

## PETITION FOR DETACHMENT OF PROPERTY FROM CITY

It is hereby requested by all the property owners to detach certain properties described herein from the City of Barnesville and make a part of the Township of Barnesville.

There are four (4) property owners in the area proposed for detachment.

Four (4) property owners have signed this petition.

The property is situated within the City of Barnesville, abuts the municipal boundary and the boundary of the Township of Barnesville, in the county of Clay.

The petitioned area abuts on the city's South West boundary.

The property proposed for detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.

The number of acres in the property proposed for detachment is 80 acres.

And is described as follows on a separate sheet.

The reason detachment is requested: Paying city Taxes with few City benefits.

The number of residents in the area proposed for detachment is six (6).

The number and character of building on said property are described on separate sheet.

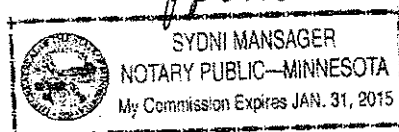
Public improvements on said property are: Gravel on the road.

Date: 7-26-2010

Property Owners:

Leonard Boone *Leonard Boone*  
Carolyn Boone *Carolyn Boone*  
Frank Boone *Frank Boone*  
Milissa Boone *Milissa M Boone*

ON July 26, 2010, Leonard Boone, Carolyn Boone,  
Frank Boone and Milissa Boone appeared before  
me. *Sydni Mansager*  
STATE OF MINNESOTA  
COUNTY OF CLAY



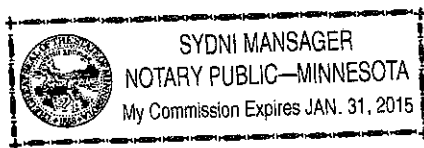
Property proposed for detachment belonging to Leonard and Carolyn Boone.

Number of acres: 40

Property description: North one-half ( $N\frac{1}{2}$ ) of the South one-half ( $S\frac{1}{2}$ ) of the Northeast Quarter ( $NE\frac{1}{4}$ ) of Section thirty-six (36) Township 137 N, Range 46 W, Barnesville township, Clay county, Minnesota.

Number and character of buildings on property: two pole barns for storage. One pole barn for cattle shelter. Barn for storage and Chickens. Garage. House.

*Leonard Boone*  
*Carolyn Boone*



*Sydne Mansager*  
November 19, 2010

NOV 22 2010

State of Minnesota

)  
) SS  
)

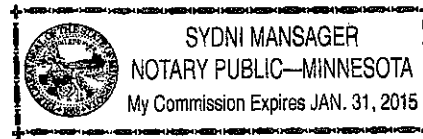
County of Clay

This instrument was acknowledged before me on this 19 day of November, 20 10

by Leonard Boone and Carolyn Boone as husband and wife.

Sydni Mansager  
(Signature of Notary)

My commission expires: Jan 31, 2015



(Seal and Stamp)

NOV 22 2010

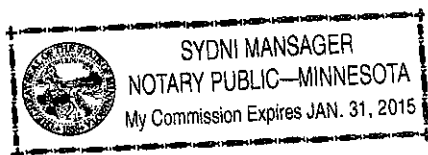
Property proposed for detachment belonging to Frank and Milissa Boone.

Number of Acres: 40

Property description: South one-half (S  $\frac{1}{2}$ ) of the South one-half (S  $\frac{1}{2}$ ) of the Northeast quarter (NE  $\frac{1}{4}$ ) of Section 36, Township 137 N, Range 46 W, Barnesville Township, Clay Co. Minnesota.

Number and character of buildings on property: House. Shop.

*Milissa M Boone*  
*Frank Boone*



*Sydni Mansager*  
*November 19, 2010*

REC'D BY  
MEA

NOV 22 2010

State of Minnesota

)  
) SS  
)

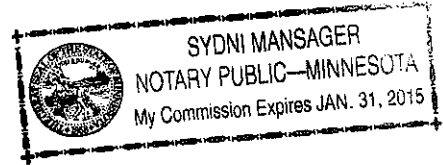
County of Clay

This instrument was acknowledged before me on this 19 day of November, 2010

by Milissa M Boone and Frank Boone as husband and wife.

