

January 6, 1987

David P. Newman  
Attorney at Law  
Suite 205  
6401 University Avenue, Northeast  
Fridley, Minnesota 55432

Re: A-4345 Delano (Hamele Petition)

Dear Mr. Newman:

The Municipal Board has reviewed and approved your request dated December 29, 1986 for withdrawal of the petition in the above-entitled matter. No further action will be taken on this annexation.

If the petitioner should desire to annex this property in the future, it will be necessary to file a new petition with all parties and complete all requirements at that time. Your request for waiver of the filing fee, should a new petition for the same property be filed, will be considered at that time.

If you have any questions, please feel free to contact this office.

Sincerely,

MUNICIPAL BOARD

Patricia D. Lundy  
Assistant Director

PDL:sg

cc: Baldev S. Josan, Delano City Clerk  
Norma Chadwich, Franklin Township Clerk  
O. J. Arlien, Wright County Auditor  
William S. Radzwil, Franklin Township Attorney  
Lyle McNair, MnDOT

HERRICK & NEWMAN P.A.  
ATTORNEYS AT LAW

REC'D. BY  
MMB DEC 30 1986

Virgil C. Herrick  
David P. Newman  
James D. Hoeft

December 29, 1986

Patricia D. Lundy  
Assistant Executive Director  
State of Minnesota Municipal Board  
Suite 165 Metro Square  
7th & Robert Streets  
St. Paul, Minnesota 55101

RE: MMB Docket No. A-4345 Delano

Dear Ms. Lundy:

As you are aware, the undersigned is legal counsel for Fran and Hilare Hamele in the above Petition. On behalf of my client's I wish to withdraw this Petition at this time.

In the Fall Delano City Election, a new mayor was elected as well as new council members. In talking informally to the City it appears that the new Council would like an opportunity to further review and evaluate this Petition. Unfortunately, the 90 day period will expire in mid January. Consequently, under the present Petition the City Council will not have an adequate opportunity to evaluate the Petition before action will need to be taken. Mr. & Mrs. Hamele strongly desire to have the cooperation of the City and therefore would like to give them the additional time necessary to evaluate their proposal.

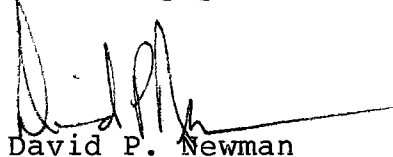
Consequently, on behalf of my client's I would like to formally request that their Petition be dismissed without prejudice. As you are aware, at the time of filing the Petition they also paid a fee to your agency of \$340.00. I would ask the Board to consider waiving any further fees if Mr. & Mrs. Hamele resubmit their Petition within 12 months and providing that any subsequent Petition does not contain any greater acreage than contained in this Petition. I believe that we have asked for a withdrawal of our Petition soon enough so that any time expenditure made by your staff has been fairly limited.

In summary, it is my client's desire to work with the local municipality and therefore in order to allow the new City Council adequate time to review this application we would like to have the Petition dismissed without prejudice. However, since it is my client's hope to be able to resubmit the Petition in the near future with the approval of the Delano City Council, they would ask that the Board consider waiving the required filing fee if they refile within 12 months for the same property.

Patricia Lundy  
December 29, 1986  
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If I can be of any further assistance or if you need any additional information please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'D. P. Newman', with a long horizontal flourish extending to the right.

David P. Newman

DPN:jeb

cc: Fran & Hilare Hamele  
Wright County Auditor  
Chairman of the the Wright County Board  
Norma Chadwick, Town Clerk, Franklin Township  
Delano City Council