

**CAMBRIDGE TOWNSHIP
3568 337TH AVENUE NE
CAMBRIDGE, MN 55008**

**ORDER SETTING DATE, TIME, AND PLACE FOR ROAD HEARING UPON VOTE
OF ELECTORS AT SPECIAL MEETING**

The Electors of the Township of Cambridge (the "Township") voted at a Special Meeting of the Township on October 8, 2018 to vacate a certain town road. A copy of the Cambridge Township Special Meeting Minutes – October 8, 2018 is attached hereto as Exhibit "A" and by reference made a part of this Order.

Based on the vote of the Township Electors, the Township Board approved Resolution #18-23: Resolution Authorizing the Cambridge Town Board to Initiate the Vacation of a Town Road. A copy of Resolution #18-23 is attached hereto as Exhibit "B" and by reference made a part of this Order. All subsequent references to the Resolution in this Order shall by implication include that said Resolution was approved by vote of the Township Electors.

The Resolution seeks to vacate a portion of a town road pursuant to Minnesota Statutes sections 164.06 and 164.07. The description of the road proposed to be vacated is, approximately:

The centerline of said road traveling in a southwesterly direction from Palisade Drive Northeast commencing at a point that is located at approximately North 45.602779° and West 93.21552°; then deflecting to the south at a point located at approximately North 45.602579° and West 93.215786°; then deflecting to the south-southeast at a point located at approximately North 45.601928° and West 93.215748°; and then continuing on in an approximately south-southeasterly direction to a point located at approximately North 45.600863° and West 93.214813° and there terminating.

(the "Vacating Road").

The description of the individual tracts of land over which the Vacating Road pass or which abut the Vacating Road are as follows:

Parcel 1 (Parcel Identification Number 03.021.0300)

The Northeast Quarter of the Northwest Quarter (NE ¼ of NW ¼) of Section 21, Township 36, Range 23, Isanti County, Minnesota, save and except the following tract of land, described as follows:

Commencing at the Southeast corner of said NE ¼ of NW ¼ in said Section, Township, and Range; thence running West on the North 1/16 line that runs East and West through said Section 21, a distance of 42 rods and 15 links; thence in a Northeasterly direction 24 rods and 13 links on a variation of 15 degrees; thence in a Northeasterly direction 27 rods and 7 links on a variation of 38 degrees 30 minutes; thence in a Southeasterly direction a distance of 9 rods and 18 links on a variation of 87 degrees 15 minutes to a point on the Quarter line that runs North and South through Section 21, 39 rods South of the Northeast corner of the NE ¼ of NW ¼ of said Section 21; thence running South on said Quarter line 41 rods and 7 links to the point of commencement; said tract of land so reserved and excepted, containing 7.86 acres.

Parcel 2 (Parcel Identification Number 03.016.0400)

The Southeast Quarter of the Southwest Quarter (SE ¼ of SW ¼), Section 16, Township 36, Range 23, Isanti County, Minnesota, subject to existing highways, mineral rights, and easements of record, if any, and except the following described tract:

That part of the SE ¼ of SW ¼ of Section 16, Township 36, Range 23, Isanti County, Minnesota, shown as Parcel 24 on Minnesota Department of Transportation Right of Way Plat Numbered 30-7 as the same is on file and of record in the Office of the Isanti County Recorder in and for Isanti County, Minnesota.

Minnesota Statutes section 164.07, subdivision 2(a) requires the Township to establish in an order a time and place when and where the Township will meet and act upon the Resolution. As such, the Township prescribes in this Order that it will meet and act upon the Resolution as follows:

Cambridge Township Monthly Meeting
December 10, 2018
7:00 p.m.
Cambridge Township Hall
Isanti County Fairgrounds
3101 Highway 95 NE
Cambridge, Minnesota 55008

For purposes of this Order, the meeting on December 10, 2018 at 7:00 a.m. at the Cambridge Township Hall shall be referred to as the "Hearing."

The public purpose and need for vacating the Vacating Road is to terminate and relieve all public financing, liability, maintenance, regulation, and other burdens of and for that portion of 341st Avenue NE in Cambridge Township defined as the Vacating Road which serves no continuing public purpose or use, as determined by the Township Electors.

At the Hearing, the Township Board will meet on and examine the Vacating Road, hear all parties interested in the Vacating Road and process of vacating such road, and determine whether or not it will, in fact, vacate the Vacating Road as voted upon by the Township Electors. *See* Minn. Stat. § 164.07, subd. 3.

The Vacating Road does not terminate at, abut upon, or lie adjacent to any public water, so Minnesota Statutes section 164.07, subdivision 2(b) and 2(c) do not apply.

