

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

-----

TO: Office of Administrative Hearings  
Municipal Boundary Adjustment Unit  
P. O. Box 64620  
St. Paul, MN 55164-0620

*Pursuant to the 2012 amendment to Minn. Stat. § 414.06, the petitioner(s) shall also provide a copy of this petition to:*

- 1) the city from which the land may be detached;*
- 2) all property owners who have not signed this petition;*
- 3) the clerk of the town to which the property may be attached if granted;*
- 4) the clerk of any other abutting town or city; and*
- 5) the county recorder in the county in which the land is located.*

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 Silver Bay and become a part of the Township of Beaver Bay.

1. There are 16 parcels and 13 property owners in the area proposed for detachment.
2. 10 property owners have signed this petition. (If the land is owned by both the husband and wife, both must sign the petition to represent all owners.) These 10 owners constitute 77% of the 13 total owners, they own 75% (12 of 16) of the total number of parcels, and they own 75% (120 of 160) of land acreage.
3. The property is situated within the City of Silver in the County of Lake. The Property directly abuts on the city's North boundary, and is entirely surrounded by County and State forest land and Tettigouche State Park.
4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes. Lot sizes range from 5

acres to 20 acres. Zoning is forest reserve, which is designed to preserve rural character of the property.

5. The reasons detachment is requested is that the detachment area is an isolated island of rural lots surrounded by county and state forest and park land which will forever separate the detachment area from the urban portions of the City and block access to City services. The property is rural in character and is more properly served by a township form of government.

- a) The property is rural in character and will remain rural. The current development in the area is low intensity rural residential. Lots range in size from 5 to 20 acres and are covered with dense forest. The current zoning of the detachment property and surround area is "Forest Reserve." (see zoning map attached)

*Excerpt from City Zoning Ordinance: The purpose of the FR, Forest Reserve District shall be to provide for remote very low density residential development that may be distant from roads, city water and sewer, to prevent destruction of natural or man-made resources, to maintain large tracts of land for forest recreation and rural living purposes, and to foster certain recreational uses and other activities which shall not be incompatible with the public welfare.*

- b) There is no access to city utility services, and there is no plan to extend utilities to serve the area in the future. The detachment area is surrounded on three sides by state and county forest land, including Tetegouche state park. The area is characterized by shallow bedrock which make utility extensions cost-prohibitive. All developed parcels have constructed individual wells and on-site septic systems. (see attached page from County "plat book" showing ownership of surrounding land verified per County records.)
- c) The detachment property is served by private roads which are not maintained by the City. Mt. Rockwood Road, a city-owned gravel road designated as a "minimum access" road, dead ends at the boundary of the detachment property.
- d) Detachment will distort the straight-line symmetry of the current city northern boundary. However, since the detachment property is surrounded by state and county forest land which requires no municipal service, this distortion will not have a practical adverse impact on the City.
- e) Detachment will not create an obstacle to future city growth. The detachment property is bounded to the north by 120 acres of a portion of the Silver Mountain plat containing 12 10-acre rural lots located in Beaver Bay Township. This property is not suitable for annexation into the City. Beyond this property lies two miles of county land and Tettegouche state park. City growth potential lies in other directions.

- f) Detachment will not cause undue financial hardship on the City.
  - a. Based upon 2013 property tax values, the detachment property had a total tax capacity of \$21,941, which is about two percent (2.0%) of the City's total tax capacity of \$1,088,399.
  - b. The City of Silver Bay currently has NO bonded debt which is paid using property tax revenues – all debt is paid from business revenue sources or special assessments. The detachment will have no impact the City's revenues used to make its bond payments.
- 6. Summarize what efforts were taken prior to filing this petition to resolve the issues:
  - a) August 27, 2013. A representative of the land owners met with Beaver Bay township officials to discuss detachment and see if the township had any concerns or comments. No action was requested.
  - b) September 16, 2013. A representative of the land owners met with the Silver Bay City Council, discussed the area's plan for detachment, and discussed the possible alternative to create a rural service area pursuant to M.S. 272.67. City requested time to study the matter with their attorney.
  - c) November 1, 2013. Two representatives of the land owners met with Mayor, City Administrator and City attorney to discuss detachment and/or rural service area further. City requested additional time to consider the issue and possibly make a proposal. We requested a response by yearend 2013. The City did not provide a proposal by yearend and we have had no contact since the November 1<sup>st</sup> meeting. It is the consensus of the landowners that detachment is clearly the preferred alternative.
- 7. The number of acres in the property proposed for detachment is 160 and is described as follows:

