

IN THE MATTER OF THE PETITION FOR DETACHMENT OF
CERTAIN LAND FROM THE CITY OF LANESBORO, 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, 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 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. Furthermore, the property is situated where providing proper services is very cost prohibitive for all parties, especially sewer and proper streets. The property immediately across the dirt street and abutting close to 500 feet of street frontage is not in City limits. 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 2.21 acres and is described as follows:
 - Legal Description: See appendix with copy of survey. Please note part of legal description from survey is already in Holt Township.
 - Street address: 100 Woodview Ave., Lanesboro, MN 55949
- 8. The number and character of buildings on said property is:
 - One single family dwelling, one outbuilding garage 26X24, a second outbuilding garage 24X36, and one small chicken coop.
- 9. The number of residents in the area proposed for detachment is two.
- 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

Phil J. Dybing
Property Owner

Heidi S. Dybing
Property Owner

Municipal Boundary Adjustment Unit Contacts
Star Holman star.holman@state.mn.us 651-361-7909
Katie Lin katie.lin@state.mn.us 651-361-7911
(August 2012)

REC'D BY
MBA

MAR 29 2016

CERTIFICATE OF SURVEY

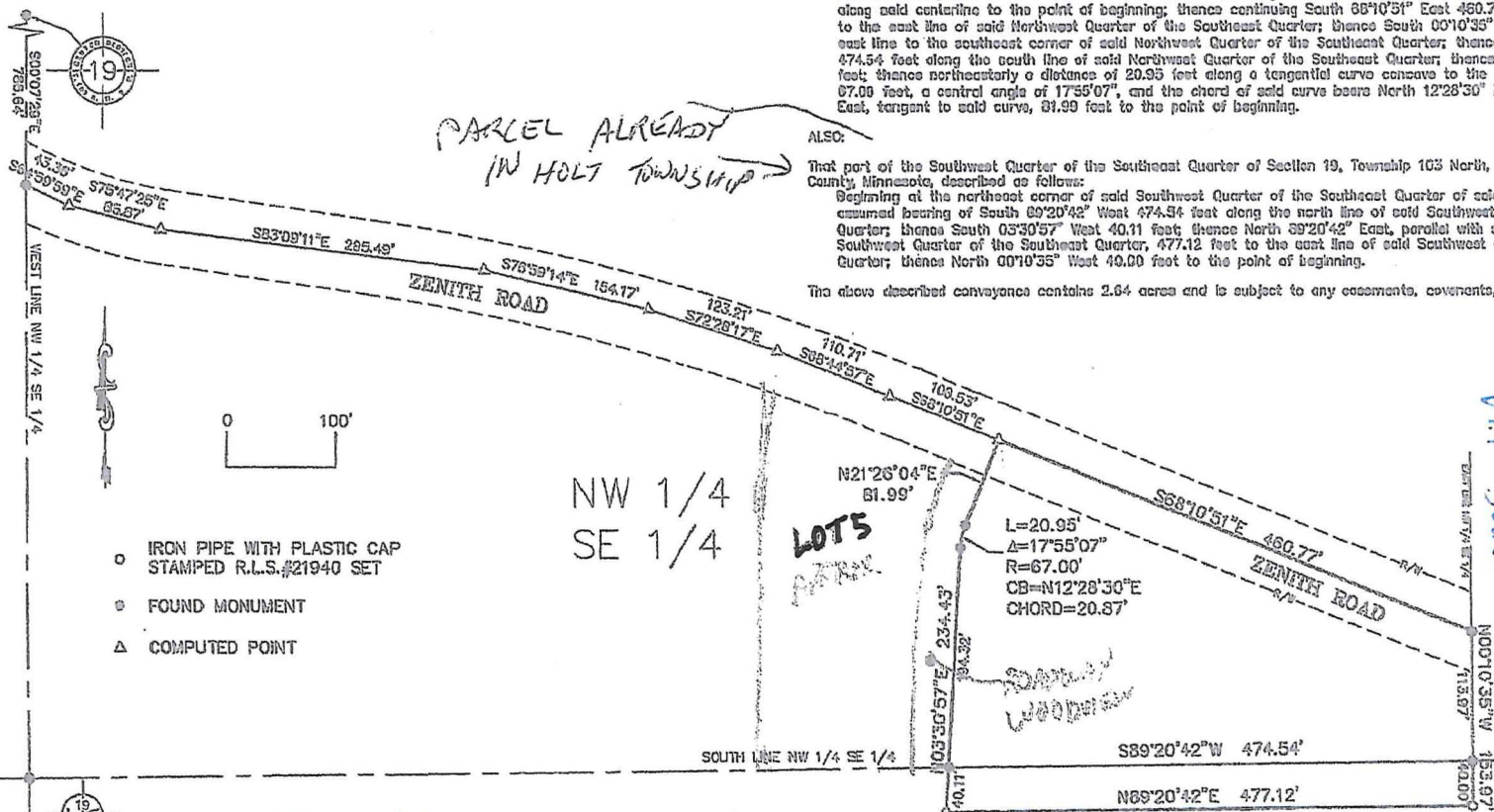
SECTION 19
T. 103 N., R. 9 W.

