

PETITION FOR ANNEXING UNINCORPORATED PROPERTY BY CHIEF
ADMINISTRATIVE LAW JUDGE'S ORDER

IN THE MATTER OF THE PETITION OF THE CITY OF PROCTOR FOR ANNEXATION
OF UNINCORPORATED ABUTTING PROPERTY TO THE CITY OF PROCTOR,
MINNESOTA PURSUANT TO MINNESOTA STATUTES § 414.031

TO: Office of Administrative Hearings
Municipal Boundary Adjustment Unit
PO Box 64620
St. Paul, MN 55164-0620

The office of Administrative Hearings is hereby requested to hold a public hearing on the question of annexing certain property to the City of Proctor, Minnesota pursuant to Minnesota Statutes § 414.031. The petitioner for annexation is:

 X The City of Proctor; or,
 The Township of _____; or,

 20% of the property owners of _____ 100 property owners, whichever is less, in the area to be annexed. There are _____ (number) property owners in the area proposed for annexation. The number of owners who have signed this petition is _____.
(If the land is owned by both husband and wife, both must sign the petition to represent all owners). The number of petitioners required by Minnesota Statute § 414.031 to commence a proceeding is 20% of the property owners or 100 property owners, whichever is less, in the area to be annexed; or

 The City of _____ and the Town of _____ for annexation of the entire township to the city.

Notice of Intent to Incorporate was served on the Town of Midway on December 17, 2012.
(Subd. 1a)

Subd. 1a. Notice of intent to annex. At least 30 days before submitting a petition or resolution to the chief administrative law judge under this section, the petitioning municipality or petitioning property owner or supporting municipality must serve the township clerk of the affected township by certified mail a notice of the petitioning municipality's or the petitioning property owner's intent to annex property within the township. The notice must clearly identify the boundaries of the area proposed to be annexed.

The area proposed for annexation is described as follows:

That portion of Township 49 North, Range 15 West, located within the County of St. Louis, Minnesota and designated as Midway Township, more properly described as the Westerly One-half of Township 49 North, Range 15 West, St. Louis County, Minnesota

1. The petitioners have submitted a copy of this petition to the affected Township(s) of Midway by Certified Mail, Return Receipt Requested on January 18, 2013.
2. The area proposed for annexation abuts the city on the N S E W (circle one) boundary(ies) thereof, and none of it is presently a part of any incorporated city or in an area designated for orderly annexation which is on file.
3. The total acreage of the area proposed for annexation is: 11,520.
4. The petitioners believe that all of this property is or is about to become urban or suburban in character.
5. The reasons for requesting annexation are as set forth in that certain City of Proctor Resolution, Number 17-12, a true and correct copy of which is attached hereto and made a part hereof.
6. Parties entitled to notice under Minnesota Statutes § 414.09 are
Town of Midway, City of Duluth, City of Hermantown and County of St. Louis.
7. If this petition is by property owners, a copy of a resolution from the City of Proctor, the annexing municipality, supporting the annexation is attached hereto.

CITY OF PROCTOR



By: David Brenna

Its: Mayor

ATTEST:



By: James Rohweder

Its: CITY ADMINISTRATOR

David M. Brenna
Mayor

James A. Rohweder
Administrator

City of Proctor

You Have A Place In Proctor

COUNCILORS
Jake P. Benson
Thomas L. Lavato
Shawn A. McGovern
James R. Schwarzbauer

REC'D BY
MBA

JAN 16 2013

100 Pionk Drive • Proctor, Minnesota 55810-1700 • (218) 624-3641 • Fax (218) 624-9459 • email: cityhall@ci.proctor.mn.us

RESOLUTION 17-12 TO THE MINNESOTA MUNICIPAL BOARD: ANNEXATION OF MIDWAY TOWNSHIP ST. LOUIS COUNTY, MINNESOTA

WHEREAS, the City of Proctor and its Public Utility, provide water and electric utility service to the residents of that portion of Midway Township, St. Louis County, Minnesota known as Midway Park; and

WHEREAS, in addition to providing water and electric utility service to Midway Park, the City of Proctor provides, through written contract and agreement with Midway Township, fire protection services for the entire township; and

WHEREAS, the City of Proctor by an through the Proctor Police Department provides immediate and professional response to the residents of Midway Township pursuant to the emergency dispatch system; and

WHEREAS, two Midway township properties abutting the City of Proctor have already expresses a desire to be annexed by the City of Proctor to insure access to sewer and water utility services; services Midway does not and cannot provide to its residents; and

WHEREAS, Midway Township is immediately adjacent to and abuts the entire westerly boundary of the City of Proctor so as to make Midway Township aesthetically appear to be a residential part of the City of Proctor; and

WHEREAS, because the municipal government and the employees of the City of Proctor have developed a unique relationship with the residents of Midway Township, to include the providing of other municipal services to the residents of Midway Township not covered by any contract or agreement with Midway Township.

