

Ray Windschitl, Town Clerk
Detroit Town Board
16978 Longview Lane
Detroit Lakes, MN 56501

March 30, 1999

Re: A-6053 Detroit Lakes (Hwy 34 Zitzow/Erie Estates; 131.3 acres)

Dear Mr. Windschitl:

We have received your letter and enclosures dated March 17, 1999, and regret to inform you that your objections were not timely. While the city resolutions you sent were not signed copies, the December 4, 1998 letter from the City of Detroit Lakes was clear in its notice of the city's intent to annex by ordinance the described property. Further, that letter gives notice of the time in which to file any objections to the annexation. Minnesota Statutes 414.033, Subd. 3 states, "...the municipality shall serve notice of intent to annex upon the town board and the municipal board,..." The city's December 4, 1999 letter complies with the statutory requirement which does not require that a city resolution accompany such notice.

In addition, the Municipal Board sent a letter dated December 15, 1998 to you informing the township of the petition and of the options available to the township including the option of submitting "...written objections to the Municipal Board and to the annexation city within 90 days after the township has received the petition."

Even if the December 4, 1998 letter from the city was not received by the township until December 7, 1998 (the 90-day objection deadline would have been March 7, 1999), the objection filed by the township with the Municipal Board dated March 9, 1999 and received by our office on March 12, 1999 was not received within the required 90 days from the date of service to serve objections with the Board.

Ray Windschitl, Town Clerk

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The Board, therefore, will not be scheduling a hearing on this matter. The Board does suggest, however, that the township and the city try to work together to resolve this matter for the good of the community.

Please feel free to contact this office if you have any questions.

Sincerely,

MUNICIPAL BOARD

Christine M. Scotillo
Executive Director

CMS:sjh

cc: Larry Remmen, Detroit Lakes City Administrator
John Tigges, Detroit Town Board Chair

REC'D. BY MAR 12 1999
M/LB

**DETROIT TOWNSHIP
DETROIT LAKES, MINNESOTA**

TO: Minnesota Municipal Board
1021 Bandana Boulevard East
Suite 225
St. Paul, Minnesota 55108

Re: MMB Docket Number A-6053

Proposed Annexation to the City of Detroit Lakes

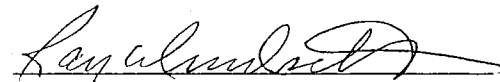
Gentlemen:

The Town Board of Detroit Township, Becker County, pursuant to a resolution duly adopted by the town board on February 9, 1999, hereby objects to the proposed annexation of the following described property to the City of Detroit Lakes for the following reasons:

Refer to the resolution and petition hereto attached.

Date: March 9, 1999

Signature:



Ray Windschitl
Township Clerk

218-847-6550

**DETROIT TOWNSHIP
DETROIT LAKES, MN.**

RESOLUTION 1-99

**RESOLUTION OPPOSING THE ANNEXATION OF (HIGHWAY 34 ZITZOW/
ERIE ESTATES)**

WHEREAS, The City of Detroit Lakes has informed Detroit Township of their intention of annexing the above named parcel.;

WHEREAS, The majority of the owners of that property are opposed to the annexation by the City of Detroit Lakes;

WHEREAS, A petition of the majority of property owners has been presented to the Detroit Township Supervisors;

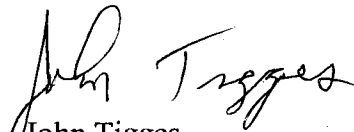
WHEREAS, The Detroit Town Board has voted to accept the petition and fully support the petitioners;


WHEREAS, Detroit Township stands to lose valuable tax base in the event that this proposal would be permitted;

WHEREAS, A copy of the petition, as presented to the Township Supervisors, is attached;

THEREFORE BE IT RESOLVED: The board of Supervisors does oppose the annexation of the above described parcel and urges the Minnesota Municipal Board to deny the request of the City of Detroit Lakes.

Adopted this 9th day of February, 1999.


John Tigges
Chairman


Ray Windschitl
Clerk

**DETROIT TOWNSHIP
DETROIT LAKES, MINNESOTA**

THAT PORTION OF SECTION 26, T139N, R41W OF THE 5TH PRINCIPAL MERIDIAN.

