

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
MUNICIPAL BOUNDARY ADJUSTMENT UNIT

In the Matter of D-514
Coleraine/Trout Lake Township
Pursuant to Minnesota Statutes 414
(OAH Docket 65-0330-31113)

**NOTICE OF HEARING CANCELLATION
AND
ORDER TO DISMISS**

The detachment petition submitted by the City of Coleraine, and other pertinent documents in the file, were reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge hereby makes and files the Notice of Hearing Cancellation and Order to Dismiss.

1. On August 26, 2013, a petition requesting the detachment of certain property from the City of Coleraine to Trout Lake Township was filed by the City of Coleraine with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit pursuant to Minnesota Statutes § 414.06.
2. A corrected petition was filed with the Office of Administrative Hearings-Municipal Boundary Adjustment Unit on September 10, 2013.
3. Trout Lake Township submitted a resolution opposing the detachment petition. At a later date, the Township submitted a resolution stating a position of neutrality to the detachment petition.
4. Counsel for one of the property owners in the proposed detachment area, Eagle Properties of Itasca County, LLC, filed an objection to the detachment, a notice of appearance, and a request to be a party in the proceeding.
5. After due and appropriate legal notice, the first statutory hearing on the petition was convened October 16, 2013, and was continued.
6. On October 16, 2013, the parties were ordered to participate in a

mediation session pursuant to Minnesota Statutes § 414.06, Subd. 2.

7. On April 16, 2014, the Office of Administrative Hearings-Municipal Boundary Adjustment Unit received a request from the City of Coleraine to withdraw the petition for detachment.

ORDER TO DISMISS

1. The undersigned designee of the Chief Administrative Law Judge hereby grants the City of Coleraine's request to withdraw the petition for detachment of certain property from the City of Coleraine described as:

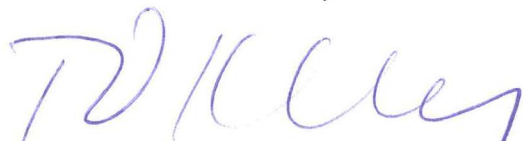
The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) EXCEPT the East 100 feet of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$; the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$); the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$); and Government Lot One (1), all in Section Seven (7), Township Fifty-five (55), Range Twenty-four (24), West of the Fourth Principal Meridian, and

The East One Hundred Feet (E. 100') of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), and the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), all in Section Seven (7), Township Fifty-five (55), Range Twenty-four (24), West of the Fourth Principal Meridian.

2. As stipulated to by the parties, the City shall pay all costs of the Detachment Proceeding as assessed by the MBAU and the Honorable Ann C. O'Reilly, including but not limited to mediation costs.¹

3. The continued hearing in this matter is cancelled, and MBAU Docket D-514 Coleraine/Trout Lake Township (OAH Docket 65-0330-31113) is closed.

Dated: April 23, 2014



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

¹ See Stipulation and Order filed with the Office of Administrative Hearing - Municipal Boundary Adjustment Unit on April 22, 2014.