THEREFORE, BE IT RESOLVED THAT

The City Council of the City of Proctor does petition the Minnesota Municipal Board to annex the entirety of Midway Township, St. Louis County, Minnesota, and legally described as:

That portion of Township Forty-Nine North (T. 49 N), Range Fifteen West (R. 15 W) located within the County of St. Louis, Minnesota, and designated as Midway Township, more properly described as the Westerly One-Half (W1/2) of Township 49 North, Range 15 West, St. Louis County, Minnesota.

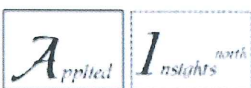
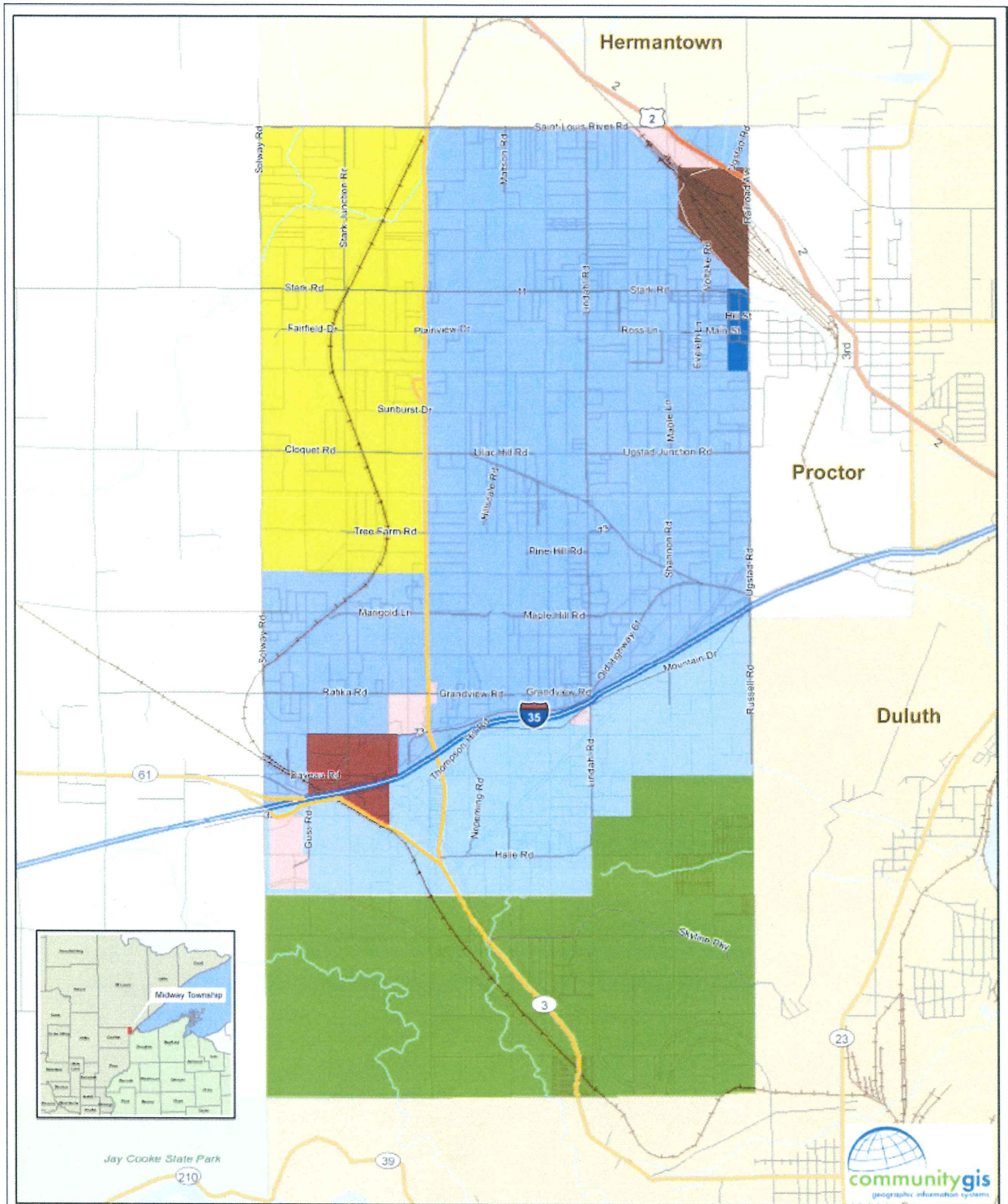
Said annexation to incorporate said legally described property with the corporate limits, jurisdiction and control of the City of Proctor, St. Louis County, Minnesota.

Approved by the Proctor City Council this 7 day of

DECEMBER, 2012.

By: David Brenna
David Brenna, Mayor

ATTEST: James Rohweder
James Rohweder, City Administrator



Zoning Map of Midway Township
Town of Midway

- Limited Access
- Highway
- Major Road
- Local Road
- Minor Road
- Other Road

Town of Midway Parcels

- A-1
- C-1
- M-1
- M-2
- O
- S-1
- RR-1
- RR-2

