

IN THE MATTER OF THE PETITION OF  
JOHN N. ANDERSON AND PAULA J. ANDERSON  
FOR DETACHMENT OF  
CERTAIN LAND FROM THE CITY OF DUNNELL, MINNESOTA  
PURSUANT TO MINNESOTA STATUTES § 414.06

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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
- 75% or more of the property owners, the area is more than 40 acres;

to detach certain properties described herein from the City of Dunnell and make a part of the Township of Fremont.

1. There are two property owners in the area proposed for detachment.
2. All 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.)
3. The property is situated within the City of Dunnell, abuts the municipal boundary, and is located in the County of Martin.  
The petitioned area abuts on the city's N S E W (circle one) boundary.

4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
5. The reason detachment is requested is the property receives no benefits from the city, nor does it have any access to the city. It is cropland which is taxed by the city. The taxes have been raised disproportionately for the services, or lack thereof, received.
6. Summarize what efforts were taken prior to filing this petition to resolve the issues: The Petitioners have both spoken with city administration as well as having made a direct plea and personal appearance before the City Council. All to no avail.
7. The number of acres in the property proposed for detachment is 56.6 AC and is described as follows:

*See Attached Exhibit "A"*

8. The number and character of buildings on said property is: ZERO
9. The number of residents in the area proposed for detachment is ZERO  
(The number of residents is not necessarily the same as number of owners.)
10. Public improvements on said property are: NONE

Date: 9-26-14

  
\_\_\_\_\_  
John N. Anderson/Property Owner

  
\_\_\_\_\_  
Paula J. Anderson/Property Owner

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)

## Exhibit "A"

The West Half of the Southeast Quarter; The Northeast Quarter of the Southeast Quarter; and, the North Half of the Southeast Quarter of the Southeast Quarter, all being in Section Ten, Township One Hundred One North, of Range Thirty-three West of the Fifth Principal Meridian,

## EXCEPTING THEREFROM

A tract of land in the Southeast Quarter of Section Ten, Township One Hundred One North of Range Thirty-three West of the Fifth Principal Meridian, described as follows: Beginning at the Northeast corner of Block Six, Original Plat of the Village of Dunnell, Minnesota, thence North 260 feet on the extended East line of said Block Six, thence North 89 degrees 50 minutes East 388 feet; thence South 260 feet to the Northwest corner of Block Four, Village of Dunnell; thence South 89 degrees 50 minutes West 388 feet on the North line of said Block Five of said Village to the point of beginning. This exception has been platted as Hillcrest Addition to the Village of Dunnell, Martin County, Minnesota. (This exception consists of approximately 2.31 acres).

## AND ALSO EXCEPTING

Land described in Book 102 of Deeds on Page 381, described as follows:

Beginning at the iron monument in the center of Seelye Avenue, at the intersection of Silcox Street and Seelye Avenue, according to the recorded plat of Dunnell; thence running north 247½ feet; thence west 321 feet; thence south 247½ feet; thence east 321 feet to the place of beginning; (This exception consists of approximately 1.82 acres).

## AND ALSO EXCEPTING

Land taken by the State of Minnesota for highway purposes described in Final Certificate dated April 20, 1953 and recorded July 8, 1953 in Book 21 of Miscellaneous Records, Page 113 (consisting of .23 acre, more or less, located in the Northeast Quarter of Southeast Quarter of Section Ten, Township One Hundred One, Range Thirty-three).

## AND ALSO EXCEPTING

That part of the East Half of the Southeast Quarter of Section Ten, Township One Hundred One North, Range Thirty-three West, Martin County, Minnesota, described as follows:

Commencing at the Southeast Corner of Section Ten; thence on an assumed bearing of North 0 degrees 00 minutes East, along the east line of said Section, a distance of 1127.00 feet to an iron monument, said iron monument being the point of beginning of the tract to be described; thence South 90 degrees 00 minutes West a distance of 394.00 feet to an iron monument; thence North 0 degrees 00 minutes East a distance of 617.00 feet to an iron monument; thence North 90 degrees 00 minutes East a distance of 394.00 feet to an iron monument located on the east line of said Section; thence South 0 degrees 00 minutes West, along said east line, a distance of 617.00 feet to the point of beginning, this exception containing 5.58 acres, subject to easements now of record in said county and state.

