



MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

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July 27, 2011

Paul E. Stoneberg
Stoneberg, Giles & Stroup, P.A.
300 South O'Connell Street
Marshall, MN 56258-2638

(VIA E-MAIL)

Re: D-482 Florence/Shelburne Township (Schultz Property; 24 acres)

Dear Mr. Stoneberg:

The Office of Administrative Hearings-Municipal Boundary Adjustments has scheduled a hearing on the above-described matter. As the party initiating the proposed boundary adjustment, a notice of hearing as well as a factual information form are attached.

Our office will be e-mailing the Notice of Hearing to the Tyler Tribute. The Notice will be published (*at the petitioners' expense*) on Wednesday, August 3rd and August 10th. We have requested that the paper mail the invoice for publishing to you and the Affidavit of Publication to our office.

In order for Municipal Boundary Adjustments 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:

1. The township or municipality presently governing the affected territory;
2. Any township or municipality abutting the affected territory; (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.")
3. The county or counties where the affected territory is situated;
4. 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 Municipal Boundary Adjustments of all such parties, upon motion of any party, the hearing may be continued until proper notice is made. 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 Minnesota Municipal Board and specifically Rule 6000.1200, which requires the petitioner to notify us at least seven days prior to the hearing of any personal knowledge of controversy regarding the hearing.

Rules of Procedure may be purchased from Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155, (651) 297-3000, or 1-800-657-3757 (toll free). The rules are also contained in the pocket part immediately following Chapter 414, Minnesota Statutes Annotated or can be viewed at <https://www.revisor.mn.gov/rules/?id=6000>.

Sincerely,



Timothy J. O'Malley
Assistant Chief Administrative Law Judge
Municipal Boundary Adjustment Unit

TJO:kjl

Attachments (2)