X Sydni Mansager  
(Signature of Notary)

My commission expires: January 31, 2015



(Seal and Stamp)

Council member Larry Davis, Jr. introduced the following resolution and moved for its adoption

**CITY OF BARNESVILLE  
CLAY COUNTY, MINNESOTA  
RESOLUTION 11-08-10-04  
RESOLUTION APPROVING DETACHMENT**

**WHEREAS**, the City of Barnesville received a "Petition for Detachment of Property from City" (hereinafter referred to as the "Petition") (attached as Exhibit A) on or about July 26, 2010; and

**WHEREAS**, the Petition was signed and submitted by Leonard Boone, Caroline Boone, Frank Boone and Milissa M. Boone (hereinafter the "Boones"); and

**WHEREAS**, the property owned by Leonard and Carolyn Boone contains 40 acres, more or less; and

**WHEREAS**, the property owned by Frank Boone and Milissa M. Boone contains 40 acres, more or less; and

**WHEREAS**, the Barnesville City Council reviewed said Petition and determined that the granting of the Petition would result in shared maintenance of Third Avenue Southwest<sup>1</sup> (hereinafter referred to as the "road"), a road on the eastern edge of the property covered by the Petition; and

**WHEREAS**, the road is bordered on each side by property owned by Richard and Raymond Peppel (hereinafter referred to as the "Peppels") and the Boones (hereinafter collectively referred to as (with the Peppels) as the "adjoining property owners"); and

**WHEREAS**, the Barnesville City Administrator provided the Peppels with the opportunity to file a petition in this matter so as to have all of the adjoining property owners join in the petition for detachment; and

**WHEREAS**, the Peppels did not join in the petition and the property owned by the Peppels contains 23.26 acres more or less; and

**WHEREAS**, the matter of the detachment petition by the Boones came before the Barnesville City Council at its regular November 8, 2010, meeting.

---

<sup>1</sup> Clay County identifies the road as 180<sup>th</sup> St. S.

NOV 18 2010

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, the Barnesville City Council, based upon the record herein and the evidence before it, hereby makes and adopts the following findings of fact:

1. The land that is the subject of this Resolution is legally described as follows<sup>1</sup>:

Clay County Parcel No.	Owner(s)	Legal Description	Acres
509000720	Leonard O. Boone & Carolyn Boone	N½ of S½ of NE¼ S36 T137 R 46	40
509000710	Frank R. Boone, a/k/a Francis R. Boone & Milissa M. Boone	S½ of S½ of NE¼, less the S½ of S½ of SE¼ of NE¼ S36 T137 R46	30
502000715	Frank R. Boone, a/k/a Francis R. Boone & Milissa M. Boone	S½ of S½ of SE¼ of NE¼ S36 T137 R46	10

(hereinafter referred to as the "detachment property").

2. The area of the detachment property is greater than 40 acres in area.
3. The Petition for Detachment was signed by more than seventy five percent (75%) of the property owners.
4. The detachment property is identified in Exhibit "B" as the shaded area.
5. The detachment property is currently situated within the city limits of the City of Barnesville. See Exhibit "B"
6. The detachment property is abutting the municipal limits of the City of Barnesville. See Exhibit "B"
7. The detachment property is rural in character. The property is located in the extreme southeast corner of the City of Barnesville. The detachment parcel has four (4) residents. There are a total of seven (7) buildings located on the detachment property. The buildings and structures in the area to be detached are farm related and single family homes located on farmsteads. Some of the property is utilized for livestock. The area is naturally separated from the City of Barnesville by railroad track and has gravel roads.
8. The only municipal infrastructure within the detachment property consists of gravel roads. The homes are served by private wells and private sanitary systems.

