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Phone: 296-2428

**STATE OF MINNESOTA  
MUNICIPAL BOARD**

Suite 165 Metro Square  
7th & Robert Streets  
St. Paul, Minnesota 55101

December 24, 1981

Deputy Secretary of State  
c/o Donna Scott  
State Office Building  
Saint Paul, Minnesota

RE: Municipal Board Docket Number D-153 Russell, supplemental order

Dear Mr. Winkler:

The subject order of the Minnesota Municipal Board makes the following changes in the population of the named units of government:

The population of City of Russell

is increased by no change

The population of Town of Lyons

is decreased by no change

A new municipality named \_\_\_\_\_

has been created with a population of \_\_\_\_\_

The \_\_\_\_\_

has been dissolved.

Official date of the Order December 21, 1981 effective December 21, 1981

C:C. Commissioner  
Department of Revenue  
c/o Wallace O. Dahl, Director  
Tax Research Division  
205 Centennial Building

*Patricia D. Lundy*

Patricia D. Lundy  
Assistant Executive Director

R. Thomas Gillaspy, Ph.D.  
State Demographer  
101 Capitol Square Building

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
DEC 28 1981

*Jan Anderson Howe*  
Secretary of State

*33724*

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STATE OF MINNESOTA  
MUNICIPAL BOARD

Suite 165 Metro Square  
7th & Robert Streets  
St. Paul, Minnesota 55101

December 24, 1981

Deputy Secretary of State  
c/o Donna Scott  
State Office Building  
Saint Paul, Minnesota

RE: Municipal Board Docket Number D-153 Russell

Dear Mr. Winkler:

The subject order of the Minnesota Municipal Board makes the following changes in the population of the named units of government:

The population of Township of Lyons

is increased by two persons

The population of City of Russell

is decreased by two persons

A new municipality named \_\_\_\_\_

has been created with a population of \_\_\_\_\_

The \_\_\_\_\_

has been dissolved.

Official date of the Order January 20, 1981, effective January 9, 1981

C.C. Commissioner  
Department of Revenue  
c/o Wallace O. Dahl, Director  
Tax Research Division  
205 Centennial Building

*Patricia D. Lundy*  
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Assistant Executive Director

R. Thomas Gillaspay, Ph.D.  
State Demographer  
101 Capitol Square Building

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
DEC 29 1981

*Jan Anderson Howe*  
Secretary of State

33724

BEFORE THE MUNICIPAL BOARD  
OF THE STATE OF MINNESOTA

Robert J. Ferderer      Chairman  
Robert W. Johnson      Vice Chairman  
Kenneth F. Sette      Member

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
**FILED**  
DEC 28 1981  
*Joan Anderson Howe*  
Secretary of State

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IN THE MATTER OF THE PETITION AND RESOLUTION      )      SUPPLEMENTAL  
FOR THE DETACHMENT OF CERTAIN LAND FROM THE      )      FINDINGS OF FACT,  
CITY OF RUSSELL PURSUANT TO MINNESOTA STATUTES      )      CONCLUSIONS OF LAW,  
414.06      )      AND ORDER  
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In the attached order dated January 20, 1981, the Minnesota Municipal Board detached a tract of land from the City of Russell which surrounded a .92 acre tract owned by the State of Minnesota and used for a radio tower by the Department of Transportation. This order detaches the .92 acre tract.

On November 2, 1981, the Minnesota Municipal Board received a petition by the property owner, the State of Minnesota, for the detachment of certain land from the City of Russell. A resolution for the detachment of the same land dated November 9, 1981 was received from the City of Russell.

After review of the petition and resolution, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I. That a petition was duly filed with the Municipal Board by the requisite number of property owners and a resolution for the detachment of the same property was filed by the City of Russell.

II. The petition and resolution contained all the information required by statute including a description of the territory proposed for detachment which is as follows:

Commencing at the southwest corner of Section 19, Township 110, Range 42, thence east along section line for a distance of 16 feet to the center line of Trunk Highway No. 91; thence deflect to the left an angle 86 degrees 46 minutes for a distance of 314.35 feet to the point of beginning, thence deflect to the right an angle of 90 degrees for a distance of 233 feet; thence deflect to the left an angle of 90 degrees for a distance of 200 feet; thence deflect to the left an angle of 90 degrees for a distance of 233 feet to the center line of Trunk Highway No. 91; thence deflect to the left for an angle of 90 degrees for a distance of 200 feet along the center line of Trunk Highway No. 91 to the point of beginning, excepting therefrom highway easements, containing 0.92 acres more or less.

III. The area proposed for detachment is situated within the City of Russell.

IV. The area proposed for detachment is .92 acres.

V. The area proposed for detachment is not developed for urban residential,

commercial, or industrial purposes.

VI. The number and character of buildings on the concerned area are as follows:  
a radio tower used by the Department of Transportation.

VII. The area proposed for detachment receives no services from the City of Russell.

VIII. There is no population in the area subject to detachment.

IX. The area abuts the Township of Lyons.

CONCLUSIONS OF LAW

I. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.

