

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Detachment of Certain
Real Property from the City of Wells to
Clark Township (MBAU D-594)

**ORDER APPROVING
PETITION FOR DETACHMENT
AND CANCELING HEARING**

This matter is pending before Chief Administrative Law Judge Tammy L. Pust.

Steven J. Vatndal, Law Office of Steven J. Vatndal, appears on behalf of Catherine Pluym, Carol Gregor, Marilyn Kelley, Jodie Drager, and Darin Schirmer (Petitioners). David F. Frundt, Frundt & Johnson, Ltd., appears on behalf of the City of Wells (City). Jackie Voigt, Township Clerk, appears on behalf of the Clark Town Board (Township).

On July 9, 2018, a Petition for Detachment (Petition) was filed with the Office of Administrative Hearings requesting detachment from the City to the Township, pursuant to Minn. Stat. § 414.06 (2016).

The Petition seeks detachment of approximately 22.12 acres of real property (Property) owned by the Petitioners and legally described as follows:

Tax Parcel ID number R30.008.1030 in NW¼ Sect. 8, T103N, R24W being: (1) Auditor's Lot 51; and Auditor's Lot 46 except for a tract commencing at the Southeast corner of Auditor's Lot 46, thence North 160 feet, thence West 50 feet more or less, thence South 160 feet, thence East to the point of beginning; and (2) Auditor's Lot 49 except for a tract commencing at the Northeast corner of Auditor's Lot 50, thence North 67 feet, thence West 391 feet, thence South 67 feet, thence East 391 feet to the point of beginning; and (3) Auditor's Lot 55; and the East 331 feet of Auditor's Lot 58 except for a tract commencing at the Northeast corner of Auditor's Lot 55 thence South 18 rods, thence West 268 feet, thence South 139 feet more or less, thence West 393 feet, thence North 421 feet, thence East 69.5 feet, thence North to the North Line of the Northwest Quarter, thence East to the point of beginning; and except for .8 acres on the North side of Auditor's Lots 55 and 58 for highway; and except for a tract in Auditor's Lot 46 commencing 392.7 feet West of the Southeast corner of the Northwest Quarter, thence North 90 feet, thence West 150 feet, thence South 50 feet, thence West to the West Line of Auditor's Lot 46, thence South 40 feet, thence East to the point of beginning; Faribault County (22.12 acres more or less).

The City did not support the Petition. No resolution was received from the Township.

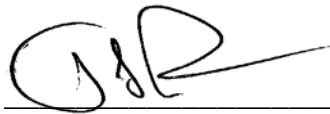
On September 5, 2018, the City adopted Resolution Number 2018-21 supporting the Petition.

Based upon the files and proceedings herein, the Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.06, the Petition for Detachment and City Resolution Number 2018-21 are deemed adequate in all legal respects and found to properly support this Order.
2. The Property is **DETACHED** from the City.
3. Additional proceedings in this matter are **CANCELLED**.

Dated: September 6, 2018



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 (2018). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Faribault 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 (2017). However, no request for amendment shall extend the time of appeal from this Order.