9. The property is currently zoned SC-1 (Conservation District).
10. The property is rural in character and has not been developed for urban residential, commercial or industrial purposes.
11. The detachment of the detachment property would not unreasonably affect the symmetry of the City of Barnesville.
12. The detachment property is not needed for reasonably anticipated future development.
13. The detachment of the detachment property would not negatively impact the City of Barnesville to carry on the functions of local government.
14. The detachment of the detachment property would not cause the City of Barnesville to incur undue hardship.
15. These findings of facts relate only to the detachment property.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Barnesville City Council that, based upon the foregoing findings of facts, the shaded area set forth in Exhibit B may be detached from the City of Barnesville by having the owners of said land submit this Resolution along with their Petition to the Minnesota Office of Administrative Hearings, Municipal Boundary Adjustments. Any and all costs associated with the detachment proceedings by the Minnesota Office of Administrative Hearings, Municipal Boundary Adjustments shall be the sole responsibility of the owners of the land in the detachment area.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Barnesville City Council that it does not object to the detachment of the shaded area set forth in Exhibit B, but it shall be provided of notice of said filing and of any action by the Minnesota Office of Administrative Hearings, Municipal Boundary Adjustments.

NOW, THEREFORE BE IT FURTHER RESOLVED that the detachment shall only be effective upon the issuance of an order by the Minnesota Office of Administrative Hearings, Municipal Boundary Adjustments, approving of the detachment.



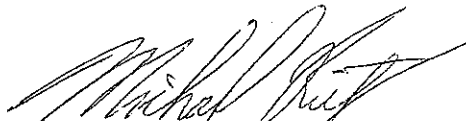
NOV 18 2010

City of Barnesville Contact Information  
City of Barnesville  
Mike Rietz, City Administrator  
P.O. Box 550  
102 Front Street North  
Barnesville, MN 56514  
218-354-2292

Dated: 11-9-2010

  
Fred Dahnke, Mayor

ATTEST:

  
Michael Rietz, City Administrator

The motion for the adoption of the foregoing Resolution was duly seconded by Member Jason Rick. On roll call vote, the following Members voted aye: Davis, Strom, Krause, Allmaras, and Rick. The following Members voted nay: Ellefson. The following Members were absent and not voting: none. The majority having voted aye, the motion carried and the resolution was duly adopted.

REC'D BY  
MBA

NOV 18 2010

Property proposed for detachment belonging to Leonard and Carolyn Boone.

Number of Acres 70

Property description: North one-half (N $\frac{1}{2}$ ) of the South one-half (S $\frac{1}{2}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Thirty-six (36) Township 137N, Range 46W, Barnesville Township, Clay Co., Minn.

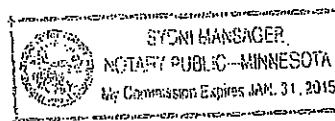
Number and character of buildings on property: 2 pole barns for storage - 1 pole barn for cattle shelter - Barn - Storage - Chickens - Garage - House

Leonard Boone

Carolyn Boone

On this 2nd day of July, 2010, before me,  
personally appeared Leonard Boone and  
Carolyn Boone.

Stephen W. Munsager  
Notary Public.



My Commission expires January 31, 2015

State of Minnesota

County of Clay

REC'D BY  
MBA

NOV 18 2010

Property proposed for detachment belonging to Frank and Melissa Boone.

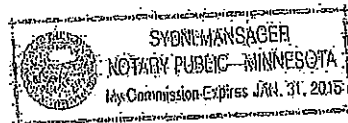
Number of Acres: 40 acres

Property description:  $5\frac{1}{2}$  of the  $S\frac{1}{2}$  of the ~~SE 1/4~~ of  
The ~~NE 1/4~~ of section 36 Township 137 N. Range 46 W.  
Barre, Isanti Township, Clay Co., Minn.  
Number and character of buildings on property: house-shop

*Melissa Boone*  
*Frank Boone*

On this 22<sup>nd</sup> day of July, 2010, before me personally  
appeared Frank Boone and Melissa Boone.