NW ¼ of NW 1/4 of Section 29, T 56 N, R 7 W and  
NW ¼ of NE 1/4 of Section 30, T 56 N, R 7 W and  
NE ¼ of NE 1/4 of Section 30, T 56 N, R 7 W and  
SE ¼ of NE 1/4 of Section 30, T 56 N, R 7 W
- 8. The number and character of buildings on said property is: five (5) residences, 3 with garages, and a sixth residence currently under construction. Two (2) residences are/will be homesteaded and occupied full time – the four (4) others are used as cabins.
- 9. The number of residents in the area proposed for detachment is two (2) and will increase to four (4) once the new residence is completed.
- 10. Public improvements on said property are: \_\_none.

## Summary of Signatures

Parcel Tax ID #	Owners	Signature
22-7401-29310	Dennis and Debra Moore	_Yes, signed Sept 3
22-7401-29311	Teresa Maronne	_Yes, signed Sept 4
22-7401-29312	David Drown & Lisa Berg	_Yes, signed August 28
22-7401-29315	Debra & Robert Meehan	_Yes, emailed signature received Sept 13
22-7401-29320	Susan Holm	_Yes, signed Sept 13
22-7401-29325	Nelson & Marilyn French	_Yes, emailed signature received Sept 7
22-7401-30190	B. Lambrecht and S. Isaacman	_Yes, August 29
22-7401-30195	Arthur & Elizabeth Watson	_Yes, signed Sept 12
22-7401-30100	Jeff & Marianne Miller	_Yes, signed August 30
22-7401-30105	Steven & Sharon Pribyl Trust	_Yes, emailed signature received Sept 7
22-7401-30040	Arthur & Elizabeth Watson	_Yes, signed Sept 12
22-7401-30045	John Gorski	No. Mailed petition August 28 <sup>th</sup> to Gorski and On Sept 11 to contract for deed owner Russ Schmidt
22-7401-30010	Add Ventures Inc.	No. Mailed petition August 28th
22-7401-30070	Charles and Carey Huskins	No. Mailed petition August 28th
22-7401-30075	Charles and Carey Huskins	No. Mailed petition August 28th
22-7401-30080	Jeff & Marianne Miller	_Yes, signed August 30

Date: \_\_\_\_\_

Municipal Boundary Adjustment Unit ContactsStar Holman [star.holman@state.mn.us](mailto:star.holman@state.mn.us) 651-361-7909Katie Lin [katie.lin@state.mn.us](mailto:katie.lin@state.mn.us) 651-361-7911

(August 2012)



# Signature Page of Petition

REC'D BY  
MBA

APR 22 2014

Parcel Tax ID #	Owners	Signature
22-7401-29310	Dennis and Debra Moore	<i>Debra Moore Dennis Moore</i>
22-7401-29311	Teresa Maronne	_____
22-7401-29312	David Drown & Lisa Berg	_____
22-7401-29315	Debra & Robert Meehan	_____
22-7401-29320	Susan Holm	_____
22-7401-29325	Nelson & Marilyn French	_____
22-7401-30190	B. Lambrecht and S. Isaacman	_____
22-7401-30195	Arthur & Elizabeth Watson	_____
22-7401-30100	Jeff & Marianne Miller	_____
22-7401-30105	Steven & Sharon Pribyl Trust	_____
22-7401-30040	Arthur & Elizabeth Watson	_____
22-7401-30045	John Gorski	_____
22-7401-30010	Add Ventures Inc.	_____
22-7401-30070	Charles and Carey Huskins	_____
22-7401-30075	Charles and Carey Huskins	_____
22-7401-30080	Jeff & Marianne Miller	_____

Date: 9-3-2013

## Municipal Boundary Adjustment Unit Contacts

Star Holman [star.holman@state.mn.us](mailto:star.holman@state.mn.us) 651-361-7909

Katie Lin [katie.lin@state.mn.us](mailto:katie.lin@state.mn.us) 651-361-7911

(August 2012)