II. The area subject to detachment is not developed for urban residential, commercial, or industrial purposes.

III. The detachment would improve the symmetry of the detaching municipality.

IV. The area subject to detachment is not needed for reasonable anticipated future development.

V. The remainder of the municipality can continue to carry on the functions of government without undue hardship.

VI. An order should be issued by the Minnesota Municipal Board detaching the area described herein.

ORDER

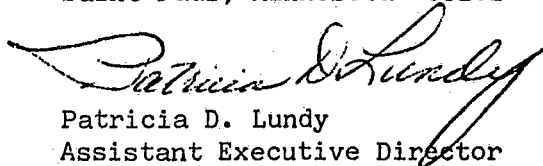
I. IT IS HEREBY ORDERED: That the property described in Findings of Fact II herein and the property described in the attached Order dated January 20, 1981 and together more particularly described as follows, be, and the same hereby is, detached from the City of Russell and made a part of the Township of Lyons, the same as if it had originally been made a part thereof:

The SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 19, T110N, R42W, lying East of the public road, formerly known as T.H. 91, except the north 331' thereof.

III. IT IS FURTHER ORDERED: That the effective date of this order is December 21, 1981.

Dated this 21st day of December, 1981.

MINNESOTA MUNICIPAL BOARD  
165 Metro Square Building  
Saint Paul, Minnesota 55101

  
Patricia D. Lundy  
Assistant Executive Director

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Thomas J. Simmons	Chairman
Robert W. Johnson	Vice Chairman
Robert J. Ferderer	Member

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IN THE MATTER OF THE PETITION AND RESOLUTION )	<u>FINDINGS OF FACT,</u>
FOR THE DETACHMENT OF CERTAIN LAND FROM THE )	
CITY OF RUSSELL PURSUANT TO MINNESOTA STATUTES )	
414.06 )	
	<u>CONCLUSIONS OF LAW,</u>
	<u>AND ORDER</u>

-----

On December 11, 1980, the Minnesota Municipal Board received a petition by all of the property owners for the detachment of certain land from the City of Russell. A resolution for the detachment of the same land was received from the City of Russell on the 11th day of December, 1980.

After review of the petition and resolution, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I. That a petition was duly filed with the Municipal Board by the requisite number of property owners and a resolution for the detachment of the same property was filed by the City of Russell.

II. The petition and resolution contained all the information required by statute including a description of the territory proposed for detachment which is as follows:

The Southwest Quarter of the Southwest Quarter (SW $\frac{1}{2}$ SW $\frac{1}{2}$ ) of Section Nineteen (19), Township One Hundred Ten (110), Range Forty-two (42), except the following:

Peterson's Addition to the Village of Russell, and also except:

Being all that part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{2}$ SW $\frac{1}{2}$ ) of Section 19, Township 110, Range 42, described as follows: Commencing at a point on the East line of the road running from the Southwest Corner of said Section in a Northerly direction to the right of way of the Great Northern Railway 33 feet South of the North line of said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{2}$ SW $\frac{1}{2}$ ) of said Section; thence in an easterly direction and parallel with said Northerly line or eighth rod line, a distance of 292 feet; thence due South and at right angles a distance of 297 feet; thence due West and at right angles to East margin of said road; thence in a Northerly direction along said road margin to place of beginning, containing two (2) acres more or less, and also,

All that part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{2}$ SW $\frac{1}{2}$ ) of said Section 19, Township 110, Range 42, described as follows: Beginning at the Southwest Corner of said Southwest Quarter of said Section 19, running thence East of North by 5 degrees to the North line of the said Southwest Quarter of the Southwest Quarter (SW $\frac{1}{2}$ SW $\frac{1}{2}$ ) of said Section 19, running thence due West on said North line to the West line of said Section 19, running thence due South on said section line to place of beginning, and also,

Commencing at the Southwest Corner of Section 19, Township 110, Range 42, thence East along section line for a distance of 16 feet to the center line of Trunk Highway No. 91; thence deflect to the left an angle 86°46' for a distance of 314.35 feet to the point of beginning, thence deflect to the right an angle of 90° for a distance of 233 feet; thence deflect to the left an angle of 90° for a distance of 200 feet; thence deflect to the left an angle of 90° for a distance of 233 feet to the centerline of Trunk Highway No. 91; thence deflect to the left for an angle of 90° for a distance of 200 feet along the centerline of Trunk Highway No. 91 to the point of beginning, excepting therefrom highway easements, containing 0.92 acres more or less.

That part of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{2}$ SW $\frac{1}{2}$ ) in Section Nineteen (19), Township One hundred Ten (110) North, Range Forty-two (42), West of the Fifth (5th) Principal Meridian described as follows: Commencing at the Southeast corner of Lct 12, in Block 1, of Peterson's addition to Village of Russell; running thence in a Westerly direction along line of said Peterson's Addition, a distance of 871 feet; thence in a Southerly direction at right angles a distance of 148 feet; thence in an Easterly direction at right angles a distance of 871 feet thence in a Northerly direction at right angles a distance of 148 feet to place of beginning.