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 09°07'20" East a distance of 726.64 feet along the west line of said Northwest Quarter of the Southeast Quarter to the centerline of a township road; thence South 6°59'59" East 43.36 feet along said centerline; thence South 75°47'25" East 85.87 feet along said centerline; thence South 83°08'11" East 293.49 feet along said centerline; thence South 79°59'14" East 154.17 feet along said centerline; thence South 85°44'57" East 110.71 feet along said centerline; thence South 89°10'51" East 108.53 feet along said centerline to the point of beginning; thence continuing South 89°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 83°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, 61.99 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.



- IRON PIPE WITH PLASTIC CAP STAMPED R.L.S.#21940 SET
- FOUND MONUMENT
- ▲ COMPUTED POINT

NW 1/4
SE 1/4

SW 1/4
SE 1/4

ADDITIONAL
LEGAL
DESCRIPTION
VIA SURVEY

RETURN TO
DETACH
PHIL &
HEIDI
DYBICK

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE SUPERVISION AND THAT I AM A FULLY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

Paul E. Dybick
 Paul E. Dybick
 DATE: 3/22/16 REG. NO. 22540

G G G INC.
 14970 Hwy 92 SE
 Shelburne, MN 55225

Engineering
 Surveying
 Planning

Ph. 507-857-1000
 Fax 507-857-1005
 www.ggginc.com

DATE OF SURVEY: 9-17-06
Prepared For: Karin Benson
Woodview Ave.
Lanesboro, MN 55949
SHEET 1 OF 1 FILE NO. 00-0128021