In addition, the Township Board will at the Hearing determine whether the lateral ditches of the Vacating Road are essential for surface drainage of adjacent lands, or for drainage of public highways, in the area. If the Township Board finds that preservation of any such drainage facilities is for the general health and welfare of the public, then the Township Board may cause the Vacating Road to be vacated with a provision that the Township will retain the right of access for the purpose of maintaining such drainage facilities. *See* Minn. Stat. § 164.07, subd. 3a.

Minnesota Statutes section 164.07, subdivision 4 authorizes the Township Board to cause a survey of the Vacating Road to be made if it deems necessary.

Minnesota Statutes section 164.07, subdivision 5 requires the Township Board to assess any damages a person incurs as a result of the vacation if it and any such claimant cannot agree on the damages. In so doing, the Township Board will determine the money value of the benefits which the vacation will confer and deduct any such benefits from such damages, and award the difference, if any. Within forty (40) days after the filing of an award of damages, any owner or occupant may appeal from the award by filing a notice of appeal with the Isanti County Court Administrator and accompany such appeal with a bond of not less than \$250.00, with sufficient surety approved by the judge or the county auditor conditioned to pay all costs arising from the appeal in case the award is sustained. *See* Minn. Stat. § 164.07, subd. 7. In such appeal, the affected landowner is entitled to judicial review of damages, need, and purpose following any determination made to vacate the Vacating Road.

IT IS SO ORDERED pursuant to Minnesota Statutes section 164.06 and 164.07 that:

1. A hearing upon the attached Resolution shall be held at the Cambridge Township Hall, 3101 Highway 95 NE, Cambridge, Minnesota 55008, on December 10, 2018 at 7:00 p.m. (the "Hearing");

2. The purpose of the Hearing shall include, but not be limited to:

(a) Examining the Vacating Road (as herein defined);

(b) Hear any parties interested in the Resolution for vacating the Vacating Road;

(c) Determine whether the lateral ditches of the Vacating Road are essential for the surface drainage of adjacent lands, or for drainage of public highways, in the area, and, if so, determine whether the preservation of such drainage facilities is for the general health and welfare of the public;

(d) Determine whether the Township will vacate the Vacating Road pursuant to Minnesota Statutes sections 164.06 and 164.07;

(e) If the Township decides to vacate the Vacating Road, determine whether it will cause a survey to be made pursuant to Minnesota Statutes section 164.07, subd. 4;

(f) If the Township decides to vacate the Vacating Road, determine what damages, if any, any affected landowners, occupants, or other applicable claimants have or will sustain by reason of said vacation, or otherwise determining the procedures for determining such damages; and

(g) Determine any other issue or matter that might relate to the Resolution or the Vacating Road.

3. The Township Board shall:

(a) Cause personal service of this Order, with Exhibits, to be made upon any and all occupants of the affected property;

(b) Cause the posting of notice of this Order, with Exhibits, to be performed no later than ten (10) day prior to the Hearing;

(c) Submit to the Township an affidavit, prior to the Hearing, showing that items 3(a) and 3(b) have been accomplished.

4. All persons who wish to be heard on any of the issues identified above, or on any other issue or matter relating to the Vacating Road, should appear at the Hearing and be prepared to offer or present any testimony, evidence, opinions, or views that they may have.

5. Affected landowners are hereby notified, pursuant to Minnesota Statutes section 164.07, subdivisions 2 and 7, that they are entitled to judicial review of damages, need, and purpose

following a determination to vacate the Vacating Road but that to do so they must follow all of the procedures set forth in Minnesota Statutes section 164.07, subdivision 7, including but not limited to serving and filing a notice of appeal within 40 days after the filing of an award of damages, and within ten days after filing of the award of damages if they wish to delay the opening or construction of the Vacating Road, together with an approved bond of not less than \$250.00.

CAMBRIDGE TOWNSHIP



Dale B. Anderson
Cambridge Township Chairman

Attest: Darrell Vosika
Darrell Vosika
Cambridge Township Clerk



Attachments:

- Copy of October 8, 2018 Cambridge Township Special Meeting Minutes
- Copy of Resolution #18-23 – Resolution Authorizing the Cambridge Town Board to Initiate the Vacation of a Town Road

**CAMBRIDGE TOWNSHIP
SPECIAL TOWN MEETING
OCTOBER 8, 2018**

(Location: Township Hall on the Isanti Co. Fairgrounds)

The Cambridge Township Special Town Meeting was called to order at **6:30pm** by Dale Anderson, township chairman, serving as the town moderator. The pledge of allegiance to the flag was recited. The special town meeting was held to consider the initiation of the vacation of town roads procedure pursuant to Minnesota Statutes sections 164.06 and 164.07. Specifically, the Cambridge Town Board called this special meeting to determine whether to vacate a certain Township road, the center of which travels

In a southwesterly direction from Palisade Drive Northeast commencing at a point that is located at approximately North 45.602779° and West 93.21552°; then deflecting to the south at a point located at approximately North 45.602579° and West 93.215786°; then deflecting to the south-southeast at a point located at approximately North 45.601928° and West 93.215748°; and then continuing on in an approximately south-southeasterly direction to a point located at approximately North 45.600863° and West 93.214813° and there terminating.

