

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson Chairman
Arthur R. Swan Vice Chairman
Robert J. Ford Member

IN THE MATTER OF THE PETITION FOR THE) FINDINGS OF FACT,
DETACHMENT OF CERTAIN PROPERTY FROM) CONCLUSIONS OF LAW
THE VILLAGE OF KELLIHER, MINNESOTA) AND ORDER

The petition of the owners of certain property within the corporate limits of the Village of Kelliher for detachment of said property from said village came on for hearing before the Minnesota Municipal Commission on May 27, 1971 at the Courthouse in the City of Bemidji, Minnesota. The petitioners were represented by their Attorney, Douglas W. Cann of the firm of Cann, Schmidt & Weddel, of Bemidji, Minnesota, and the Village of Kelliher was represented by their attorney, Thomas M. Hilligan of the firm of Smith, McRae & Hilligan, of Bemidji, Minnesota. The Township of Kelliher appeared in opposition to the petition but was not represented by counsel.

The Commission having duly considered the testimony of the witnesses, the exhibits received in evidence, all files and records, and having viewed the affected property, and being fully advised in the premises, makes and enters the following:

FINDINGS OF FACT

I.

The petition for detachment contains the required information. The area of the property petitioned to be detached exceeds forty acres. The petition was signed by the requisite number of property owners and was properly presented to the Commission.

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II.

Due, timely and adequate notice of the hearing herein was published, served and mailed and continuance of the hearing from the original date set to the date of actual hearing was agreed upon by all parties and the Commission.

III.

The property proposed for detachment is situated within the corporate limits of the Village of Kelliher and is unplatted.

IV.

Only the petitioners Wallace I. Rennemo and Clarita Rennemo live on any of the property petitioned to be detached, the other petitioners living on property adjacent to that owned by them and petitioned to be detached.

V.

There exists other similar property within the corporate limits of the Village of Kelliher.

VI.

The Village of Kelliher has adopted a village development plan prepared for it by professional municipal planners and the village plan reasonably anticipates need of the property for future development.

VII.

Detachment of the property would unreasonably affect the symmetry of the remaining area of the Village of Kelliher.

CONCLUSIONS OF LAW

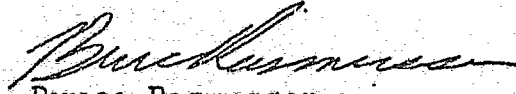
That said property should not be detached from the Village of Kelliher.

O R D E R

IT IS HEREBY ORDERED: That the petition to detach certain property from the Village of Kelliher is DENIED.

Dated this 17th day of August, 1971

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota 55101

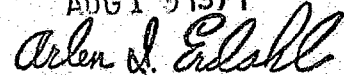


Bruce Rasmussen
Executive Secretary

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

AUG 19 1971



Arden J. Edsall
Secretary of State