# Signature Page of Petition

REC'D BY  
MBA

APR 22 2014

Parcel Tax ID #	Owners	Signature
22-7401-29310	Dennis and Debra Moore	
22-7401-29311	Teresa <span style="border: 1px solid red; padding: 0 2px;">Marrone</span>	<i>Teresa Marrone</i>
22-7401-29312	David Drown & Lisa Berg	
22-7401-29315	Debra & Robert Meehan	
22-7401-29320	Susan Holm	
22-7401-29325	Nelson & Marilyn French	
22-7401-30190	B. Lambrecht and S. Isaacman	
22-7401-30195	Arthur & Elizabeth Watson	
22-7401-30100	Jeff & Marianne Miller	
22-7401-30105	Steven & Sharon Pribyl Trust	
22-7401-30040	Arthur & Elizabeth Watson	
22-7401-30045	John Gorski	
22-7401-30010	Add Ventures Inc.	
22-7401-30070	Charles and Carey Huskins	
22-7401-30075	Charles and Carey Huskins	
22-7401-30080	Jeff & Marianne Miller	

Date: September 4 2013


## Municipal Boundary Adjustment Unit Contacts

Star Holman [star.holman@state.mn.us](mailto:star.holman@state.mn.us) 651-361-7909

Katie Lin [katie.lin@state.mn.us](mailto:katie.lin@state.mn.us) 651-361-7911

(August 2012)

## Signature Page of Petition

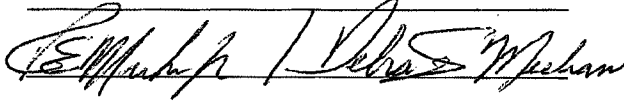
Parcel Tax ID #	Owners	Signature
22-7401-29310	Dennis and Debra Moore	_____
22-7401-29311	Teresa Maronne	_____
22-7401-29312	David Drown & Lisa Berg	
22-7401-29315	Debra & Robert Meehan	_____
22-7401-29320	Susan Holm	_____
22-7401-29325	Nelson & Marilyn French	_____
22-7401-30190	B. Lambrecht and S. Isaacman	_____
22-7401-30195	Arthur & Elizabeth Watson	_____
22-7401-30100	Jeff & Marianne Miller	_____
22-7401-30105	Steven & Sharon Pribyl Trust	_____
22-7401-30040	Arthur & Elizabeth Watson	_____
22-7401-30045	John Gorski	_____
22-7401-30010	Add Ventures Inc.	_____
22-7401-30070	Charles and Carey Huskins	_____
22-7401-30075	Charles and Carey Huskins	_____
22-7401-30080	Jeff & Marianne Miller	_____

Date: \_\_\_\_\_

Municipal Boundary Adjustment Unit ContactsStar Holman [star.holman@state.mn.us](mailto:star.holman@state.mn.us) 651-361-7909Katie Lin [katie.lin@state.mn.us](mailto:katie.lin@state.mn.us) 651-361-7911

(August 2012)

## Signature Page of Petition

Parcel Tax ID #	Owners	Signature
22-7401-29310	Dennis and Debra Moore	_____
22-7401-29311	Teresa Maronne	_____
22-7401-29312	David Drown & Lisa Berg	_____
22-7401-29315	Debra & Robert Meehan	
22-7401-29320	Susan Holm	_____
22-7401-29325	Nelson & Marilyn French	_____
22-7401-30190	B. Lambrecht and S. Isaacman	_____
22-7401-30195	Arthur & Elizabeth Watson	_____
22-7401-30100	Jeff & Marianne Miller	_____
22-7401-30105	Steven & Sharon Pribyl Trust	_____
22-7401-30040	Arthur & Elizabeth Watson	_____
22-7401-30045	John Gorski	_____
22-7401-30010	Add Ventures Inc.	_____
22-7401-30070	Charles and Carey Huskins	_____
22-7401-30075	Charles and Carey Huskins	_____
22-7401-30080	Jeff & Marianne Miller	_____

Date: \_\_\_\_\_

Municipal Boundary Adjustment Unit ContactsStar Holman [star.holman@state.mn.us](mailto:star.holman@state.mn.us) 651-361-7909Katie Lin [katie.lin@state.mn.us](mailto:katie.lin@state.mn.us) 651-361-7911