After a short explanation and discussion regarding the road in question, the following resolution was put to the vote of the electors present at the town meeting.

Resolution #18-23: Resolution authorizing the Cambridge Town Board to initiate the Vacation of a town road.

Vote of electors: 8 – 0

The Township Board then made the following motion.


Motion: To approve Cambridge Township Resolution #18-23

Motion by: Jim Fridstrom, Seconded by: John Erlandson Sr. (3-0) to approve

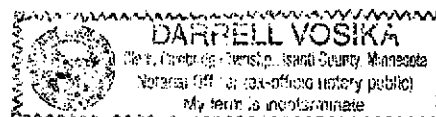
The Board will reconfirm the above action at the Township monthly meeting which follows at 7pm.

Motion to adjourn was made at 6:50pm by Jim Fridstrom and seconded by John Erlandson Sr., (vote: 3-0) – meeting adjourned.

Respectfully,



Darrell Vosika
Cambridge Township Clerk



**CAMBRIDGE TOWNSHIP
3568 337TH AVENUE NE
CAMBRIDGE, MINNESOTA 55008**

**RESOLUTION #18-23
RESOLUTION AUTHORIZING THE CAMBRIDGE TOWN BOARD TO INITIATE THE
VACATION OF A TOWN ROAD**

WHEREAS, a special meeting was called by unanimous consent of the Cambridge Township ("Township") electors pursuant to Minnesota Statutes section 365.52, subdivision 1 to determine whether to initiate proceedings to vacate a certain town road; and

WHEREAS, written notice of the above-referenced special meeting was scheduled for October 8, 2016 at 6:30 p.m. at the Cambridge Township Hall, 3568 337th Avenue, NE, Cambridge, Minnesota 55008, and written notice the date, time, place, and purpose thereof was posted on the Township's principal bulletin board; and

WHEREAS, no person has filed a written request for notice of special meetings with the Township; and

WHEREAS, the special meeting called for October 8, 2018 was called for the purpose of determining whether to vacate a certain Township road, the center of which travels

In a southwesterly direction from Palisade Drive Northeast commencing at a point that is located at approximately North 45.602779° and West 93.21552°; then deflecting to the south at a point located at approximately North 45.602579° and West 93.215786°; then deflecting to the south-southeast at a point located at approximately North 45.601928° and West 93.215748°; and then continuing on in an approximately south-southeasterly direction to a point located at approximately North 45.600863° and West 93.214813° and there terminating

(the "Road"); and

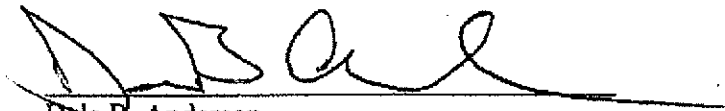
WHEREAS, Minnesota Statutes section 164.06, subdivision 1 authorizes the Township to initiate the procedures under Minnesota Statutes section 164.07 for vacating the Road, being one that lies entirely within the Township, upon receiving authorization of the town electors; and

WHEREAS, the town electors determined that it is in the best interests of the Township to authorize the Township board to initiate the road procedure contained in Minnesota Statutes section 164.07 without having to obtain the petition described and defined in Minnesota Statutes section 164.07, subdivision 1.




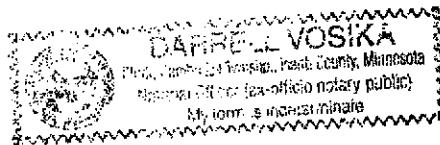
NOW, THEREFORE, BE IT RESOLVED, that the town electors of Cambridge Township, Isanti County, Minnesota, hereby authorize the town board to initiate the road vacation procedure contained in Minnesota Statutes section 164.07 regarding the above-described Road.

Adopted this 8th day of October, 2018.



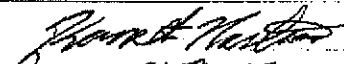
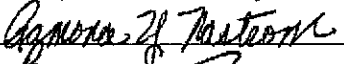
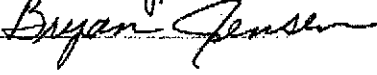
Dale B. Anderson
Town Meeting Moderator
Cambridge Township Chairman

Attest: 
Darrell Vosika
Cambridge Township Clerk



CAMBRIDGE TOWNSHIP SPECIAL TOWN MEETING

OCTOBER 8, 2018

NAME (PRINT)	ADDRESS	SIGNATURE
1 HENNEFH NASTROM	218 352 AVE NE Cambridge	
2 RAMONA NASTROM	"	
3 BRYAN JENSEN	2999 357 th AVE NE	
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