

**PROPERTY OWNER PETITION FOR DETACHMENT  
OF PROPERTY FROM A CITY**

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

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TO: Office of Administrative Hearings  
Municipal Boundary Adjustments  
P. O. Box 64620  
St. Paul, MN 55164-0620  
651-361-7900

REC'D BY  
MBA

OCT 28 2010

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, the area is less than 40 acres; or  
  X   75% or more of the property owners, the area is more than 40 acres;  
to detach certain properties described herein from the City of St. Clair and make a part of the Township of McPherson.

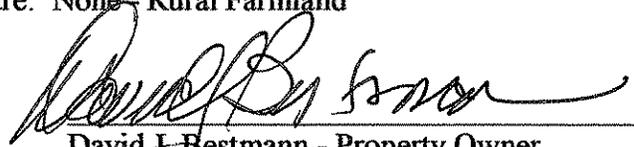
1. There are three property owners in the area proposed for detachment.
2. All of the property owners have signed this petition.
3. The property is situated within the City of St. Clair, abuts the municipal boundary and, prior to its annexation, was a part of the Township of McPherson, in the County of Blue Earth. The petitioned area abuts the City of St Clair on the city's southeast boundary.
4. The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes. It is now and has always been agricultural land.
5. The number of acres in the property proposed for detachment is 69.28 and is described as follows:

*See Attached Description*

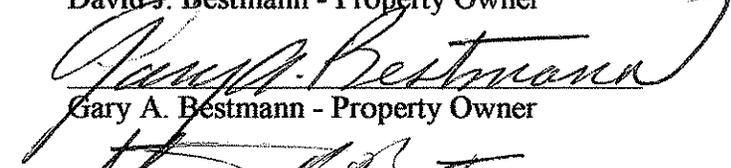
6. The reason detachment is requested is as follows: In 2005 the property was made available for sale and development as residential or industrial land at the request of the City of St. Clair and subsequently annexed into the city March, 2006. No sales have taken place even though the property has been intensively marketed. Property owners believe the likelihood of selling the property is remote. Municipal property taxes make the costs of maintaining a profitable farming operation not feasible. The owners no longer wish to develop and market the property.

7. The number of residents in the area proposed for detachment: There are no residents on proposed property for detachment but the property's northern border is adjacent to a residential area of St. Clair.
8. The number and character of buildings on said property is: None
9. Public improvements on said property are: None - Rural Farmland

Date: 3-25-2010

  
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David J. Bestmann - Property Owner

  
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Gary A. Bestmann - Property Owner

