

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Petition for Detachment
of Certain Real Property from the City of
Nielsville to Hubbard Township
MBAU Docket D-551

**ORDER APPROVING
DETACHMENT**

On August 13, 2015, a Petition for Detachment was filed with the Office of Administrative Hearings requesting detachment, pursuant to Minn. Stat. § 414.06 (2014), of approximately 65 acres of real property (Property) owned by Robert W. Brekke, Jr.

On August 3, 2015, the city of Nielsville (City) adopted a resolution supporting the Petition or Detachment. The City's resolution was filed with the Office of Administrative Hearings on August 13, 2015.

On August 1, 2015, Hubbard Township (Township) adopted a resolution supporting the Petition for Detachment. The Township's resolution was filed with the Office of Administrative Hearings on August 13, 2015.

Based upon a review of the Petition for Detachment, the City's supporting resolution, and the Township's supporting resolution, and finding that the detachment would be in the best interests of the Property, the Chief Administrative Law Judge makes the following:

The West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$), Section Thirty (30), Township One Hundred Forty-seven (147) North of Range Forty-eight (48) West of the Fifth Principal Meridian; **And** That part of the East Half of the Northeast Quarter ($E\frac{1}{2}NE\frac{1}{4}$), Section Thirty (30), Township One Hundred Forty-seven (147) North of Range Forty-eight (48) West of the Fifth Principal Meridian, described as follows: That part of the $E\frac{1}{2}NE\frac{1}{4}$ of Sec. 30, Twp. 147 N., R. 48 W., bounded and described as follows: Beginning at the Southwest corner of said $E\frac{1}{2}NE\frac{1}{4}$; thence running East along the South line of said $E\frac{1}{2}NE\frac{1}{4}$ to the West line of railway right of way of the Great Northern Railroad Company as the same is located across the $NE\frac{1}{4}$ of Sec. 30, Twp. 147 N. R. 48 W.; thence North along the West line of said right of way to the North line of the $SE\frac{1}{4}NE\frac{1}{4}$; thence West along said North line 150 feet, more or less, to the East line of Spoklie Avenue extended; thence North to the Southeast corner of said Spoklie Avenue and Fourth Street; thence West along the South line of said Fourth Street to the Southwest corner of said Fourth Street and Hubbard Avenue; thence North along the West line of said Hubbard Avenue to the South line of Third Street; thence West along the South line of said Third

Street to the West line of the E½NE¼; thence South along said West line thereof to the place of beginning, including Block 4 of Hanson's Addition to Nielsville vacated pursuant to the Judgment and Decree of the Minnesota District Court, 14th Judicial District, Polk County, Minnesota dated Jan. 31, 1939. **Except** that part of Sec. 30, Township and Range aforesaid described as follows, to-wit: Starting at a point 70 feet West of the iron monument, located in the Northwest corner of Lot 18, Block 3 of Hanson's Addition to Nielsville, Minn. Thence due West 60 feet, thence due South 140 feet, thence due East 60 feet, thence due North 140 feet to place of beginning. Parcels 92.00005.00 and 92.00007.00

ORDER

1. Pursuant to Minn. Stat. § 414.06, the Petition for Detachment, the City's supporting resolution, and the Township's supporting resolution are deemed adequate in all legal respects and found to properly support this Order.

2. Pursuant to this Order, the Property is **DETACHED** from the City.

Dated: August 18, 2015

s/Tammy L. Pust

TAMMY L. PUST

Chief Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.06, .07, .09, .12 (2014). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Polk County District Court by filing an Application for Review with the Court Administrator within 30 days of this Order. An appeal does not stay the effect of this Order.

Any party may submit a written request for an amendment of this Order Approving Detachment within seven days from the date of the mailing of the Order pursuant to Minn. R. 6000.3100 (2015). However, no request for amendment shall extend the time of appeal from this Order.