(August 2012)



## Signature Page of Petition

Parcel Tax ID #	Owners	Signature
22-7401-29310	Dennis and Debra Moore	_____
22-7401-29311	Teresa Maronne	_____
22-7401-29312	David Drown & Lisa Berg	_____
22-7401-29315	Debra & Robert Meehan	_____
22-7401-29320	Susan Holm	<i>Susan Holm</i>
22-7401-29325	Nelson & Marilyn French	_____
22-7401-30190	B. Lambrecht and S. Isaacman	_____
22-7401-30195	Arthur & Elizabeth Watson	_____
22-7401-30100	Jeff & Marianne Miller	_____
22-7401-30105	Steven & Sharon Pribyl Trust	_____
22-7401-30040	Arthur & Elizabeth Watson	_____
22-7401-30045	John Gorski	_____
22-7401-30010	Add Ventures Inc.	_____
22-7401-30070	Charles and Carey Huskins	_____
22-7401-30075	Charles and Carey Huskins	_____
22-7401-30080	Jeff & Marianne Miller	_____

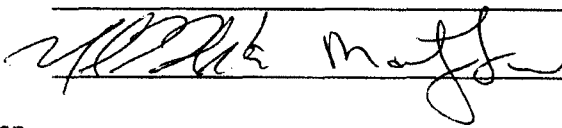
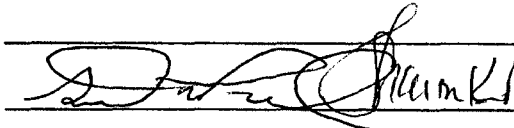
Date: 9/13/2013Municipal Boundary Adjustment Unit ContactsStar Holman [star.holman@state.mn.us](mailto:star.holman@state.mn.us) 651-361-7909Katie Lin [katie.lin@state.mn.us](mailto:katie.lin@state.mn.us) 651-361-7911

(August 2012)

REC'D BY  
MBA

APR 22 2014

Signature Page of Petition

Parcel Tax ID #	Owners	Signature
22-7401-29310	Dennis and Debra Moore	_____
22-7401-29311	Teresa Maronne	_____
22-7401-29312	David Drown & Lisa Berg	_____
22-7401-29315	Debra & Robert Meehan	_____
22-7401-29320	Susan Holm	_____
22-7401-29325	Nelson & Marilyn French	
22-7401-30190	B. Lambrecht and S. Isaacman	_____
22-7401-30195	Arthur & Elizabeth Watson	_____
22-7401-30100	Jeff & Marianne Miller	_____
22-7401-30105	Steven & Sharon Pribyl Trust	
22-7401-30040	Arthur & Elizabeth Watson	_____
22-7401-30045	John Gorski	_____
22-7401-30010	Add Ventures Inc.	_____
22-7401-30070	Charles and Carey Huskins	_____
22-7401-30075	Charles and Carey Huskins	_____
22-7401-30080	Jeff & Marianne Miller	_____

Date: \_\_\_\_\_

Municipal Boundary Adjustment Unit Contacts

Star Holman [star.holman@state.mn.us](mailto:star.holman@state.mn.us) 651-361-7909

Katie Lin [katie.lin@state.mn.us](mailto:katie.lin@state.mn.us) 651-361-7911

(August 2012)

# Signature Page of Petition




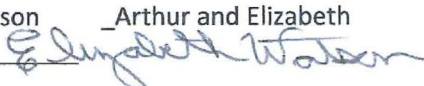
REC'D BY  
MBA

APR 22 2014

Parcel Tax ID #	Owners	Signature
22-7401-29310	Dennis and Debra Moore	
22-7401-29311	Teresa Maronne	
22-7401-29312	David Drown & Lisa Berg	
22-7401-29315	Debra & Robert Meehan	
22-7401-29320	Susan Holm	
22-7401-29325	Nelson & Marilyn French	
22-7401-30190	B. Lambrecht and S. Isaacman	<i>Bethany Lambrecht</i> 8/29/13
22-7401-30195	Arthur & Elizabeth Watson	
22-7401-30100	Jeff & Marianne Miller	
22-7401-30105	Steven & Sharon Pribyl Trust	
22-7401-30040	Arthur & Elizabeth Watson	
22-7401-30045	John Gorski	
22-7401-30010	Add Ventures Inc.	
22-7401-30070	Charles and Carey Huskins	
22-7401-30075	Charles and Carey Huskins	