REC'D BY
MBA

MAR 29 2016



DYBING PROPERTY
100 WOODVIEW

MAY 2016

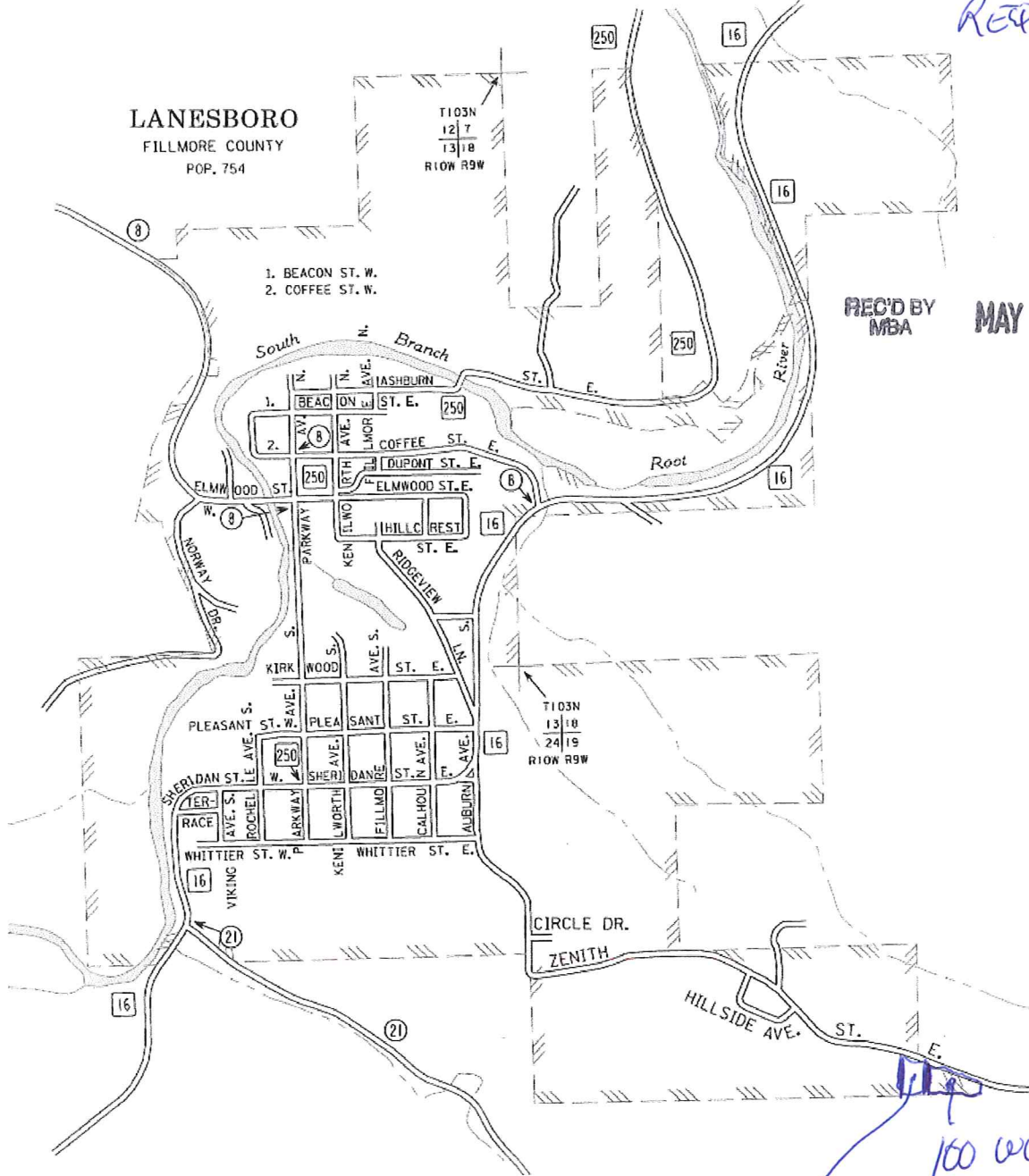
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DETACHMENT
REQUEST

