

**PUBLIC HEARING -
TO CONSIDER ESTABLISHMENT OF ROAD**

June 27, 2006

The Public Hearing was called to order at 6:00 p.m. in the Cotton Community Center , followed by the Pledge of Allegiance. Roll call was taken: Supervisor Terry Nelson - Here, Supervisor Don Triebwasser - Here, Supervisor Dennis Olsen - Here. Others present were Treasurer Debbie Leppala, Clerk Sandi Nelson, CPSSD Project Coordinator Bridget Chard and Township Attorney Andy MacArthur. List on file with town clerk.

Chair Don Triebwasser welcomed all in attendance. The purpose of this public hearing is to hear comments on the establishment of a road.

Clerk read the Public Hearing Notice. Clerk entered into the record the Notice of Public Hearing, the Affidavit of Posting, and Waivers from property owners.

Chair called for any written comments. Written comment from property owner John Petroff states he has a small gate across the easement and would be grateful if the gate would be relocated further in, where the town road ends and the easement starts again.

Chair stated that the Cotton Township Board of Supervisors met at the site of the purposed road at 5:30 p.m. this day, June 27, 2006. The survey with legal description of the purposed road was presented.

Chair opened the floor for public comment. As there was no public comment, the public comment portion of the hearing was closed.

06-57

RESOLUTION ESTABLISHING A TOWN ROAD

WHEREAS, the Town Board of Cotton Township, St. Louis County, Minnesota received a petition calling for the establishment of the following described road pursuant to Minn. Stat. 164.07:

A roadway in the SE ¼ of the NW ¼ and Government Lot 3, Section 10, Township 54 North, Range 17 West, of the 4th Principal Meridian, which lies within 33 feet of and on both sides of the following described centerline:

Commencing at the Southeast corner of Government Lot 3; thence N 0 degrees 25' 37" W, along the East line of Government Lot 3, a distance of 20.0 feet to the point of beginning; thence S 89 degrees 22' 16" W a distance of 660.12 feet to the Northwest corner of the South 33 feet of the East 660 feet of Government Lot 3 and there terminating.

WHEREAS, said petition was signed by not less than eight voters of the town who own real estate, or occupy real estate under the homestead or preemption laws or under contract with the state, within three miles of the road; and

WHEREAS, the road passes over tracts of land in St. Louis County, Minnesota, owned by the following named owners:

**George A. Nelson and Teresa Nelson – fee owners
John N. and Joan W. Petroff Living Trust – (easement interest)
Patricia Yax (easement interest)**

WHEREAS, the Town Board conducted a public hearing on the petition on the 27th day of June, 2006, after personal and posted notice provided by the petitioners pursuant to Minn. Stat. 164.07, subd. 2 and receipt of waiver of personal service; and

WHEREAS, written waiver of personal service and acknowledgement of personal service was provided at the hearing; and

WHEREAS, the Town Board examined the road, heard the interested parties, and considered the matter; and

WHEREAS, the Town Board determined that the petitioned for action is consistent with the public interest; and

WHEREAS, the Town Board has determined damages sustained and benefits conferred by said road establishment in the amounts and for the Owners listed below;

**George A. Nelson and Teresa Nelson- \$00.00
John N. and Joan W. Petroff Living Trust- \$00.00
Patricia Yax- \$00.00**

NOW, THEREFORE, BE IT RESOLVED , the Town Board of Cotton Township, St. Louis County, Minnesota hereby establishes a town road legally described as follows:

BE IT FURTHER RESOLVED, that the Town Board Chair and Town Clerk are hereby authorized and directed to execute and record a town road order establishing said town road and to record the same with the County Recorder of St. Louis County;

BE IT FINALLY RESOLVED, that the Town Clerk is authorized and directed to provide a copy of this resolution to each of the affected owners listed above.

ADOPTED this 27th day of June, 2006 by the Cotton Township Board of Supervisors.

Don Triebwasser motioned, supported by Dennis Olsen to adopt and sign resolution #06-57 ESTABLISHING A TOWN ROAD, pursuant to Minn. Stat. 164.07 with understanding that the gate will be relocated. Don Triebwasser aye. Dennis Olsen aye. Terry Nelson abstain. MOTION CARRIED.

Don Triebwasser motioned, supported by Dennis Olsen to adjourn the public hearing at 6:20 p.m. Terry Nelson aye. Don Triebwasser aye. Dennis Olsen aye. All in favor. MOTION CARRIED.

Respectfully submitted,

Town Clerk