*S. Isaacman*  
8/29/13

## Signature Page of Petition

Parcel Tax ID #	Owners	Signature
22-7401-29310	Dennis and Debra Moore	_____
22-7401-29311	Teresa Maronne	_____
22-7401-29312	David Drown & Lisa Berg	_____
22-7401-29315	Debra & Robert Meehan	_____
22-7401-29320	Susan Holm	_____
22-7401-29325	Nelson & Marilyn French	_____
22-7401-30190	B. Lambrecht and S. Isaacman	_____
22-7401-30195 Watson	Arthur & Elizabeth Watson	Arthur and Elizabeth  
22-7401-30100	Jeff & Marianne Miller	_____
22-7401-30105	Steven & Sharon Pribyl Trust	_____
22-7401-30040 Watson	Arthur & Elizabeth Watson	Arthur and Elizabeth  
22-7401-30045	John Gorski	_____
22-7401-30010	Add Ventures Inc.	_____
22-7401-30070	Charles and Carey Huskins	_____
22-7401-30075	Charles and Carey Huskins	_____
22-7401-30080	Jeff & Marianne Miller	_____

Date: 9/12/13Municipal Boundary Adjustment Unit ContactsStar Holman [star.holman@state.mn.us](mailto:star.holman@state.mn.us) 651-361-7909Katie Lin [katie.lin@state.mn.us](mailto:katie.lin@state.mn.us) 651-361-7911

(August 2012)



## Signature Page of Petition

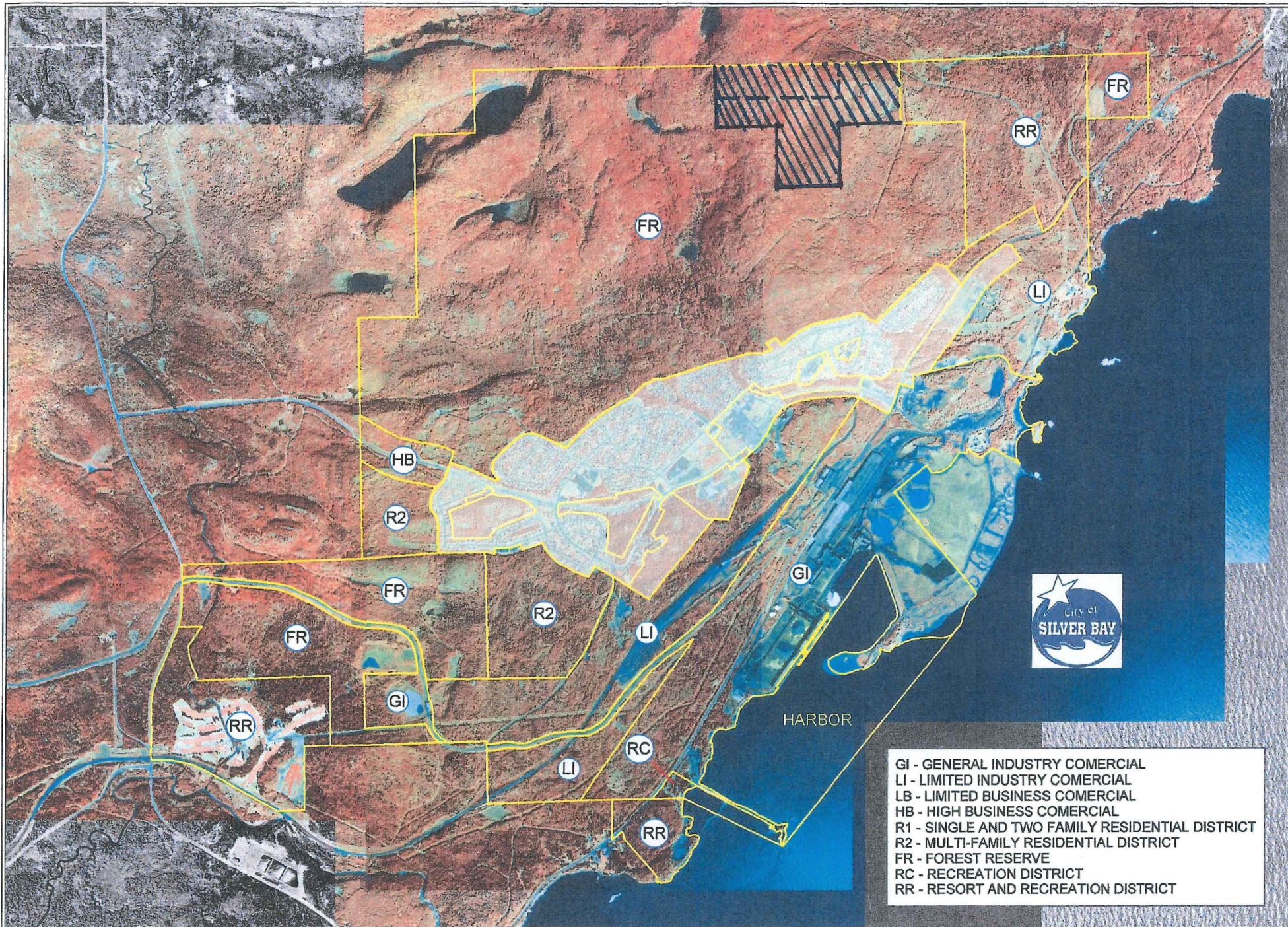
Parcel Tax ID #	Owners	Signature
22-7401-29310	Dennis and Debra Moore	_____
22-7401-29311	Teresa Maronne	_____
22-7401-29312	David Drown & Lisa Berg	_____
22-7401-29315	Debra & Robert Meehan	_____
22-7401-29320	Susan Holm	_____
22-7401-29325	Nelson & Marilyn French	_____
22-7401-30190	B. Lambrecht and S. Isaacman	_____
22-7401-30195	Arthur & Elizabeth Watson	_____
22-7401-30100	Jeff & Marianne Miller	<u>Jeff Miller</u> <u>Marianne Miller</u>
22-7401-30105	Steven & Sharon Pribyl Trust	_____
22-7401-30040	Arthur & Elizabeth Watson	_____
22-7401-30045	John Gorski	_____
22-7401-30010	Add Ventures Inc.	_____
22-7401-30070	Charles and Carey Huskins	_____
22-7401-30075	Charles and Carey Huskins	_____
22-7401-30080	Jeff & Marianne Miller	<u>Jeff Miller</u> <u>Marianne Miller</u>