LANESBORO
FILLMORE COUNTY
POP. 754

REC'D BY
MBA

MAY 10 2016



100 WOODVIEW
2.2 ACRES
D-563

1.39 ACRES
OPEN LOT
D-562

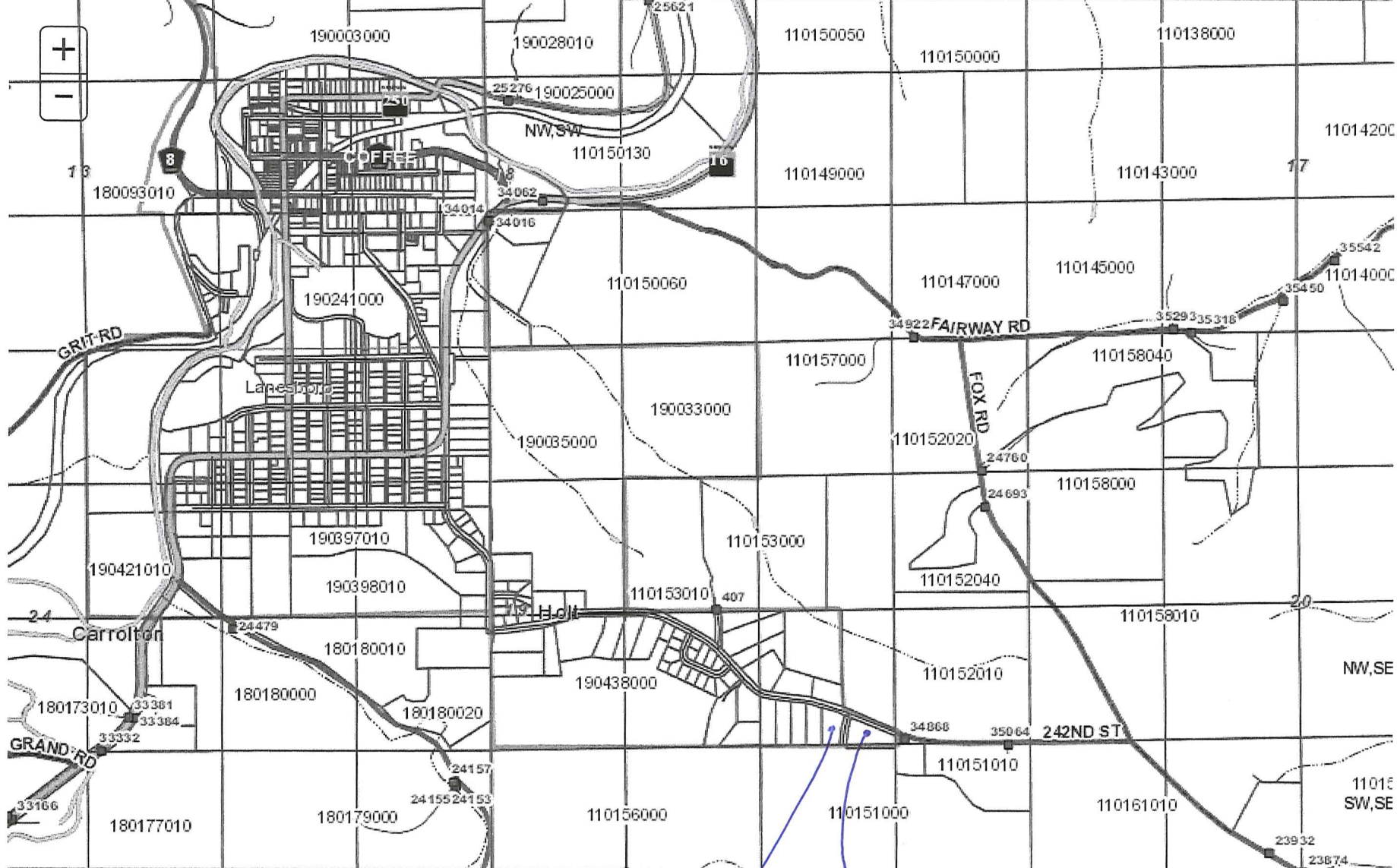
MAY 2016

PHIL & HEIDI
DIZING DETACHMENT REQUEST

Fillmore County

Zoom In Zoom Out Pan Zoom Prev Zoom Next Zoom Select Zoom Extent legend Results Clear Search Identify Measure Tools

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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