BEGINNING AT THE INTERSECTION OF EASTERLY RIGHT OF WAY LINE OF 11TH AVENUE AND THE SOUTHERLY RIGHT OF WAY LINE OF TRUNK HIGHWAY 34; THENCE EASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 1404 FEET MORE OR LESS TO THE CENTERLINE OF THE PELICAN RIVER; THENCE SOUTHERLY AND EASTERLY, ALONG SAID RIVER CENTERLINE, 1644 FEET MORE OR LESS TO THE EASTERLY LINE OF LOT 4, VERN ZITZOW RIVERSIDE ADDITION, SAID PLAT IS ON FILE AND OF RECORD AT THE BECKER COUNTY RECORDER'S OFFICE; THENCE NORTHERLY 437.54 FEET; THENCE EASTERLY 200.00 FEET; THENCE NORTHERLY 591.08 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID HIGHWAY 34, THENCE EASTERLY 85.29 FEET, THENCE NORTHERLY 145.45 FEET TO THE CENTERLINE OF SAID HIGHWAY 34; THENCE EASTERLY, ALONG SAID CENTERLINE, 1091.37 FEET; THENCE SOUTHERLY 453.00 FEET, THENCE EASTERLY 457.59 FEET TO THE EAST LINE OF SAID SECTION 26; THENCE NORTHERLY ALONG SAID EAST LINE 500.25 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF TRUNK HIGHWAY 34; THENCE TRAVELING THE FOLLOWING DISTANCES AND DIRECTIONS ALONG SAID NORTH RIGHT OF WAY LINE, THENCE WESTERLY 1675.49 FEET; THENCE NORTHWESTERLY 135.84 FEET, THENCE WESTERLY 66.00 FEET, THENCE SOUTHERLY, 74.14 FEET; THENCE WESTERLY, 1078.22 FEET; THENCE NORTHERLY 50.00 FEET; THENCE WESTERLY, 304.78 FEET, THENCE NORTHERLY 20.00 FEET; THENCE WESTERLY 255.88 FEET, THENCE TRAVELING THE FOLLOWING DIRECTIONS AND DISTANCES ALONG THE CURRENT CORPORATE LIMITS LINE; THENCE SOUTHERLY 170.00 FEET; THENCE EASTERLY, ALONG THE TRUNK HIGHWAY 34 CENTERLINE 17.79 FEET, THENCE SOUTHERLY, 109.78 FEET MORE OR LESS TO THE POINT OF BEGINNING. BEARING AND DISTANCE ARE MEANT TO TRAVERSE KNOWN PROPERTY LINES AND STOP AT A KNOWN PROPERTY CORNER. SAID TRACT CONTAINS 31.3 ACRES (MORE OR LESS)

Riverside Drive
Known as the "Zitzow" Addition
Detroit Township

We the Home Owners in the Zitzow Addition do not want to be annexed into the City of Detroit Lakes, MN and to remain within Detroit Lakes Township.

Petition signatures for the Zitzow Addition

Name	Address	Signature	Date
1 <u>Merlin L. Anderson</u>	<u>1235 RIVERSIDE DRIVE</u>	<u>Merlin L. Anderson</u>	<u>2/9/99</u>
2 <u>Corrine Vange</u>	<u>1220 Riverside Dr.</u>	<u>Corrine Vange</u>	<u>2/9/99</u>
3 <u>Lawrence Vange</u>	<u>1220 Riverside Dr.</u>	<u>Lawrence Vange</u>	<u>2/9/99</u>
4 <u>Gary Hoffman</u>	<u>1209 Riverside Dr.</u>	<u>Gary Hoffman</u>	<u>2/9/99</u>
5 <u>Eino Aho</u>	<u>1213 Riverside Dr.</u>	<u>Eino Aho</u>	<u>2/9/99</u>
6 <u>Helja Aho</u>	<u>1213 Riverside Dr.</u>	<u>Helja Aho</u>	<u>2/9/99</u>
7 <u>Ronald H. Monson</u>	<u>1236 Riverside Dr.</u>	<u>Ronald H. Monson</u>	<u>2-9-99</u>
8 <u>Jachue Ziemann</u>	<u>1218 Riverside Dr.</u>	<u>Jachue Ziemann</u>	<u>2-9-99</u>
9 <u>Pauline Monson</u>	<u>1236 Riverside Dr.</u>	<u>Pauline Monson</u>	<u>2-9-99</u>
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Riverside Drive
 Know as the "Zitzow" Addition
 Detroit Township

REC'D. BY MAR 12 1999 2 of 3 Pages
 MMB

We the Home Owners in the Zitzow Addition do not want to be annexed into the City of Detroit Lakes, MN and to remain within Detroit Lakes Township.

Petition signatures for the Zitzow Addition

Name	Address	Signature	Date
1 Daniel Schramm	1233 Riverside Dr.	Daniel Schramm	2-9-99
2 Julie Schramm	"	Julie Schramm	2-9-99
3 Conrad J. Ohm	1239 ✓	Conrad J. Ohm	✓
4 Paul Weber & Lisa Weber	1223 Riverside Dr.	Paul Weber & Lisa Weber	✓
5 William Hanson	1217 Riverside Dr.	William Hanson	2-9-99
6 Carol Hanson	1217 Riverside Dr.	Carol Hanson	2-9-99
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