*Sydney Mansager*  
Notary Public

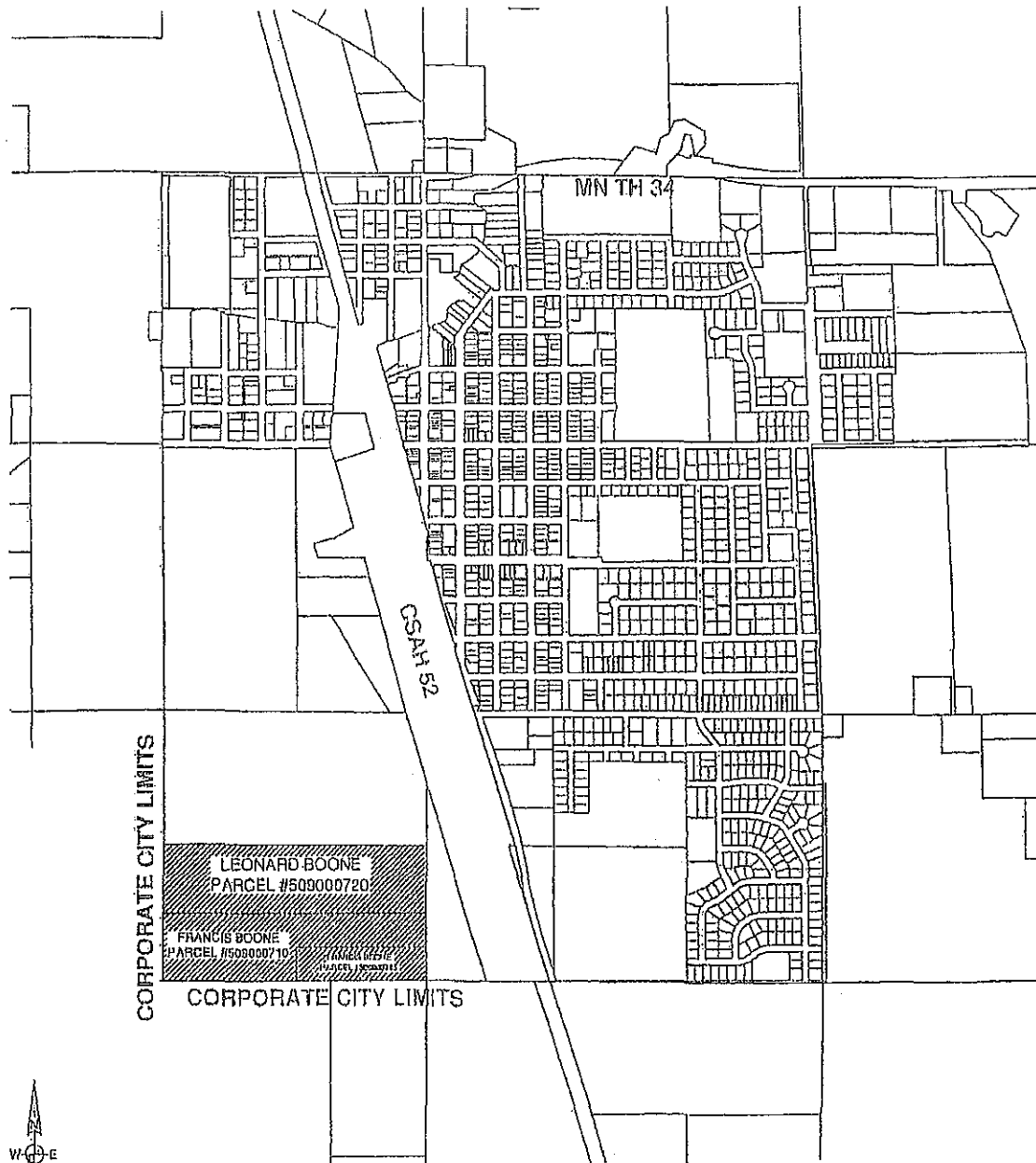


My Commission expires - January 31, 2015  
State of Minnesota  
County of Clay

Exhibit "A"