- III. The area proposed for detachment is situated within the City of Ruseell and abuts the municipal boundary.
- IV. The area proposed for detachment is approximately 20 acres.
- V. The area proposed for detachment is rural in character and not developed for urban, residential, commercial, or industrial purposes.
- VI. The number and character of buildings on the concerned area are as follows: one house.
- VII. There are no municipal improvements in the area.
- VIII. The population of the area subject to detachment is two.
- IX. The area abuts the Township of Lyons.

CONCLUSIONS OF LAW

- I. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.
- II. The area subject to detachment is rural in character and not developed for urban residential, commercial, or industrial purposes.
- III. The detachment would not unreasonably affect the symmetry of the detaching municipality.
- IV. The area subject to detachment is not needed for reasonably anticipated future development.
- V. The remainder of the municipality can continue to carry on the function of government without undue hardship.
- VI. An order should be issued by the Minnesota Municipal Board detaching the area described herein.

ORDER

I. IT IS HEREBY ORDERED: That the following described property be, and the same hereby is, detached from the City of Russell and made a part of the Township of Lyons, the same as if it had originally been made a part thereof:

The Southwest Quarter of the Southwest Quarter ( $SW\frac{1}{2}SW\frac{1}{2}$ ) of Section Nineteen (19), Township One Hundred Ten (110), Range Forty-two (42), except the following:

Peterson's Addition to the Village of Russell, and also except:

Being all that part of the Southwest Quarter of the Southwest Quarter ( $SW\frac{1}{2}SW\frac{1}{2}$ ) of Section 19, Township 110, Range 42, described as follows: Commencing at a point on the East line of the road running from the Southwest Corner of said Section in a Northerly direction to the right of way of the Great Northern Railway 33 feet South of the North line of said Southwest Quarter of the Southwest Quarter ( $SW\frac{1}{2}SW\frac{1}{2}$ ) of said Section; thence in an easterly direction and parallel with said Northerly line or eighth rod line, a distance of 292 feet; thence due South and at right angles a distance of 297 feet; thence due West and at right angles to East margin of said road; thence in a Northerly direction along said road margin to place of beginning, containing two (2) acres more or less, and also,

All that part of the Southwest Quarter of the Southwest Quarter ( $SW\frac{1}{2}SW\frac{1}{2}$ ) of said Section 19, Township 110, Range 42, described as follows: Beginning at the Southwest Corner of said Southwest Quarter of said Section 19, running thence East of North by 5 degrees to the North line of the said Southwest Quarter of the Southwest Quarter ( $SW\frac{1}{2}SW\frac{1}{2}$ ) of said Section 19, running thence due West on said North line to the West line of said Section 19, running thence due South on said section line to place of beginning, and also,

Commencing at the Southwest Corner of Section 19, Township 110, Range 42, thence East along section line for a distance of 16 feet to the center line of Trunk Highway No. 91; thence deflect to the left an angle  $86^{\circ}46'$  for a distance of 314.35 feet to the point of beginning, thence deflect to the right an angle of  $90^{\circ}$  for a distance of 233 feet; thence deflect to the left an angle of  $90^{\circ}$  for a distance of 200 feet; thence deflect to the left an angle of  $90^{\circ}$  for a distance of 233 feet to the centerline of Trunk Highway No. 91; thence deflect to the left for an angle of  $90^{\circ}$  for a distance of 200 feet along the centerline of Trunk Highway No. 91 to the point of beginning, excepting therefrom highway easements, containing 0.92 acres more or less.

That part of the Southwest Quarter of the Southwest Quarter ( $SW\frac{1}{2}SW\frac{1}{2}$ ) in Section Nineteen (19), Township One hundred Ten (110) North, Range Forty-two (42), West of the Fifth (5th) Principal Meridian described as follows: Commencing at the Southeast corner of Lct 12, in Block 1, of Peterson's addition to Village of Russell; running thence in a Westerly direction along line of said Peterson's Addition, a distance of 871 feet; thence in a Southerly direction at right angles a distance of 148 feet; thence in an Easterly direction at right angles a distance of 871 feet thence in a Northerly direction at right angles a distance of 148 feet to place of beginning.

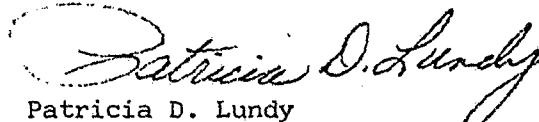
II. IT IS FURTHER ORDERED: That the population of the City of Russell be and the same hereby is decreased by two persons for all purposes until the next Federal Census.

III. IT IS FURTHER ORDERED: That the population of the Township of Lyons be and the same hereby is increased by two persons for all purposes until the next Federal Census.

IV. IT IS FURTHER ORDERED: That the effective date of this order is January 9, 1981.

Dated this 20th day of January, 1981

MINNESOTA MUNICIPAL BOARD  
165 Metro Square Building  
St. Paul, Minnesota 55101

  
Patricia D. Lundy  
Assistant Executive Director

433724