Date: \_\_\_\_\_

Municipal Boundary Adjustment Unit ContactsStar Holman star.holman@state.mn.us 651-361-7909Katie Lin katie.lin@state.mn.us 651-361-7911

(August 2012)







**Rocky Wall and Surrounding Parcels**  
**Payable 2014 Property Values & Local Taxes**

**EXHIBIT 1**

Parcel ID	Taxpayer's Name	Acres	Land Value	Building Value	Total Value	Rates >	178.98%	74.03%	Savings
						Tax Capacity	City Tax*	Town Tax*	
Rocky Wall Parcels									
22-7401-29310	Dennis and Debra Moore	5	63,000	67,000	130,000	1,300	2,327	962	1,364
22-7401-29311	Teresa Marrone	7.5	72,500	-	72,500	725	1,298	537	761
22-7401-29312	David Drown & Lisa Berg	10	101,100	335,200	436,300	4,363	7,809	3,230	4,579
22-7401-29315	Debra Meehan	5	63,000	-	63,000	630	1,128	466	661
22-7401-29320	Susan Holm	5	58,700	-	58,700	587	1,051	435	616
22-7401-29325	Nelson & Marilyn French	7.5	91,200	235,500	326,700	3,189	5,707	2,361	3,346
22-7401-30190	Bethany Lambrecht and Scott Isaacman	20	73,200	69,600	142,800	1,184	2,119	877	1,243
22-7401-30195	Arthur & Elizabeth Watson	20	50,200		50,200	502	898	372	527
22-7401-30100	Jeff & Marianne Miller	15	128,400	163,500	291,900	2,919	5,224	2,161	3,063
22-7401-30105	Steven & Sharon Pribyl	10	101,100	182,000	283,100	2,831	5,067	2,096	2,971
22-7401-30040	Arthur & Elizabeth Watson	10	31,300		31,300	313	560	232	328
22-7401-30045	John P. Gorski	5	63,000		63,000	630	1,128	466	661
		120	896,700	1,052,800	1,949,500	19,173	34,314	14,194	20,120
Adjacent Parcels in City									
22-7401-30010	Add Ventures Inc.	20	29,100		29,100	291	521	215	305
22-7401-30070	Charles and Carey Huskins	5	51,100		51,100	511	915	378	536
22-7401-30075	Charles and Carey Huskins	10	27,200		27,200	272	487	201	285
22-7401-30080	Jeff & Marianne Miller	5	51,100		51,100	511	915	378	536
		40	158500	0	158,500	1,585	2,837	1,173	1,663
Grand Totals		160	1,055,200	1,052,800	2,108,000	20,758	37,151	15,368	21,783