AND ALSO EXCEPTING

A tract of land in the Northeast Quarter of the Southeast Quarter of Section 10, Township 101 North, Range 33 West in Martin County, Minnesota, described as follows:

Commencing at the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 10, Township 101 North, Range 33 West in Martin County, Minnesota; thence North 89 degrees 59 minutes 33 seconds West (assumed bearing) along the South line of the Northeast Quarter of the Southeast Quarter of Section 10 a distance of 709.00 feet, more or less, to the Northeast corner of Block six of Dunnell, Martin County, Minnesota, according to the plat on file and

of record in the office of the Martin County Recorder and point of beginning; thence continuing North 89 degrees 59 minutes 33 seconds West along the North line of Block six a distance of 135.95 feet to the Northwest corner of Lot 1 of Block Six; thence North 0 degrees 12 minutes 54 seconds East a distance of 15.00 feet; thence South 89 degrees 59 minutes 33 seconds East a distance of 135.94 feet; thence South 0 degrees 10 minutes 31 seconds West a distance of 15.00 feet to the point of beginning.

AND ALSO EXCEPTING

The following three (3) tracts of land:

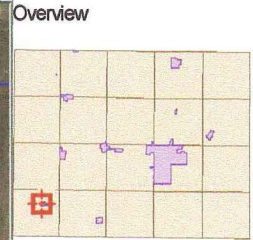
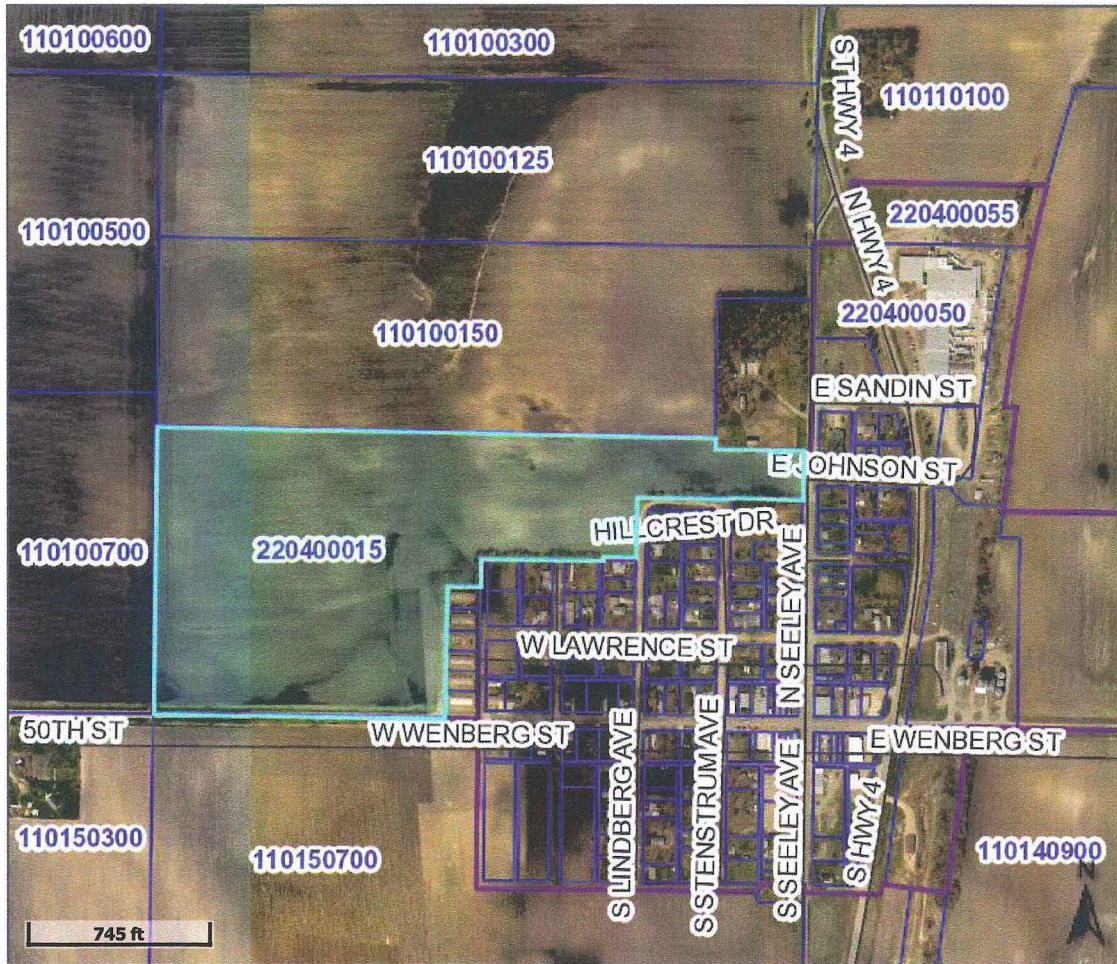
The South 113.00 feet of the east 142.00 feet of the Southwest Quarter of the Southeast Quarter of Section 10, Township 101 North, Range 33 West, City of Dunnell, Martin County, Minnesota, subject to a highway easement over the south 50 feet thereof, TOGETHER WITH an easement of access over the West 22.00 feet of the East 164.00 feet of the South 113.00 feet of the Southwest Quarter of the Southeast Quarter of Section 10, Township 101 North, Range 33 West, City of Dunnell, Martin County, Minnesota,

