

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Petition for Detachment
of Certain Real Property from the City of
Florence to Shelburne Township
(MBAU Docket D-565)

**ORDER APPROVING
DETACHMENT**

On May 31, 2016, a Petition for Detachment was filed with the Office of Administrative Hearings requesting detachment from the City of Florence (City), pursuant to Minn. Stat. § 414.06 (2014), of approximately 13.85 acres of real property (Property) owned by Shawn Dreckman legally described as follows:

Parcel 1:

That part of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty (20), Township One Hundred Nine (109) North, Range Forty-Three (43) West, described as follows:

The West One Thousand Forty (1,040) feet of the following-described real property: Commencing 22 rods 9 feet North of the southeast corner of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$); running thence 80 rods West; thence North 21 rods 7.5 inches; thence East 70 rods and 15 feet; thence South 125 feet 5 inches; thence East 150 feet; thence South 13 rods 7 feet 2.5 inches to the point of beginning, in Section Twenty (20), Township One Hundred Nine (109) North, Range Forty-Three (43), except existing highways.

Parcel 2:

The West 1,035 feet of the following recorded descriptions;

A strip of land 42 feet in width and 80 rods in length in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, Township 109, Range 43, more particularly described as follows: Beginning at a point 20 rods North of southeast corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 109, Range 43, thence West along south side of said tract 80 rods to section line; thence North on said section line 42 feet; thence East 80 rods; thence South 42 feet to point of beginning.

AND

Also that strip of land 10 rods in width and 80 rods in length in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20, Township 109, Range 43, more particularly described as follows: Beginning at a point 10 rods North of the southeast corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 109, Range 43, thence West along south side of said tract 80 rods to said section line; thence North on said section line 10 rods; thence east 80 rods; thence South 10 rods to point of beginning.

Excepting therefrom Blaine Street as shown on the plat of Paul K. Ronning, S First Addition to Florence, Minnesota as filed and recorded in the office of the County Recorder in and for Lyon County, Minnesota.

Said tract is subject to any existing highways, roadways, or easements.

Parcel 3:

That part of the Northwest Quarter (NW¹/₄) of Section Twenty (20), Township One Hundred Nine (109) North, Range Forty-three (43) West of the Fifth Principal Meridian, described as follows:

Commencing 22 rods 9 feet North of the southeast corner of the Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄), running thence 80 rods West, thence North 21 rods 7½ inches, thence East 70 rods and 15 feet, thence South 125 feet 5 inches, thence East 150 feet, thence South 13 rods 7 feet 2½ inches to the point of beginning, in Section 20, Township 109 North Range 43 West.

EXCEPTING THEREFROM: The West One Thousand Forty (1040) feet, thereof and except existing highways and easements of record.

On June 13, 2016, the City adopted Resolution Number 01-2016 supporting the Petition or Detachment. The City's resolution was filed with the Office of Administrative Hearings on June 16, 2016. No resolution was received from the Shelburne Town Board (Township).

Based upon a review of the Petition for Detachment, the City'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:

ORDER

1. Pursuant to Minn. Stat. § 414.06, the Petition for Detachment and the City'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: June 27, 2016



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 Lyon 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 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.