REC'D BY  
MBA

NOV 18 2010

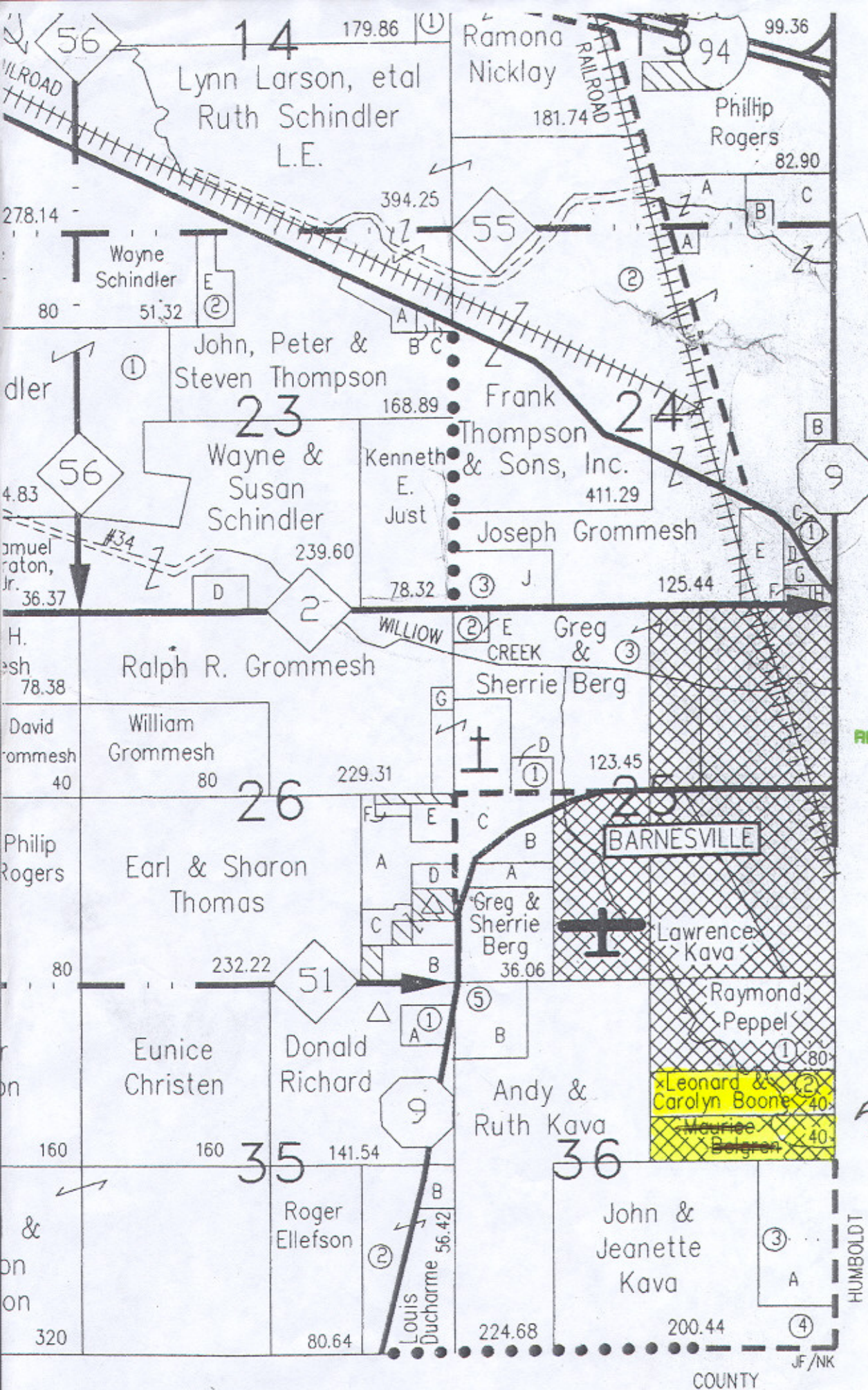


0 576 750 1500

PROPERTY BEING CONSIDERED FOR DETACHMENT  
BARNESVILLE, MINNESOTA

EXHIBIT "B"





REC'D BY  
MBA

NOV 18 2010

Frank Boone  
S<sup>1</sup>/<sub>2</sub> S<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub>  
36-137-46