

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Detachment of
Certain Real Property from the City
of Winona to Wilson Township
(MBAU Docket D-624)

**ORDER APPROVING
DETACHMENT**

On December 3, 2020, a Petition for Detachment (Petition for Detachment) was filed with the Office of Administrative Hearings requesting detachment, pursuant to Minn. Stat. § 414.06 (2020), of certain real property (Property) from the City of Winona (City) legally described as follows:

The South Half of the Southeast Quarter of the Northwest Quarter (S1/2 of SE1/4 of NW1/4) of Section Five (5), Township One Hundred Six (106) North, of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota.

Also, the South Half of the South Half of the Northeast Quarter (S1/2 of S1/2 of NE1/4) of Section Five (5), Township One Hundred Six (106) North, of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, lying Westerly of the centerline of County State Aid Highway 44.

Also, That part of the North Half of the Southeast quarter (N1/2 of SE1/4) and that part of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) of Section Five (5), Township One Hundred Six (106) North, of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota, described as follows:

Commencing at the Northeast corner of said N1/2 of the SE1/4; thence South 01° 26' 34" East, assumed bearing along the East line of said N1/2 of the SE1/4 156.00 feet; thence North 87° 20' 31" West 1265.41 feet to the point of beginning of the land to be described; thence continue North 87° 20' 31" West 2725.32 feet to the West line of said NE1/4 of the SW1/4; thence North 01° 04' 33" West 4.80 feet to the Northwest corner of said NE1/4 of the SW1/4; thence South 89° 30' 44" East along the North line of said NE1/4 of the SW1/4 and the North line of said N1/2 of SE1/4 2736.88 feet; thence South 07° 33' 04" West 108.82 feet to the point of beginning.

Excepting therefrom, that part of the North Half of the Southeast Quarter (N1/2 of SE1/4) and that part of the South Half of the South Half of the Northeast Quarter (S1/2 of S1/2 of NE1/4) of Section Five (5), Township One Hundred Six (106)

North, of Range Seven (7), West of the Fifth Principal Meridian, Winona County, Minnesota described as follows:

Commencing at the Northeast corner of said N1/2 of the SE1/4; thence South 01° 26' 34" East, assumed bearing along the East line of said N1/2 of the SE1/4 156.00 feet; thence North 87° 20' 31" West 1265.41 feet to the point of beginning of the land to be described; thence continue North 87° 20' 31" West 480.00 feet; thence North 07° 33' 04" East 200.00 feet ; thence South 87° 20' 31" East 486.00 feet; thence South 07° 33' 04" West 200.00 feet to the point of beginning.

On March 14, 2019, the Wilson Town Board (Township) adopted a Resolution (Township Resolution) supporting the Petition for Detachment. On June 15, 2020, the City adopted Resolution No. 2020-48 (City Resolution) supporting the Petition for Detachment. The City Resolution and Township Resolution were filed with the Office of Administrative Hearings on December 3, 2020.

Based upon a review of the Petition for Detachment, the City Resolution, and the Township Resolution, the Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.06, the Petition for Detachment, the City Resolution, and the Township Resolution are deemed adequate in all legal respects and properly support this Order.
2. Pursuant to this Order, the Property is **DETACHED** from the City.

Dated: December 18, 2020


JESSICA A. PALMER-DENIG
Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.06, .07, .09, .12 (2020). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Winona County District Court by filing an Application for Review with the Court Administrator within 30 days of this Order. An appeal does not stay the effect of this Order.

Any party may submit a written request for an amendment of this Order within seven days from the date of the mailing of the Order pursuant to Minn. R. 6000.3100 (2019). However, no request for amendment shall extend the time of appeal from this Order.