining and westerly of the last above described strip; beginning opposite a point distant 226.0 feet southerly of the north line of the northwest quarter of the southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of said section 5, and extending southerly for 700 feet (both measurements being along the above described line);

excepting therefrom the right of way of existing highway;
containing 3.90 acres, more or less.

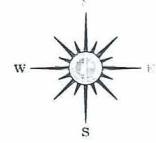
REC'D BY
MBA
AUG 09 2013

MUNICIPALITIES OF
LINCOLN CO.

PREPARED BY THE
MINNESOTA DEPARTMENT OF TRANSPORTATION
OFFICE OF TRANSPORTATION DATA & ANALYSIS
IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



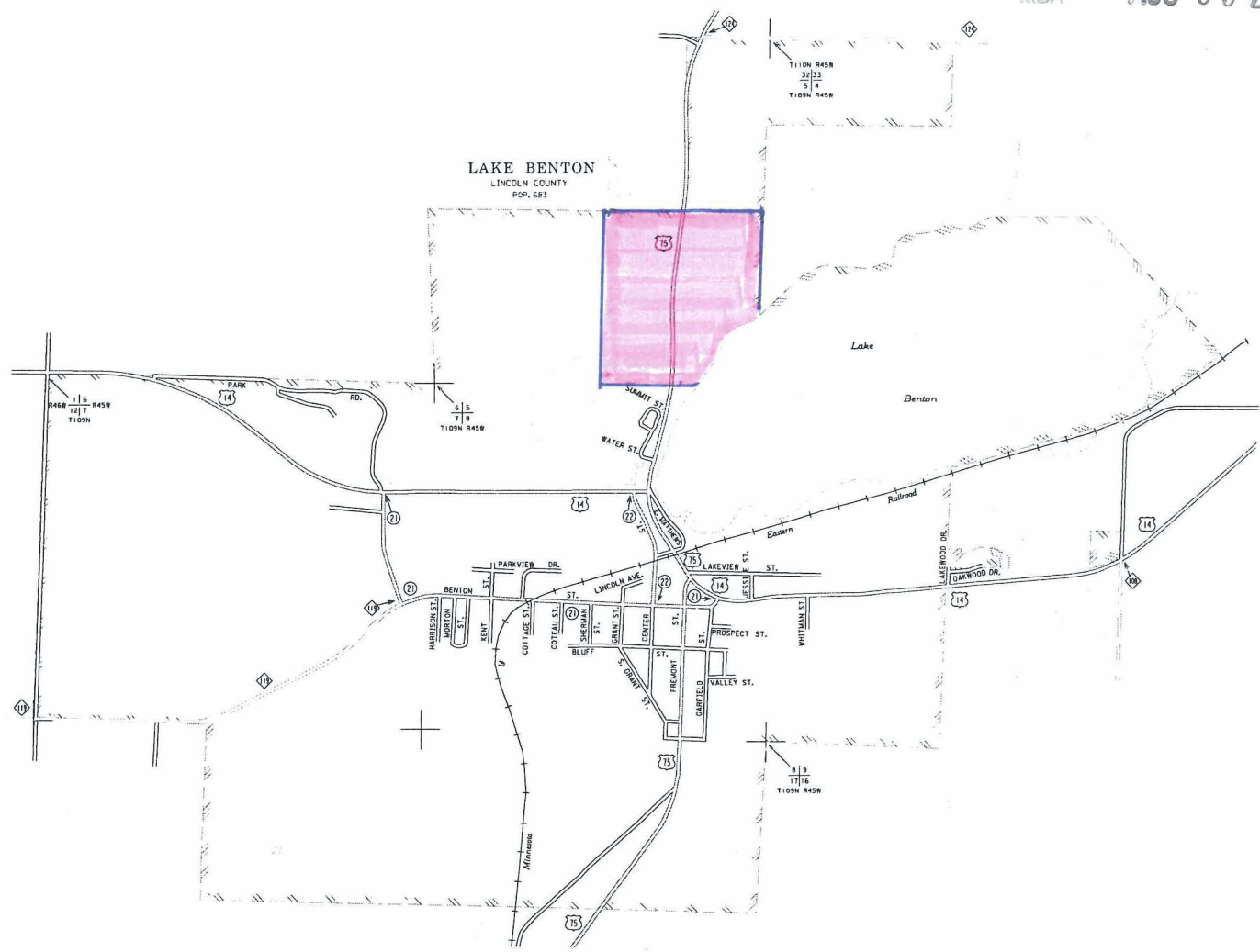
2012
BASIC DATA - 2008



LEGEND

- INTERSTATE TRUNK HIGHWAY..... (I-90)
- U.S. TRUNK HIGHWAY..... (US-14)
- STATE TRUNK HIGHWAY..... (ST-21)
- COUNTY STATE AID HIGHWAY..... (CSA-14)
- COUNTY ROAD..... (CR-14)
- PUBLIC ROAD..... (PR-14)
- PRIVATE ROAD..... (PR-14)
- CORPORATE LIMITS..... (dashed line)

LAKE BENTON
LINCOLN COUNTY
POP. 683



MUNICIPALITIES SHOWN
ON THIS SHEET
LAKE BENTON

Map prepared by the Minnesota Department of Transportation, Office of Transportation Data & Analysis, in cooperation with the U.S. Department of Transportation, Federal Highway Administration. The map is based on the 2012 Basic Data - 2008. The map is not to scale. The map is for informational purposes only. The map is not to be used for legal purposes. The map is not to be used for engineering purposes. The map is not to be used for planning purposes. The map is not to be used for any other purpose.

NOTE: 2010 U.S. CENSUS FIGURES SHOWN FOR ALL MUNICIPALITIES UNLESS OTHERWISE STATED.