

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Detachment of
Certain Real Property from the
City of Biwabik to the Town of White
(MBAU D-610)

**ORDER DENYING
PETITION FOR DETACHMENT**

On January 7, 2020, a Petition for Detachment (Petition) was filed with the Office of Administrative Hearings requesting detachment of certain real property from the City of Biwabik (City) to the Town of White (Town) pursuant to Minn. Stat. § 414.06 (2018). The required filing fee was submitted on January 13, 2020, making the filing complete. The matter was assigned to Administrative Law Judge Jessica A. Palmer-Denig on January 9, 2020.

John J. Steffenhagen, Hellmuth & Johnson, appears for the Petitioners. Jeff Jacobson, City Administrator, appears for the City. Jodi Knaus, Clerk, appears for the Town.

The Petition requests detachment of approximately 2,639 acres of real property from the City to the Town. On January 13, 2020, the City and Town each adopted resolutions opposing the Petition. The City filed Resolution No. 2020-1 with the Office of Administrative Hearings on January 17, 2020. The Office of Administrative Hearings received Town Resolution 2020-001 on January 23, 2020.

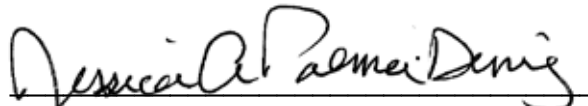
Based upon the filings in this matter, the Administrative Law Judge issues the following:

ORDER

1. Minn. Stat. § 414.06, subd. 2, provides in relevant part: "If both the municipality and town submit a resolution opposing the petition, a hearing must not be held and the . . . administrative law judge shall deny the petition."

2. Both the City and Town filed resolutions opposing the Petition. Therefore, under Minn. Stat. § 414.06, subd. 2, the Petition must be, and is, **DENIED**.

Dated: January 29, 2020



JESSICA A. PALMER-DENIG
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 the St. Louis 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 (2019). However, no request for amendment shall extend the time of appeal from this Order.