

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

OAH Docket No.: D-678

IN THE MATTER OF THE PETITION FOR
DETACHMENT OF CERTAIN LAND FROM
THE CITY OF PIPESTONE, MINNESOTA,
PURSUANT TO MINNESOTA STATUTES § 414.06

AMENDED
PETITION

TO: The Office of Administrative Hearings, Municipal Boundary Adjustment Unit, P. O. Box 64620, St. Paul, MN 55164-0620.

PETITIONERS, FOR THEIR AMENDED PETITION, STATE AND ALLEGE AS FOLLOWS:

1. Petitioners are Thomas J. Nelson, David R. Nelson, and David L. Meulebroeck and Karen Meulebroeck, as Trustees of the David L. Meulebroeck and Karen Meulebroeck Living Trust (hereafter "Meulebroeck").

2. Petitioner, Thomas J. Nelson, resides at 975 State Hwy. 30, Pipestone, Minnesota, 56164.

3. Petitioner, David R. Nelson, resides at 1018 130th Avenue, Pipestone, Minnesota, 56164.

4. Petitioners, Meulebroeck, reside at 605 11th Street SW, Pipestone, MN 56164.

5. Respondent is the City of Pipestone. The City of Pipestone has a postal mailing address of the 119 2nd Avenue SW, Suite 9, Pipestone, MN 56164.

6. The real property that is the subject of this Petition is legally described as:

The Northeast Quarter (NE¼) of Section Eighteen (18), Township One Hundred Six (106) North, Range Forty-five (45) West of the 5th P.M., County of Pipestone, State of Minnesota, EXCEPT That part of the Northeast Quarter of Section 18, Township 106 North, Range 45 West of the 5th Principal Meridian, Pipestone County, Minnesota, described as follows:

Commencing at the North Quarter corner of Section 18; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) along the North line of the Northeast Quarter of said Section a distance of 885.42 feet to the point of beginning; thence South 00 degrees 00 minutes 00 seconds West a distance of 50.00 feet to an iron stake; thence continuing South 00 degrees 00 minutes 00 seconds West a distance of 185.87 feet to an iron stake; thence South 89 degrees 48 minutes 18 seconds East a distance of 432.78 feet to an iron stake; thence North 00 degrees 00 minutes 00 seconds East a distance of 12.85 feet; thence North 01 degrees 36 minutes 22 seconds West a distance of 68.35 feet to an iron stake; thence North 54 degrees 32 minutes 52 seconds West a distance of 185.05 feet to an iron stake; thence continuing North 54 degrees 32 minutes 52 seconds West a distance of 84.18 feet to said North Line; thence South 90 degrees 00 minutes 00 seconds West a distance of 211.53 feet to said point of beginning.

And further excepting the South 1,150 feet of the West 910 feet of said quarter section, EXCEPTING from said except parcel the East 362.20 feet of the West 910 feet of the South 406 feet thereof;

And also excepting a tract of land in the Northeast Quarter (NE $\frac{1}{4}$), described as follows: Commencing at the northwest corner of said Northeast Quarter (NE $\frac{1}{4}$); thence easterly on the north line of said Section for 700.42 feet, which point is the true point of beginning; thence south on a line parallel to the east line of said Northeast Quarter (NE $\frac{1}{4}$) a distance of 224.5 feet; thence east on a line parallel with the north line of said Northeast Quarter (NE $\frac{1}{4}$) a distance of 130 feet; thence north on a line parallel to the east line of said Northeast Quarter (NE $\frac{1}{4}$) a distance of 224.5 feet; thence westerly along the north line of said Northeast Quarter (NE $\frac{1}{4}$) for a distance of 130 feet to the point of beginning;

And also excepting that part of the Northeast Quarter of Section 18, Township 106 North, Range 45 West of the 5th Principal Meridian, Pipestone County, Minnesota, described as follows: Commencing at the North Quarter Corner of Section 18, thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) along the North Line of the Northeast Quarter of said Section, a distance of 830.42 feet to the Point of Beginning; thence South 00 degrees 00 minutes 00 seconds West, a distance of 50.00 feet to an iron stake; thence continuing South 00 degrees 00 minutes 00 seconds West, a distance of 174.50 feet to an iron stake; thence North 90 degrees 00 minutes 00 seconds East, a distance of 55.00 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 174.50 feet to an iron stake; thence continuing North 00 degrees 00 minutes 00 seconds East, a distance of 50.00 feet to said North line; thence South 90 degrees 00 minutes 00 seconds West along said North line, a distance of 55.00 feet to said point of beginning;

