

FAIRVIEW TOWNSHIP SPECIAL BOARD MEETING
MARCH 30, 2018

A special meeting of the Fairview Township Board of Supervisors was called to order at 5:00 PM on Friday, March 30, 2018 in the Fairview Town Hall. Board members in attendance were Supervisors Jim Weizenegger, Walt Richmond and Tom Dechmann, Deputy Clerk-Treasurer Sharon Owen and Clerk-Treasurer Marla Yoho (via Skype).

The purpose of this meeting was for the purpose of Setting Forth the Initial Description and Setting a Hearing Date pertaining to the proposed vacation of a portion of S. Agate Shore Dr SW.

A Meeting Notice was posted on Friday, March 23, 2018 announcing the Special Meeting.

Richmond/ Weizenegger/ Unanimous: Motion to approve the "Order Setting Forth Initial Descriptions and Setting Hearing Date", as follows:

ORDER SETTING FORTH INITIAL DESCRIPTIONS AND SETTING HEARING DATE

WHEREAS, the electors of Fairview Township, Cass County, Minnesota passed a resolution at its Annual Meeting on the 13th of March 2018 initiating the vacation of a road;

WHEREAS, Minn. Stat. § 164.07, subd. 2 requires the town board to make an order describing as nearly as practicable the road to be vacated, describing the tracts of land through which the road passes, and fixing a time and place when and where the town board will meet and act upon the petition;

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The road proposed to be vacated is described as:

That portion of Birch Drive, now known as South Agate Shore Drive, dedicated by the subdivision of BIRCH BAY ON AGATE, on file in the Office of the Registrar of Deeds, Cass County, Minnesota, which lies adjacent to Lot 6, Lot 7, Lot 8, and Lot 9, AND which lies northerly of a circumference of a circle having a radius of 66.00 feet. The center of said circle is described as follows:

Commencing at the southeast corner of Lot 9, BIRCH BAY ON AGATE; thence South 64 degrees 08 minutes 04 seconds East, bearings are based on the Cass County coordinate system, a distance of 66.59 feet to the intersection with the easterly right of way line of Birch Drive; thence North 34 degrees 47 minutes 05 seconds East, along said easterly right of way line, a distance of 56.54 feet to the center of said circle.

2. The tracts of land through which the road passes and their owners are:

Owner	Description of Land
Birch Bay RV Resort, Inc.	Road easement on Lots: 14-357-0090, 14-357-0080, 14-357-0070, 14-357-0060, 14-357-0030.

3. The Fairview Town Board will conduct a hearing at 5:00 P.M. on the 24th day of April, 2018, at Lot 9, BIRCH BAY ON AGATE, on Birch Bay Drive, also known as S, Agate Shore Drive (South entrance to Birch Bay RV Resort) to examine the road, receive public comment, consider the proposed action, and act on the resolution.

Affected landowners have right of appeal as provided in Minn. Stat. § 164.07, subd. 7 to seek judicial review of damages, need, and purpose if the town board does decide to establish or alter a town road.

Copies of the Signed orders will be sent to all property owners within the Birch Bay on Agate Lake plat as follows:

14-357-0070	Birch Bay RV Resort
14-457-0080	Birch Bay RV Resort
14-357-0090	Birch Bay RV Resort
14-357-0100	John Thomas
14-357-0110	Aaron & Jennifer Baumgartner
14-357-0120	Richard & Sandra Besmehn
14-357-0130	Joseph & Janice Worley
14-357-0140	Birch Bay RV Resort
14-357-0150	Lee & Nancy Wangstad
14-357-0160	Thomas Link
14-357-0180	Dennis Elton
14-357-0190	Harold & Jane Wolle Jr
14-357-0200	Lon & Lois Fjelstad
14-357-0210	Andrew & Jamie Watzke
14-357-0220	Terry & Corona Wolfe
14-357-0230	Denise Specht
14-357-0240	Glenys Dolan
14-357-0250	Gary & Joyce Timm
14-357-0260	Linda Rasmussen
14-357-0270	Kevin & Julia McMann
14-357-0280	Geoffrey & Catherine Pierce
14-357-0290	Michael Owen
14-357-0300	Nicholas & Amber Dailey
14-357-0310	Jeffrey Gammack & Sara Robinson
14-357-0320	Sheldon & Linda Cravens
14-357-0330	Patricia Johnson & Randolph Barnum

There was discussion about the procedure for moving forward and assessing damage valuations.

Weizenegger/ Dechmann/ Unanimous: Motion to adjourn the Special Meeting at 5:15 PM.

Respectfully submitted,

Marla Preston-Yoho, Clerk-Treasurer

Jim Weizenegger, Chairman