



## MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

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May 23, 2013

Matthew Van Bruggen  
Kennedy, Carlson, & Van Bruggen, LLP  
P.O. Box 647  
Wadena, MN 56482-0647

VIA E-MAIL  
([mvanbruggen@kenelaw.com](mailto:mvanbruggen@kenelaw.com))

Re: D-509 Bertha/Bertha Township (Larson Petition; 3 acres)

Dear Matthew Van Bruggen:

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 **Independent News Herald**. The Notice will be published (*at the petitioners' expense*) on May 29th and June 5th. 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.

Matthew Van Bruggen

May 23, 2013

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We also call to your attention the Rules of the Office of Administrative Hearings, Municipal Boundary Adjustments, Chapter 6000 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>.

Sincerely,



Starlene J. Holman

State Program Administrator, Senior  
Municipal Boundary Adjustment Unit

[star.holman@state.mn.us](mailto:star.holman@state.mn.us)

651-361-7909

SJH:kjl

Enclosure