And also excepting that part of the Northeast Quarter of Section 18, Township 106 North, Range 45 West of the 5th Principal Meridian, Pipestone County, Minnesota, described as follows: Commencing at the North Quarter Corner of Section 18; thence North 90 degrees 00 minutes 00 seconds East (assumed bearing) along the North line of the Northeast Quarter of said Section , a distance of 885.42 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 224.50 feet to the Point of Beginning; thence South 90 degrees 00 minutes 00 seconds West, a distance of 152.63 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 5.47 feet to an iron stake; thence South 87 degrees 47 minutes 06 seconds East, a distance of 152.79 feet to an iron stake; thence North 00 degrees 00 minutes 00 seconds East, a distance of 11.37 feet to said Point of beginning;

And also excepting that part of the Northwest Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), described as follows: beginning at the North Quarter corner of said Section 18; thence on an assumed bearing of North 89 degrees 22 minutes 51 seconds East along the north line of the Northeast Quarter (NE $\frac{1}{4}$) of said section a distance of 700.42 feet; thence South 00 degrees 16 minutes 34 seconds East, parallel with the east line of said Northeast Quarter (NE $\frac{1}{4}$), a distance of 224.50 feet; thence North 89 degrees 22 minutes 51 seconds East, parallel with the north line of the Northeast Quarter (NE $\frac{1}{4}$) of said section, a distance of 34.12 feet; thence South 00 degrees 14 minutes 30 seconds East a distance of 723.46 feet; thence South 89 degrees 22 minutes 51 seconds West; parallel with the north line of the Northeast Quarter (NE $\frac{1}{4}$) of said section, a distance of 738.67 feet to the north-south Quarter line of said section; thence North 00 degrees 00 minutes 00 seconds East, along said north-south quarter line, a distance of 948.00 feet to the point of beginning, containing 15.86 acres; and also excepting.

7. That part of the property to be detached owned by Petitioner Meulebroeck consists of approximately 11.31 acres.

8. That part of the property to be detached owned by Petitioners Thomas J. Nelson and David R. Nelson consists of approximately 105.74 acres.

9. The real property to be detached is located in the City of Pipestone, County of Pipestone, State of Minnesota, and abuts the municipal boundary of the Township of Gray, County of Pipestone, State of Minnesota. Attached hereto as Exhibits 1 through 3, as amended, are true and correct copies of a City of Pipestone boundary map and screenshots from Pipestone County GIS that fairly and accurately depict the boundary of the City of Pipestone and Gray

Township and the location the of property to be attached, identified as parcels 18-018-0650 and 18-018-1200 in Exhibit 3.

10. Petitioners are the sole owners of tracts within the property proposed for detachment.

11. The number of persons required to commence this proceeding pursuant to Minn. Stat. § 414.06(1) is three.

12. The real property to be detached is rural in character, used exclusively for agricultural purposes, not developed for urban residential, commercial or industrial purposes, not served by or connected to municipal utilities or improvements, has one building and has no resident population.

13. Petitioners are requesting detachment of the real property for the following reasons:

1) The annual property taxes assessed on the real property by the City of Pipestone equal approximately sixty-eight and six-tenths percent (68.6%) of the real estate taxes assessed on the property;

2) The real property is used solely for agricultural purposes and is being taxed in excess of the agricultural properties abutting and proximate to the real property not located in the City of Pipestone, creating a disparate treatment and impact of the real property solely because the property was annexed to the City of Pipestone and removed from Gray Township;

3) The real property is not benefitted or served by any municipal utility or other public service provided by the City of Pipestone to the residents of the City of Pipestone;

4) The real property is bounded on the north by unincorporated,

agricultural property in Gray Township, on the east by unincorporated agricultural property lying in Gray Township; on the South by Skyway Industrial Park Addition to the City of Pipestone, and on the East by unplatted property and the Second Subdivision of Section 18 of the City of Pipestone.

5) The real property is not needed for anticipated future development and the majority of the property cannot be used for future development because it lies within a floodplain; and

6) Detachment will not unreasonably affect the symmetry of the City of Pipestone.

14. The efforts taken prior to filing this petition to resolve the issues include: Inquiry was made of the City through City Administrator, Deb Nelson, about whether the City would agree to or oppose detachment, and the City Council discussed the issue of detachment on July 7, 2025, but took no action indicating that the City would consent or opposed detachment.

