

IN THE MATTER OF THE PETITION FOR DETACHMENT OF  
CERTAIN LAND FROM THE CITY OF LANESBORO, 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, as the area is less than 40 acres; to detach certain properties described herein from the City of Lanesboro and make a part of the Township of Holt.

1. There are two property owners in the area proposed for detachment.
2. All property owners have signed this petition.
3. The property is situated within the City of Lanesboro, abuts the municipal boundary and the Boundary of Holt Township, and is located in the County of Fillmore. The petitioned area abuts on the city's East 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 land is not developed, bare land, and lacks almost all municipal services including sewer, natural gas, paved streets, maintained streets and street lights. It is very rural in nature and rural in services provided. To be able to build a dwelling, the City requires connection to the municipal sewer system. The property is situated where providing any other

services is very cost prohibitive for all parties, but especially sewer and proper streets. Current tax laws do not delineate between urban developed and urban rural (not developed), therefore taxation and valuation are calculated identically throughout the city limits, with or without proper improvements.

6. Summarize what efforts were taken prior to filing this petition to resolve the issues: none
7. The number of acres in the property proposed for detachment is 1.39 acres and is described as follows:  
Legal Description: Lot 5, Block 1, Benson subdivision, City of Lanesboro
8. The number and character of buildings on said property is:  
No buildings, bare land.
9. The number of residents in the area proposed for detachment is zero.
10. Public improvements on said property are: City water is supplied to parcel, but was installed at developer's \ buyer's expense. No City paid public improvements are located on this parcel.

Date: 24 March 2016

Philip J. Dybing  
Property Owner

Heidi S. Dybing  
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)

REC'D BY  
MBA

MAR 29 2016

# CERTIFICATE OF SURVEY

SECTION 19  
T. 103 N., R. 9 W.

## LAND DESCRIPTION

That part of the Northwest Quarter of the Southeast Quarter of Section 19, Township 103 North, Range 9 West, Fillmore County, Minnesota, described as follows:

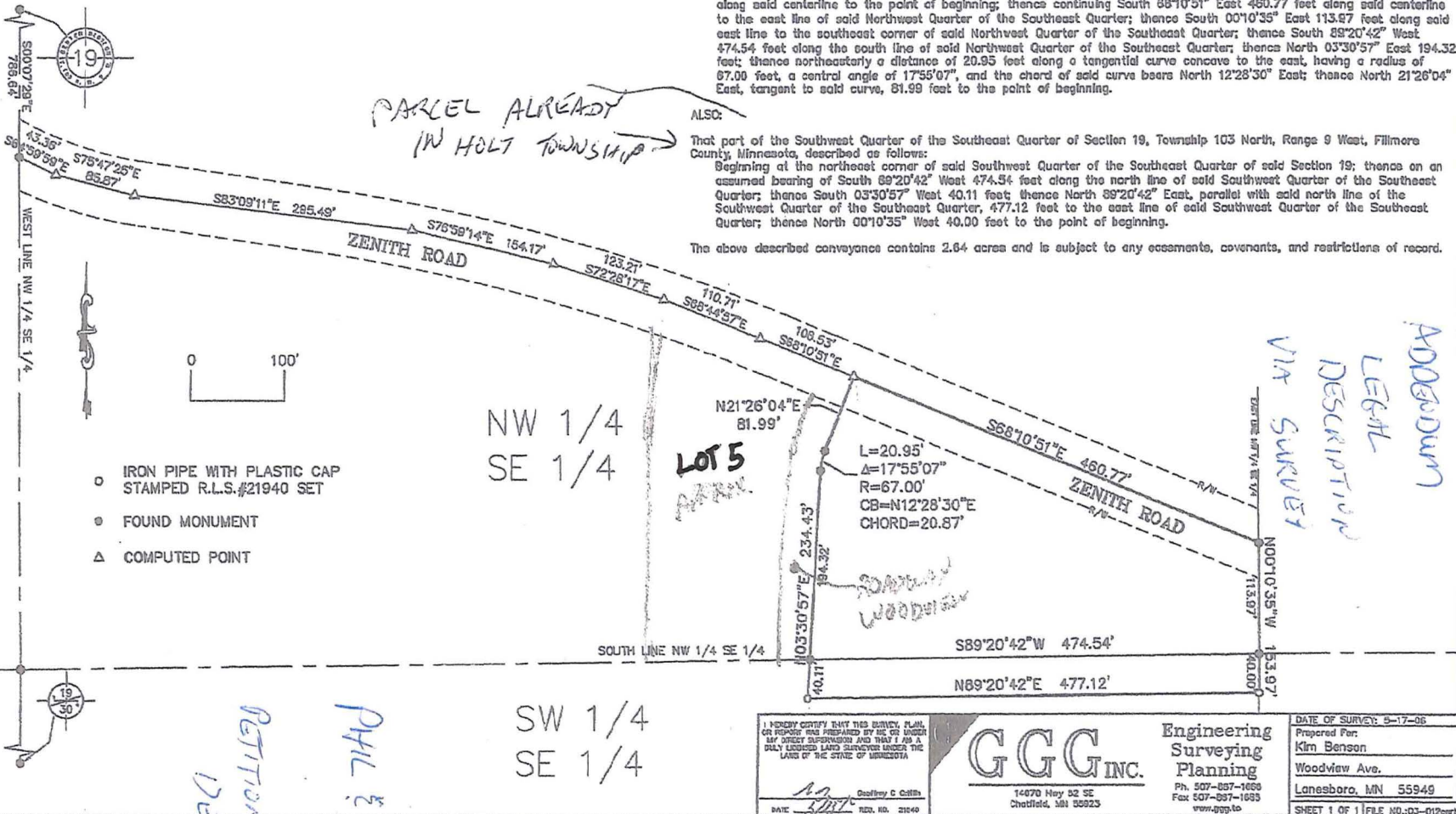
Commencing at the northwest corner of said Northwest Quarter of the Southeast Quarter of said Section 19; thence on an assumed bearing of South 00°07'29" East a distance of 786.64 feet along the west line of said Northwest Quarter of the Southeast Quarter to the centerline of a township road; thence South 64°59'59" East 43.36 feet along said centerline; thence South 75°47'25" East 85.87 feet along said centerline; thence South 83°09'11" East 295.48 feet along said centerline; thence South 76°59'14" East 154.17 feet along said centerline; thence South 72°28'17" East 123.21 feet along said centerline; thence South 66°44'57" East 110.71 feet along said centerline; thence South 88°10'51" East 460.77 feet along said centerline to the east line of said Northwest Quarter of the Southeast Quarter; thence South 00°10'35" East 113.87 feet along said east line to the southeast corner of said Northwest Quarter of the Southeast Quarter; thence South 29°20'42" West 474.54 feet along the south line of said Northwest Quarter of the Southeast Quarter; thence North 03°30'57" East 194.32 feet; thence northeasterly a distance of 20.95 feet along a tangential curve concave to the east, having a radius of 67.00 feet, a central angle of 17°55'07", and the chord of said curve bears North 12°28'30" East; thence North 21°26'04" East, tangent to said curve, 81.99 feet to the point of beginning.

ALSO:

That part of the Southwest Quarter of the Southeast Quarter of Section 19, Township 103 North, Range 9 West, Fillmore County, Minnesota, described as follows:

Beginning at the northeast corner of said Southwest Quarter of the Southeast Quarter of said Section 19; thence on an assumed bearing of South 89°20'42" West 474.54 feet along the north line of said Southwest Quarter of the Southeast Quarter; thence South 03°30'57" West 40.11 feet; thence North 89°20'42" East, parallel with said north line of the Southwest Quarter of the Southeast Quarter, 477.12 feet to the east line of said Southwest Quarter of the Southeast Quarter; thence North 00°10'35" West 40.00 feet to the point of beginning.

The above described conveyance contains 2.64 acres and is subject to any easements, covenants, and restrictions of record.



I HEREBY CERTIFY THAT THIS SURVEY PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
DATE: 3/21/16  
Dorothy C. Cuthbert  
REG. NO. 21640

**GGG INC.**  
14070 Hwy 52 SE  
Chotfield, MN 55923

Engineering  
Surveying  
Planning  
Ph. 507-897-1659  
Fax 507-897-1693  
www.gggco

DATE OF SURVEY: 9-17-06  
Prepared For:  
Kim Benson  
Woodview Ave.  
Lanesboro, MN 55949  
SHEET 1 OF 1 FILE NO. 03-012cont

