

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE PETITION FOR THE)
DETACHMENT OF CERTAIN LAND FROM THE) NOTICE OF
CITY OF LAKE ELMO PURSUANT TO) RECONVENED HEARING
MINNESOTA STATUTES 414)

The evidentiary hearing concerning this Petition will reconvene on Tuesday, October 4, 2011, beginning at 9:30 a.m. and continue thereafter each day as necessary at the Washington County Government Center, 14949 62nd Street North, Stillwater, Minnesota. The hearing will be before Administrative Law Judge Kathleen Sheehy. This is a continuation of the first hearing in this matter held on January 10, 2011.

The only formal parties to this proceeding to date are the Petitioners, City of Lake Elmo, Stillwater Township, and the City of Stillwater. The Petitioners have petitioned the State for authority to detach certain land.

All other persons interested in this matter may submit written data, statements or arguments by mail or e-mail to the Administrative Law Judge. All public comments must be post-marked, faxed, emailed, or delivered by October 5, 2011.

The hearing will be conducted pursuant to the procedure set out in Minn. Rules, Chapter 6000 as supplemented by Minnesota Rules 14.57 - 14.62. A copy of the Rules may be purchased from the Minnesota Bookstore, telephone: 651-297-3000. The Rules are also located on the

Internet at www.revisor.leg.state.mn.us.

The property proposed for detachment is described as follows:

All that part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 6, Township 29, Range 20 that lies Northerly of the following described line: Commencing at the Southwest corner of the Northwest $\frac{1}{4}$ of said Section 6; thence North 1 degree 14 minutes 50 seconds East, along the West line of said Northwest $\frac{1}{4}$, for 969.67 feet to the point of beginning of the line to be described; thence South 87 degrees 25 minutes 34 seconds East for 1120.72 feet and there terminating except the North 1236.51 feet thereof and also excepting therefrom all that portion of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 6, lying West of the Town Road (also known as Manning Avenue North) as it now traverses said Section 6, according to the United States Government Survey thereof and situate in Washington County, Minnesota.

and

All that part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 6, Township 29, Range 20 West that lies Southerly and Westerly of the Southerly right of way line of Minnesota Trunk Highway No. 36 and Northerly and Westerly of the following described line; Beginning at a point on the West line of said Northwest $\frac{1}{4}$ that is 923.00 feet, as measured along said West line, Southerly of the Northwest corner of said Section 6; thence Northeasterly by a deflection angle to the right of 73° for a distance of 336.41 feet; thence Southerly, parallel to the West line of said Northwest $\frac{1}{4}$, for a distance of 148.5 feet; thence Easterly, parallel to the North line of said Northwest $\frac{1}{4}$ for a distance 784.70 feet more or less to the East line of said Northwest $\frac{1}{4}$, of Northwest $\frac{1}{4}$ and there terminating. Subject to Manning Avenue and N.S.P. easement across said property.

and

That part of the East Half of the Northwest Quarter of Section 6, Township 29 North, Range 20 West, Washington County, Minnesota lying Westerly and Northerly of KERN CENTER and KERN CENTER 2ND ADDITION, according to the plats of record and on file in the office of the County Recorder, Washington County, Minnesota containing 22.99 acres, more or less. Subject to a highway easement along the Northerly line thereof for Trunk Highway 36 as described in Book 275 of Deeds, Page 497, of record and on file in said Office of the County Recorder. Also subject to a transmission line easement in favor of Northern States Power Company as described in Book 297, Page 288, of record and on file in said Office of the County Recorder.

and

All that part of the North 1341.01 feet of the $W\frac{1}{2}$ of the $NW\frac{1}{4}$ of Section 6, Township 29, Range 20, lying Southerly of the following described line: Beginning at a point on the west line of said $NW\frac{1}{4}$ that is 1071.50 feet Southerly of the Northwest corner, thence Northeasterly by a deflection angle to the right of 73° for a distance of 330.0 feet; thence

Easterly parallel to the north line of said NW¼ for 795 feet, more or less, to the East line of said W½ and there terminating except the south 104.5 feet of said W½ of said NW¼. Subject to encumbrances of record.

Following the close of the hearing, the Chief Administrative Law Judge will issue a written final decision pursuant to Minnesota Statutes, Chapter 414 and the March 8, 2011 referral from Municipal Boundary Adjustments.

Any questions concerning the proposed detachment can be directed to Kathleen Sheehy, Administrative Law Judge, at 651-361-7848, or Sharon Lumby, Lake Elmo City Clerk, at 651-777-5510.

For special accommodations, please contact the Office of Administrative Hearings, at (651) 361-7900; or Greater Minnesota TTY 1-800-627-3529.

Dated this 13th day of September, 2011.



Timothy J. O'Malley
Assistant Chief Administrative Law Judge
Municipal Boundary Adjustment Unit