  
\_\_\_\_\_

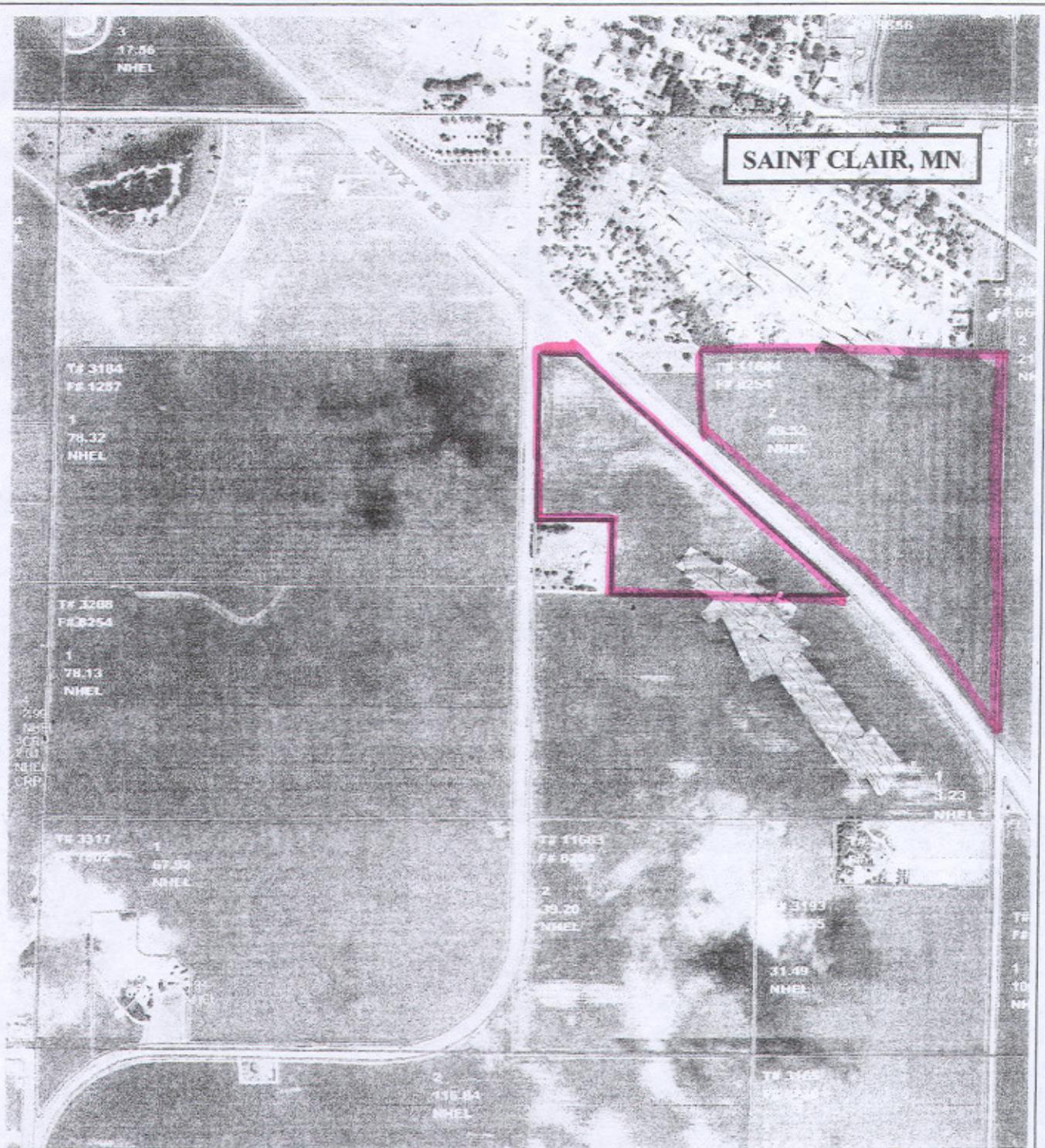
Steven R. Bestmann - Property Owner

The South Half of the Northeast Quarter, and the North Half of the Southeast Quarter of Section 17, Township 107, Range 25, being subject to all easements of record. Excepting there from the following described parcels: 1) 1.22 acres Cemetery, further described as: a tract of land lying within the Northeast Quarter of Section 17, Township 107 N, Range 25W, described as follows, to wit: Commencing 80 rods South of the Northwest corner of the Northeast Quarter of Section 17-107-25, thence a strip of land one rod wide running East 36 rods, thence South 8 rods, thence East 20 rods, and to contain one acre 36 sq. rods, with the strip one rod wide. Also a small tract of land 40 feet wide of the Northwest Quarter of the Northeast Quarter, Section 17, Township 107, Range 25, commencing at a point on the South westerly side of the right of way of the C.M.St.P.&P.R.R. Co., said point being 40 feet North of the South line of the above described tract; thence running West parallel with the South line of the above described tract until it intersects with the Northerly line of State of Minnesota Highway No. 83, thence Southeasterly along the Northerly side of said Highway until it intersects with the South line of the above described tract, thence running East on the South line of the above described tract until it intersects with the Southwesterly line of the said railway right of way, thence running Northwesterly along said right of way line to the place of beginning, as shown on the St. John's Cemetery Plat, St. Clair, Minn., filed November 9, 1961. 2) All that certain parcel of land as shown in the Final Certificate filed December 20, 1965, lying within the Highway #83 right of way. 3) That part of the Southwest Quarter of the Northeast Quarter and that part of the Northwest Quarter of the Southeast Quarter, all in Section 17, Township 107 North, Range 25 West, Blue Earth County, Minnesota, described as: Commencing at the North Quarter corner of Section 17; thence South 00 degrees 09 minutes 27 seconds East, (assumed bearing), along the North-South centerline of Section 17, a distance of 2267.77 feet to the point of beginning; thence continuing South 00 degrees 09 minutes 27 seconds East, along said North-South centerline, 415.00 feet; thence North 89 degrees 46 minutes 20 seconds East, 466.63 feet; thence North 00 degrees 05 minutes 48 seconds West, 415.00 feet; thence South 89 degrees 46 minutes 20 seconds West, 467.07 feet to the point of beginning. Said tract contains 4.45 acres, subject to an easement for County Highway No. 28 purposes over and across the Westerly boundary; also subject to any other easements of record.