\* Combined local tax rate; does not include the State of Minnesota tax on seasonal rec parcels

REC'D BY  
MBA

APR 22 2014





# Rocky Wall Price List

Little Palisade (5)—SOLD

The Point (10)—SOLD

Boulders (7.5)—SOLD

Sugar Bush (7.5)—SOLD

Mt. Trudy (5)—SOLD

Baptism (5)—SOLD

Place in the Woods (10)—\$42,000

Rock Top (15)—\$135,000

Acorn Ridge (10)—SOLD

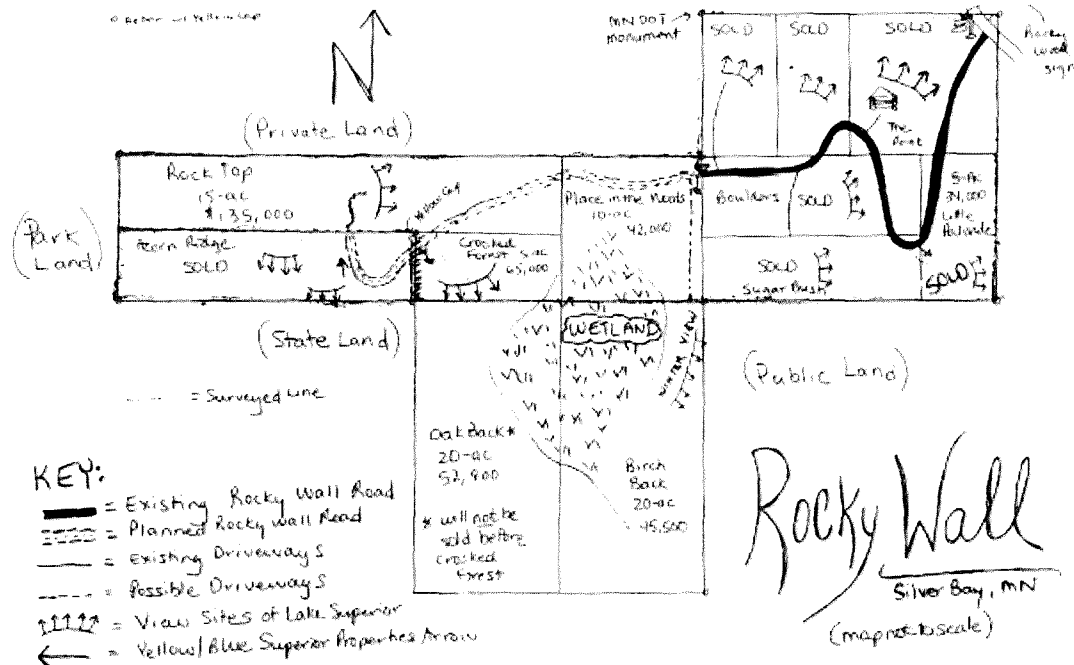
Crooked Forest (5)—\$65,000

Oak Back (20)—\$52,900

Birch Back (20)—\$45,500

Directions to Rocky Wall—

US 61 1.2 miles NE from stoplight  
in Silver Bay to Mount Rockwood  
road. Turn inland approximately  
one mile to Rocky Wall sign