PHIL & HELLO  
DETACH TO

ADDITIONAL  
LEGAL  
DESCRIPTION  
VIA SURVEY

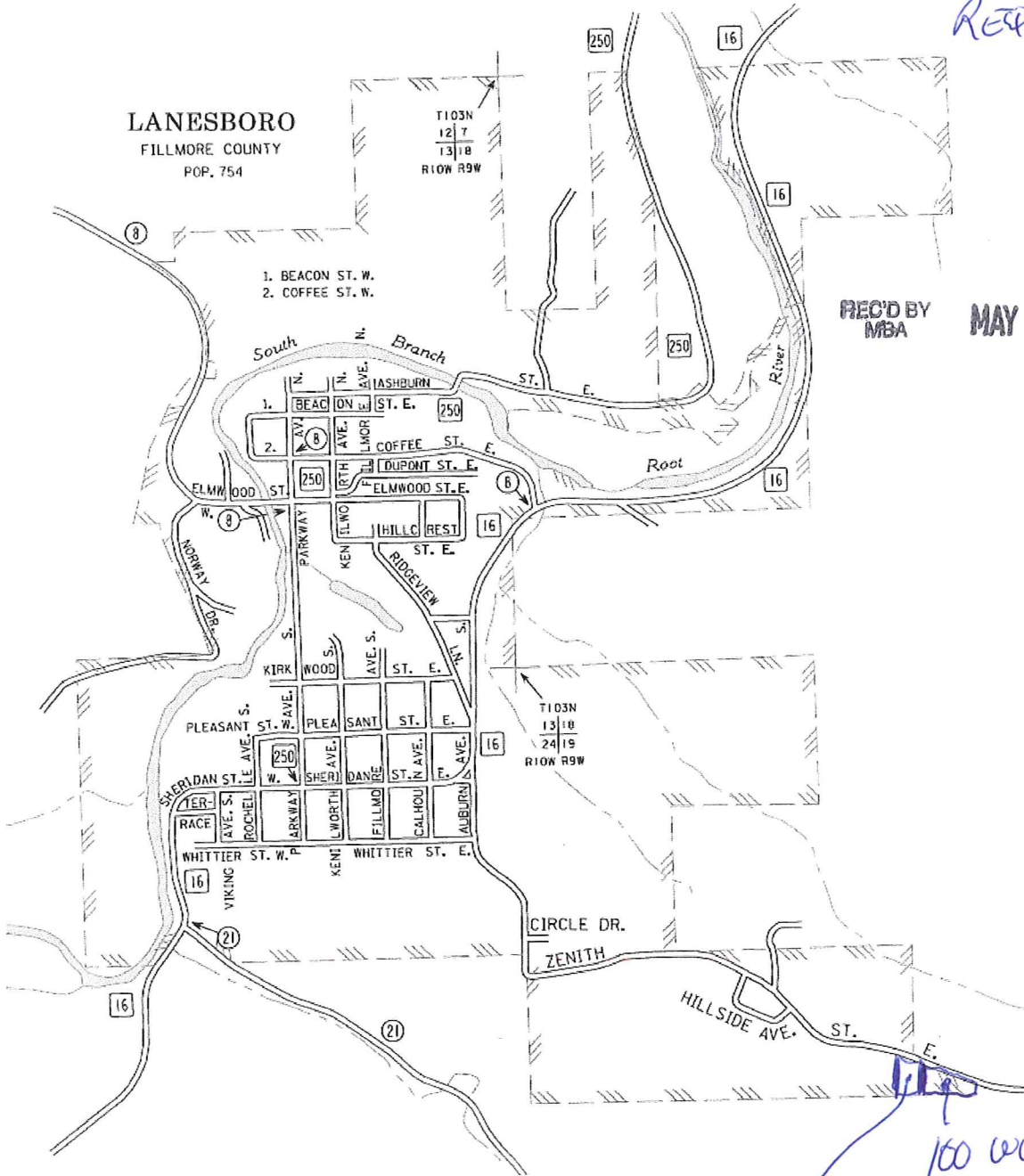


MAY 2016

PHIL & HEIDI OYBING

DETACHMENT REQUEST

LANESBORO  
FILLMORE COUNTY  
POP. 754



REC'D BY  
MBA

MAY 10 2016

100 WOODVIEW  
2.21 ACRES  
D-563

1.39 ACRES  
OPEN LOT  
D-562

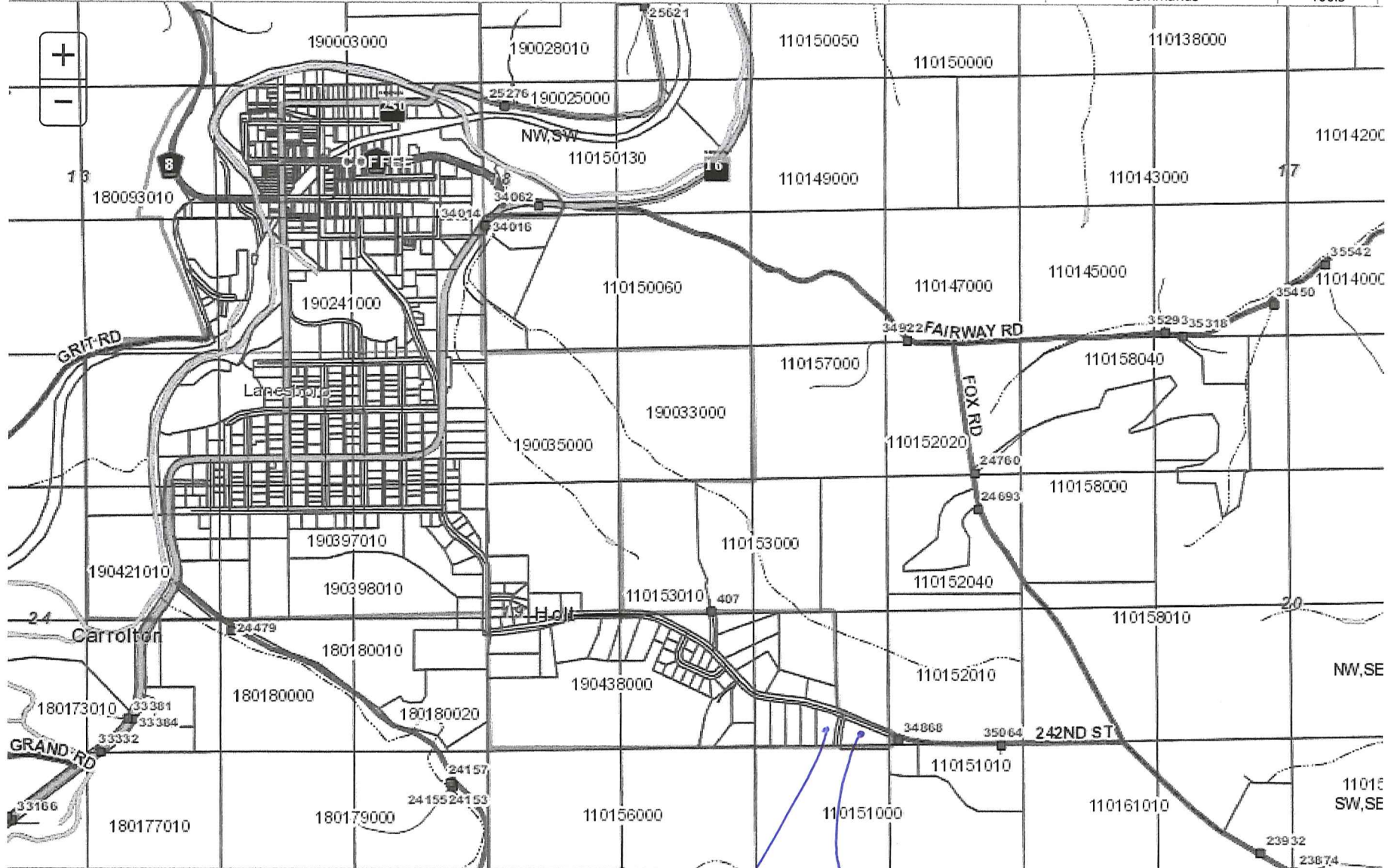
MAY 2016

PHIL & HEIDI  
DIZING DETACHMENT REQUEST

Fillmore County

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Navigation View Commands Tools



REC'D BY MBA MAY 10 2016

Scale 1: 17009

X: 582891.0716 Y: 4841747.4312

D-562  
1.39 ACRE  
OPEN FIELD LAND  
LOT

2.21 ACRE HOME PROPERTY  
100 WOODVIEW AVE. D-563



MAY 2016

PHIL & HEIDI

DYING DETACHMENT REQUEST

**Fillmore County**

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