# AERIAL VIEW

REC'D BY  
MBA

OCT 28 2010



**BLUE EARTH  
COUNTY**

**USDA**

Form Service Agency

McPherson

Township - 107 Range - 25 Section - 17

May 6, 2005

Imagery Not to Scale

### Key to Features

- Tree Sources
- Contour Lines (10')
- Current Boundary
- Wellhead Points





FEB 14 2011

CITY OF ST. CLAIR  
RESOLUTION # 2011-03

DETACHMENT OF CERTAIN LAND PURSUANT TO M.S. 414.06  
(BESTMANN PROPERTY)

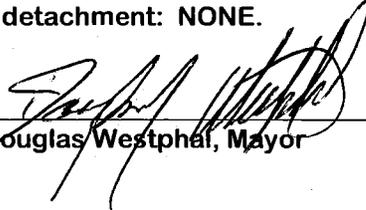
The City of St. Clair hereby requests by resolution the Office of Administrative Hearings - Municipal Boundary Adjustments Unit to detach certain properties described herein from the City of St. Clair and make a part of the Township of McPherson, County of Blue Earth, Minnesota.

1. The property is situated within the City of St. Clair, abuts the municipal boundary and the boundary of the Township of McPherson, County of Blue Earth, Minnesota.
2. The property proposed for detachment abuts the southeast boundary of the City of St. Clair.
3. The property proposed for detachment is rural in character and is not developed for urban residential, commercial, or industrial purposes.
4. The number of acres in the property proposed for detachment is approximately 69.28 acres and is described as follows:

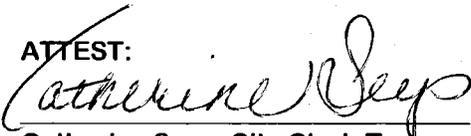
*see attached description*

5. Reason for detachment request:
  - In 2005 the property was made available for sale and development.
  - In August 2006 the property owners petitioned the City of St. Clair for annexation into the City.
  - The St. Clair City Council subsequently met with the McPherson Township Board to discuss the annexation petition and the annexation process.
  - On July 7, 2007 the City of St. Clair passed and adopted Chapter 155 of the City of St. Clair Ordinance Code approving the annexation of the property.
  - No sales have taken place on the property and the property owners believe the likelihood of selling the property is remote.
  - The property owners no longer wish to develop and market the property.
  - The property owners have petitioned the Office of Administrative Hearings - Municipal Boundary Adjustments Unit for detachment from the City of St. Clair.
  - The St. Clair City Council has determined that contesting the detachment would be both costly and unproductive.
6. Number of residents in the area proposed for detachment: NONE.
7. Number of buildings in the area proposed for detachment: NONE.
8. Public improvements in the area proposed for detachment: NONE.

Date: February 08, 2011

  
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Douglas Westphal, Mayor

ATTEST:

  
\_\_\_\_\_  
Catherine Seys, City Clerk-Treasurer

LEGAL DESCRIPTION  
(BESTMANN PROPERTY)

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