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by OAH on August 23, 2016

RESOLUTION OF THE CITY OF HARTLAND
CONCERNING DETACHMENT OF CERTAIN LAND
PURSUANT TO MINNESOTA STATUTES § 414.06

The City of Hartland received a petition for detachment of certain property
on August 16th, 2016 for the following property:

see attached petition

The City of Hartland:

Supports the petition for detachment

Date: 8/22/16 _____

Kelly Routh

Mayor

Alyson Olsen

City Clerk/ Treasurer

IN THE MATTER OF THE PETITION FOR DETACHMENT OF
CERTAIN LAND FROM THE CITY OF HARTLAND, 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 to detach certain properties described herein from the City of Hartland and make a part of the Township of Hartland.

1. There are two property owners in the area proposed for detachment.
2. Both property owners have signed this petition.
3. The property is situated within the City of Hartland, abuts the municipal boundary, and is located in the County of Freeborn.

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:

Petitioners would like to remove this property from the City of Hartland to allow consolidation of a continuous piece of farmland currently divided into two parcels. Removal would allow for uninterrupted and simplified ownership, control, and management of said property; and would provide normalization of tax rates that are adversely affecting the economic feasibility of the farmland.

The land is part of a continuous farm acreage totaling approximately 143 acres. The 143 acres is comprised of 116 acres located outside of the City of Harland, and 27 acres located within the City boundary. The City boundary is non-linear at the boundary of the 27-acre portion of the continuous farmland.

Both properties are and have for many years been owned by husband and wife petitioner. The City property, along with the non-city property, operate as a single farm unit. The parcel that is the subject of this petition is entirely agricultural crop land. There are no buildings on the property.

Division of the property across the City boundary line prevents Petitioners from unifying this parcel and subjects property owners to future uncertainties regarding City planning.

No services to this property are necessary from the City of Hartland, and economic or residential development on this land is not likely. The City of Hartland has land available for future residential development in numerous other locations within the City boundary, and it does not appear that this land is necessary for current City planning and development proposals.

Because a portion of the farmland is located within the City of Harland, property tax rates for this portion of the farmland are nearly triple those of the remaining farm parcel. The disproportionate tax rate for this portion of the parcel makes farming the land economically unfeasible.

Tax burdens for the 27-acre city parcel and remaining 116 acre township, or "county" parcel for the last ten years are listed below.

Tax Year	Tax Burden for 27 Acre Subject Parcel	Tax Burden for Adjacent 116 Acre Parcel
2005	\$452	\$1824
2006	\$506	\$1830
2007	\$1026	\$3086
2008	\$1028	\$3596
2009	\$1306	\$3936
2010	\$1822	\$3824
2011	\$2130	\$4164
2012	\$2662	\$5020
2013	\$3052	\$5174
2014	\$4156	\$5888
2015	\$4562	\$6870

6. Summarize what efforts were taken prior to filing this petition to resolve the issues: On May 12, 2016 correspondence was sent to the Hartland City Council addressing the property tax issue and requesting a resolution whereby the City would consent to removal of the property from the City boundary. The City of Hartland has not responded to that correspondence.
7. The number of acres in the property proposed for detachment is 26.83 and is described as follows:

Outlot E of the Plat of the Village (now City) of Hartland, Freeborn County, Minnesota

Also less and excepting:

Beginning at a point 6 and 2/15th feet West of the Northwest corner of Outlot F of the Plat of the Village (now City) of Hartland, as recorded in Book 3 of Plats at page 107 in the office of the County Recorder of Freeborn County; thence West 20 feet; thence South 1221 feet more or less, to a point 26 and 2/15th feet West of the Southwest corner of said Outlot F; thence East 20 feet; thence North 1221 feet more or less, on a line parallel with the West line of said Outlot F, to the point of beginning; being part of Outlot E of the Plat of the Village (now City) of Hartland, and containing 0.56 acres.


8. The number and character of buildings on said property is: There are no buildings of any nature located on this parcel of cropland.
9. The number of residents in the area proposed for detachment is zero.

10. Public improvements on said property are: None.

Dated: June 27, 2016



Anita Hendrickson, Property Owner



Corley Hendrickson, Property Owner

Petitioners are represented by, and request notices regarding this petition be sent to:

Cameron Davis
Law Offices of Cameron Davis
702 E Main St., Suite 102
Albert Lea, MN 56007
507-473-2121

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)