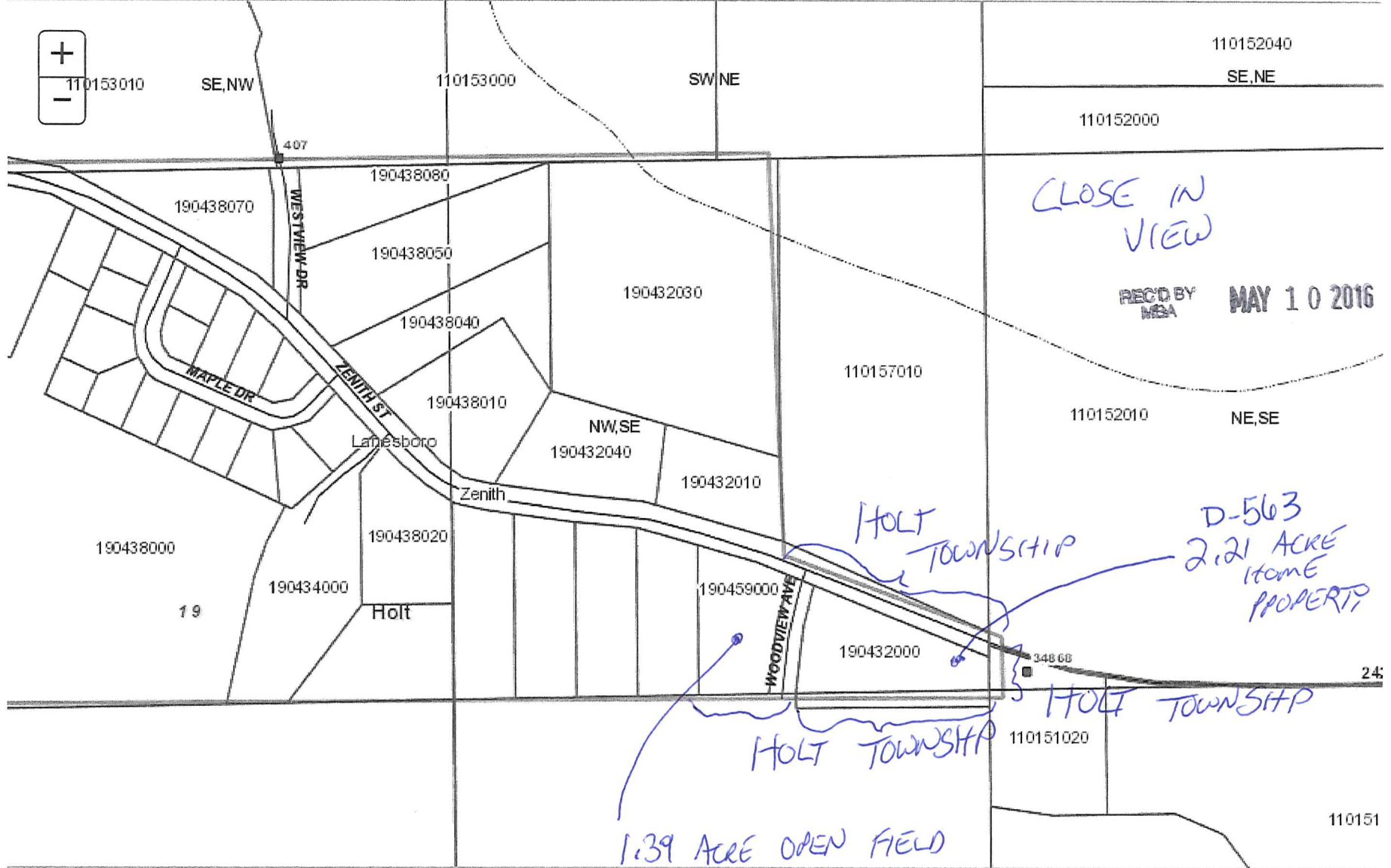
2.21 ACRE HOME PROPERTY
100 WOODVIEW AVE. D-563

MAY 2016

PHIL & HEIDI

DYING DETACHMENT REQUEST

Fillmore County	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Navigation							View			Commands		Tools



Scale 1: X: 583783.1709 Y: 4840234.5506