WHEREFORE, Petitioner respectfully requests an Order:

1. Detaching the real estate from the City of Pipestone and making the real estate part of the Township of Gray;
2. Apportioning costs as allowed by statute; and
3. For such additional and further relief that is just and equitable.

Dated: September 23, 2025

O'NEILL, O'NEILL & BARDUSON

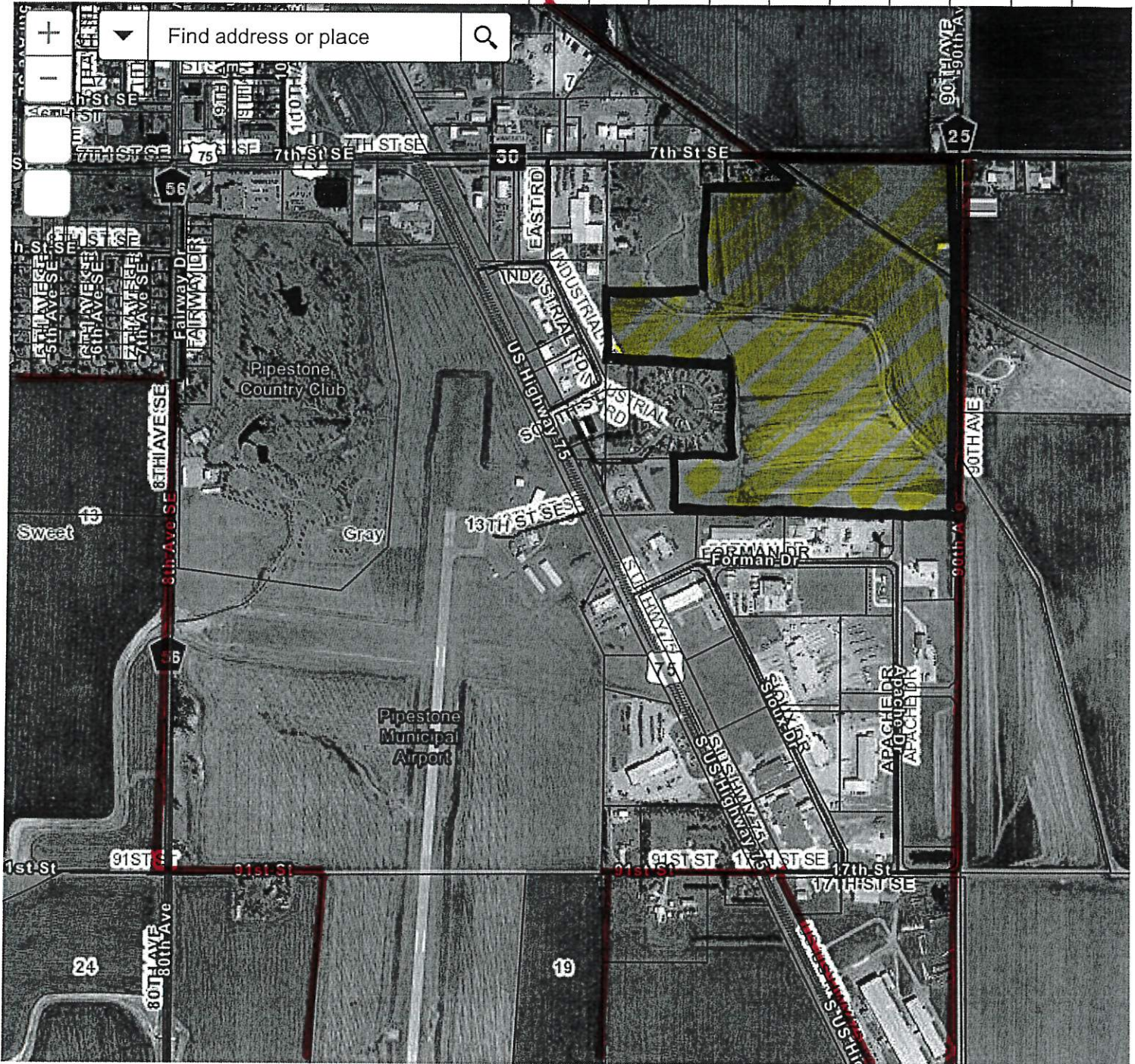
Damain D. Sandy
114 North Hiawatha Avenue
P.O. Box 128
Pipestone, MN 56164
Telephone No: (507) 825-4266
Atty. Reg. No.: 240667