AND ALSO the North 82.50 feet of the South 360.50 feet of the East 142.00 feet of the Southwest Quarter of the Southeast Quarter of Section 10, Township 101 North, Range 33 West, City of Dunnell, Martin County, Minnesota, TOGETHER WITH an easement of access over the West 22.00 feet of the East 164.00 feet of the South 360.50 feet of the Southwest Quarter of the Southeast Quarter of Section 10, Township 101 North, Range 33 West, City of Dunnell, Martin County, Minnesota,

AND ALSO the North 91.50 feet of the South 452.00 feet of the East 142.00 feet of the Southwest Quarter of the Southeast Quarter of Section 10, Township 101 North, Range 33 West, City of Dunnell, Martin County, Minnesota, TOGETHER WITH an easement of access over the West 22.00 feet of the East 164.00 feet of the South 452.00 feet of the Southwest Quarter of the Southeast Quarter of Section 10, Township 101 North, Range 33 West, City of Dunnell, Martin County, Minnesota.

AND ALSO EXCEPTING

The North 91.50 feet of the South 543.50 feet of the East 142.00 feet of the Southwest Quarter of the Southeast Quarter of Section 10, Township 101 North, Range 33 West, City of Dunnell, Martin County, Minnesota, TOGETHER WITH an easement of access over the West 22.00 feet of the East 164.00 feet of the South 543.50 feet of the Southwest Quarter of the Southeast Quarter of Section 10, Township 101 North, Range 33 West, City of Dunnell, Martin County, Minnesota.



- Legend
- Centerlines
  - Corporate Limits
  - Political Townships
  - Parcels

<b>Parcel ID</b>	220400015	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	ANDERSON, JOHN N & PAULA J 538 40TH AVE DUNNELL, MN 56127
<b>Sec/Twp/Rng</b>	10-101-33	<b>Class</b>	101 - AGRICULTURAL	<b>Note</b>	n/a
<b>Property Address</b>		<b>Acreage</b>	45.17		
<b>District</b>	n/a				
<b>Brief Tax Description</b>	Sect-10 Twp-101 Range-033 45.17 AC S45.173AC OF W1/2SE1/4 & N1/2 SE1/4 (WITH EXC) 45.173 AC <span style="color: red;">(Note: Not to be used on legal documents)</span>				

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# Krahmer & Nielsen

a professional association  
attorneys at law

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The author of this letter can be reached directly at:  
507-238-8042  
[mnielsen@fairmontlaw.com](mailto:mnielsen@fairmontlaw.com)

October 2, 2014

REC'D BY  
MBA

OCT 06 2014

Office of Administrative Hearings  
Star Holman  
PO Box 64620  
St. Paul, MN 55164-0620

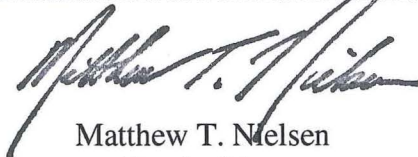
**In Re: John & Paula Anderson**  
**Our File No. 14480**

Dear Ms. Holman:

Please note that on page 2 of the Petition for Detachment under paragraph 7 it should read 45.17 AC and not 56.6 AC. I do apologize for any inconvenience this may have caused. If you have any questions please let me know.

Sincerely,

**KRAHMER & NIELSEN, P.A.**



Matthew T. Nielsen  
For the Firm

MTN: jr