



MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

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July 17, 2014

David Cummiskey
Law Office
247 Main Street, E
Waterville, MN 56096

VIA E-MAIL & US MAIL
(abstractlaw@gmail.com)

Re: D-530 Montgomery/Montgomery Township (Schatz Petition for Detachment; 5.09 acres)

Dear Mr. Cummiskey:

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 New Prague Times for publication in the Montgomery Messenger on July 24 and 31, 2014.

We have requested that the paper mail the invoice for publication to you and the Affidavit of Publication to our office. ***NOTE: Pursuant to the Rules of the Office of Administrative Hearings, Municipal Boundary Adjustments, Chapter 6000, specifically Rule 6000.1200, the petitioner must pay for publication of notices of hearing required by Minn. Stat. § 414.09.***

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 municipalities, 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.


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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.

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>.

If you have any questions, please feel free to contact me at star.holman@state.mn.us or 651-361-7909.

Sincerely,



Starlene J. Holman
State Program Administrator Senior
Municipal Boundary Adjustment Unit

Enclosure