Attorney for Petitioners



Enhanced Tax Parcel Viewer

... to access pro

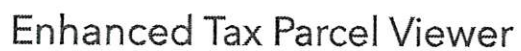


- City boundary

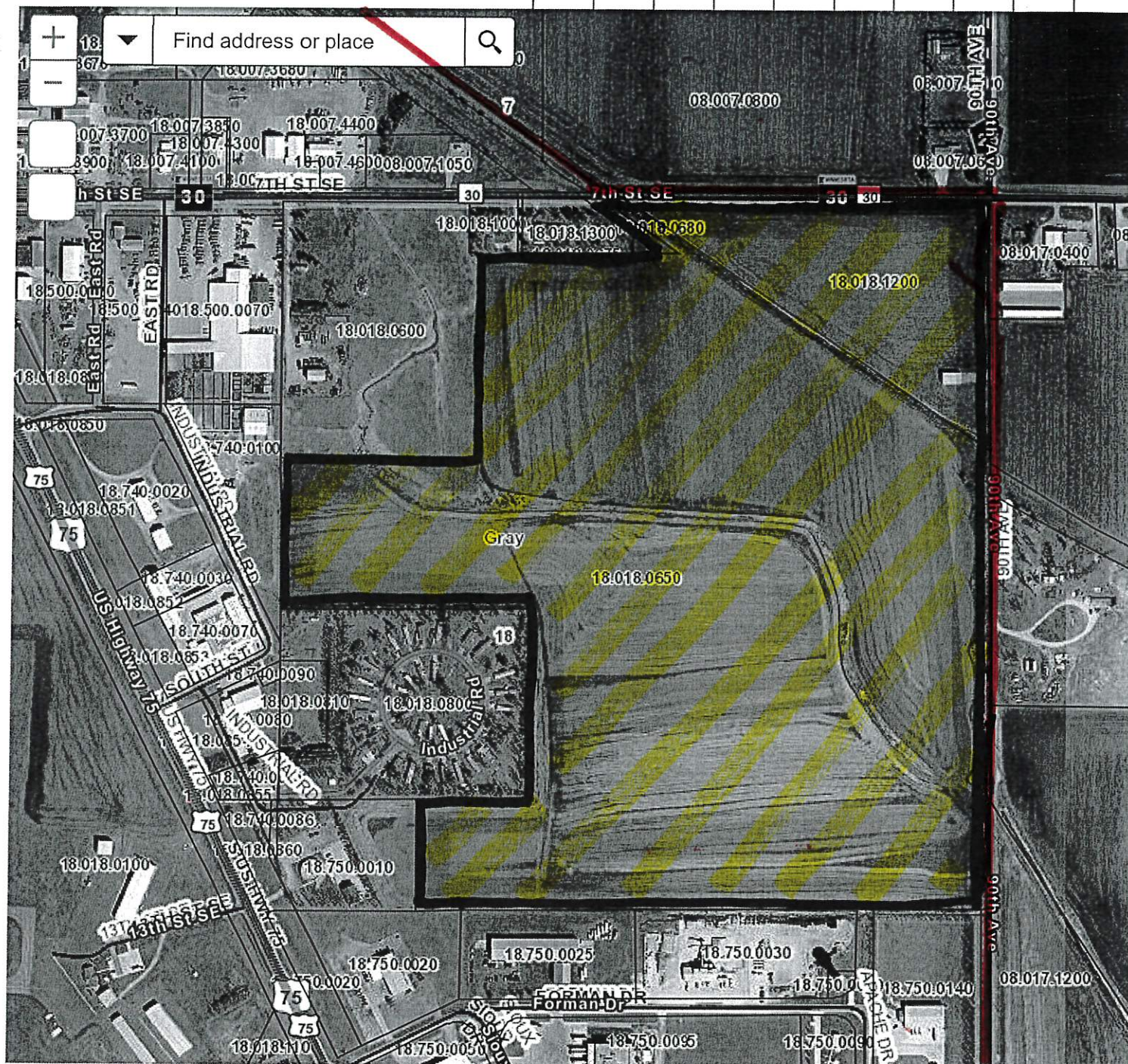
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EXHIBIT 2



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600ft

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EXHIBIT 3