



MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

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February 13, 2013

John Bray
Maki & Overom
31 West Superior Street
Suite 402
Duluth, MN 55802

VIA E-MAIL
(jbray@makiandoverom.com)

Re: A-7840 Proctor/Midway Township
(Petition for Annexation of Midway Township/City Resolution 17-12; 11,520+/- acres)

Dear Mr. Bray:

The Office of Administrative Hearings-Municipal Boundary Adjustment Unit (MBAU) has scheduled a hearing on the above-described matter. A copy of the Notice of Hearing is enclosed.

Our office will be e-mailing the Notice of Hearing to the **Duluth News Tribune**. The Notice will be published (*at the city's expense*) on February 20 and 27, 2013. We have requested that the paper mail the invoice for publishing to you and the Affidavit of Publication to our office.

In order for the MBAU to give proper notification of the hearing to all parties pursuant to M.S. 414.09, you must submit to our office the names of the following parties:

- Besides the affected township and municipality, any other township or municipality that abuts the subject area; (NOTE: M.S. 414.011, Subd. 6 states, "The terms "abut," "abuts," and "abutting" refer to areas whose boundaries at least touch one another at a single point, including areas whose boundaries would touch but for an intervening roadway, railroad, waterway or parcel of publicly owned land.")
- Any planning agency or commission which has jurisdiction over the affected area.

If there is a failure to properly and fully inform the MBAU of all such parties, upon motion of any party, the hearing may be continued until proper notice is given. Since there is a statutory time limitation on the scheduling of the hearing and publication requirements, we would appreciate your early attention to this matter.

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We also call to your attention the Rules of the Minnesota Municipal Board and specifically Rule 6000.1200, which requires the petitioner to notify the presiding administrative law judge at least seven days prior to the hearing of any personal knowledge of controversy regarding the hearing. The Rules can be viewed at <https://www.revisor.mn.gov/rules/?id=6000> or may be purchased from Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155, (651) 297-3000, or 1-800-657-3757.

Sincerely,



Starlene J. Holman
State Program Administrator, Senior
Municipal Boundary Adjustment Unit
star.holman@state.mn.us
651-361-7909

SJH:kjl

Enclosure