Rocky Wall  
Silver Bay, Minnesota

REC'D BY  
MBA

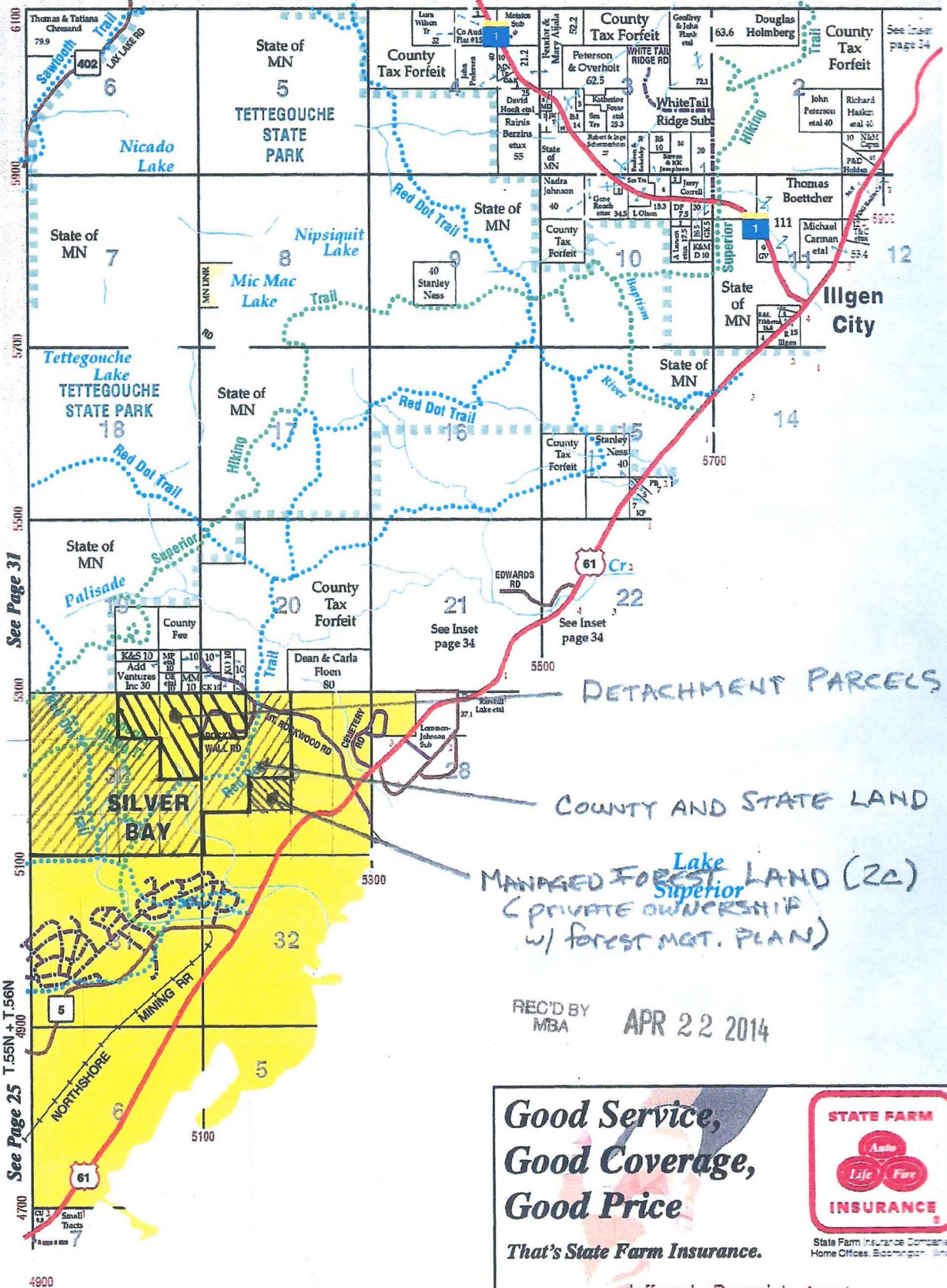
APR 22 2014

# 15. Beaver Bay

T.55-56N.

©2005 cloud cartographics, inc. st. cloud, mn 56301

See Page 41



REC'D BY  
MBA

APR 22 2014

**Good Service,  
Good Coverage,  
Good Price**

**That's State Farm Insurance.**



State Farm Insurance Companies  
Home Offices: Bloomington, Illinois

**Jeffrey L. Berquist - Agent**

Silver Bay 218-226-3371 • Grand Marais 218-387-1929

*Like a good neighbor, State Farm is there. ®*