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By: OAH on November 20, 2023

City of Westbrook

Township of Westbrook

JOINT RESOLUTION NO. 8-2023

RESOLUTION OF THE CITY OF WESTBROOK FOR DETACHMENT OF CERTAIN LAND 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.*

This JOINT RESOLUTION of the City of Westbrook and the Township of Westbrook pertains to the Detachment of land on the northern boundary of the City of Westbrook.

WHEREAS, the City Council of the City of Westbrook has considered the request by Marlowe D. Nelsen to detach parcel 24.029.3500 from the City of Westbrook;

WHEREAS, the land in question is in farm production and does not receive city services, and does not include any buildings;

WHEREAS, it is not foreseen that the land will be developed for residential, commercial or industrial purposes;

WHEREAS, the land in question generates minimal revenue for the City of Westbrook;

WHEREAS, the detachment will not have a significant effect on the residents of the city;

WHEREAS, the detachment of such land will not affect the symmetry of the city;

WHEREAS, the Township of Westbrook joins in the Resolution supporting Detachment of such land;

WHEREAS, the City of Westbrook after detachment can carry on the functions of government without the land in question;

NOW THEREFORE, BE IT JOINTLY RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTBROOK, MINNESOTA, AND BY THE TRUSTEES OF THE TOWNSHIP OF WESTBROOK as follows:

The City of Westbrook hereby requests that the Office of Administrative Hearings-Municipal Boundary Adjustment Unit approve detachment of certain properties described herein from the City of Westbrook and incorporate it into the Township of Westbrook.

1. The property is situated within the City of Westbrook, abuts the municipal boundary, and is located in the County of Cottonwood.
2. The petitioned area abuts on the city's northern boundary.
3. The property proposed for detachment is rural in character and not developed for urban, residential, commercial, or industrial purposes.
4. The reason detachment is requested is: It is anticipated that the land in question will continue to be in crop production and not be developed. The owner owns contiguous land which is outside of the city limits. The city does not provide services to the property.
5. Summarize what efforts were taken prior to filing this petition to resolve the issues: The 2.44 acre parcel was originally part of a 28.76 acre abutting parcel (24.029.3500) which has been detached from the city. The subject parcel was set aside for utilities purposes and is no longer needed. The parcel is being used in crop production.
6. The number of acres in the property proposed for detachment is 2.44 acres and is described on Schedule A.
7. There are no buildings on said property.
8. The number of residents in the area proposed for detachment is zero.
9. Public improvements on said property are: none.
10. That the area being detached by the City of Westbrook abuts and would be incorporated into the Township of Westbrook, Cottonwood County, Minnesota and does not include any area within any other township or any other city;

11. That No alteration of the designated area is appropriate and consideration of the Municipal Adjustment Boundary Unit is not necessary.

Passed, approved, and adopted this 5th day of September, 2023.

CITY OF WESTBROOK


Mayor

ATTEST:


City Clerk

Motion Carried:

Ayes 4
Nays 0
Abstain 0

Passed, approved, and adopted this 5th day of September, 2023.

WESTBROOK TOWNSHIP


Chairman

ATTEST:


Clerk

Motion Carried:

Ayes 3
Nays 0
Abstain 0

SCHEDULE A

All that part of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 29, Township 107 North, Range 38 West of the 5th P.M., Cottonwood County, Minnesota, described as follows:

Commencing on the Southeast corner of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$); thence West along the South line of said Northwest Corner of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$); a distance of 183 feet; thence North, parallel with the East line of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), a distance of 201 feet to the point of beginning of the land to be described; thence continuing North, parallel with said East line, a distance of 355 feet; thence West, parallel with said South line, a distance of 300 feet; thence South, parallel with said East line a distance of 355 feet, thence East, parallel with said South line, a distance of 300 feet to the point of beginning.

Together with all hereditaments and appurtenances belonging thereto.

