

**POMROY TOWNSHIP  
KANABEC COUNTY, MINNESOTA  
Resolution No. 2019-003**

**RESOLUTION ISSUING AN ORDER PROVIDING THE  
INITIAL DESCRIPTION AND SETTING A HEARING DATE  
REGARDING THE ALTERATION OF 290<sup>TH</sup> AVENUE AND 310<sup>TH</sup> AVENUE**

**WHEREAS**, the town board of supervisors (“Town Board”) of Pomroy Township, Kanabec County, Minnesota (“Town”) were authorized by a vote of the Town electors at the Town’s annual meeting on March 12, 2019, pursuant to Minnesota Statutes, section 164.06, subdivision 1 to undertake the Minnesota Statutes, section 164.07 procedures to alter portions of 290th Avenue and 310th Avenue (“Roads”);

**WHEREAS**, the Town submitted a request to the Minnesota Department of Natural Resources (“DNR”) and the State of Minnesota (“State”) for State Park Road Account grants for two road projects in the Town, specifically the paving and improvement of (1) 290th Avenue from Pomroy Beach Drive to Rainbow Street and (2) 310th Avenue from Uniform Street to Velvet Street, as depicted on the attached Exhibit A, said exhibit being made part of this Order;

**WHEREAS**, the request seeks funds to pave and improve 290th Avenue and 310th Avenue, to improve recreational opportunities for the public, and specifically to improve access to Pomroy Lake and property owned by the State that is part of the State wildlife management program;

**WHEREAS**, in addition to funds from the State, Kanabec County (“County”) confirmed that if the projects were selected for funding from the State, the County would support the Town through project development and construction;

**WHEREAS**, the County prepared project plans and submitted the plans to the State, but in order to complete the application, the portions of 290th Avenue and 310th Avenue depicted in Exhibit A must be altered in order to comply with the State’s road specifications for the projects, which includes the establishment of a 66 foot right-of-way, and the roads must be recorded with the County;

**WHEREAS**, the hearing will be conducted in accordance with the procedures set out in Minnesota Statutes, section 164.07, subdivisions 2 through 13;

**WHEREAS**, Minnesota Statutes, section 164.07, subdivision 2 requires the Town Board to make an order describing as nearly as practicable the road to be altered, describing the several tracts of land through which the Roads pass, and fixing a time and place when and where the Town Board will meet and act upon the proposed alteration of the Roads; and

**WHEREAS**, the owners of property adjacent to the Roads and who are affected by this proposed alteration are listed in Exhibit B (“Affected Owners”), said exhibit being made part of this order.



**NOW, THEREFORE, IT IS HEREBY ORDERED** that:


1. The Town Board shall conduct an inspection of 290<sup>th</sup> Avenue at 4 p.m. on May 9, 2019, commencing at the intersection of Rainbow Street and 290<sup>th</sup> Avenue. The Town Board shall conduct an inspection of 310<sup>th</sup> Avenue at 5 p.m. on May 9, 2019, commencing at the intersection of Uniform Street and 310<sup>th</sup> Avenue. Interested persons are welcome to attend the inspections.
2. The Town Board shall conduct a hearing at 7 p.m. on May 9, 2019 at the Pomroy Town Hall, 3047 320<sup>th</sup> Avenue, Brook Park, MN 55007 for the purpose of hearing from the public, considering, and acting on the proposed alteration of the Roads as shown in Exhibit A. Interested parties are welcome to attend the public hearing.
3. The Town Clerk is hereby authorized and directed to do each of the following:
  - (a) Provide the Affected Owners a copy of this Order at least ten days before the hearing.
  - (b) Post notice of the hearing at the Town's usual posting place(s) at least 10 days before the date of the hearing; and
  - (c) Publish notice of the hearing once in the Town's official newspaper so it appears at least 10 days before the date of the hearing.

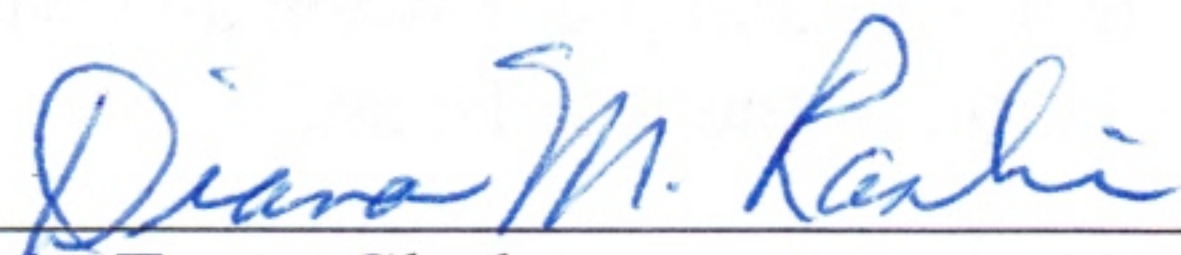
**NOTICE OF RIGHT TO APPEAL**

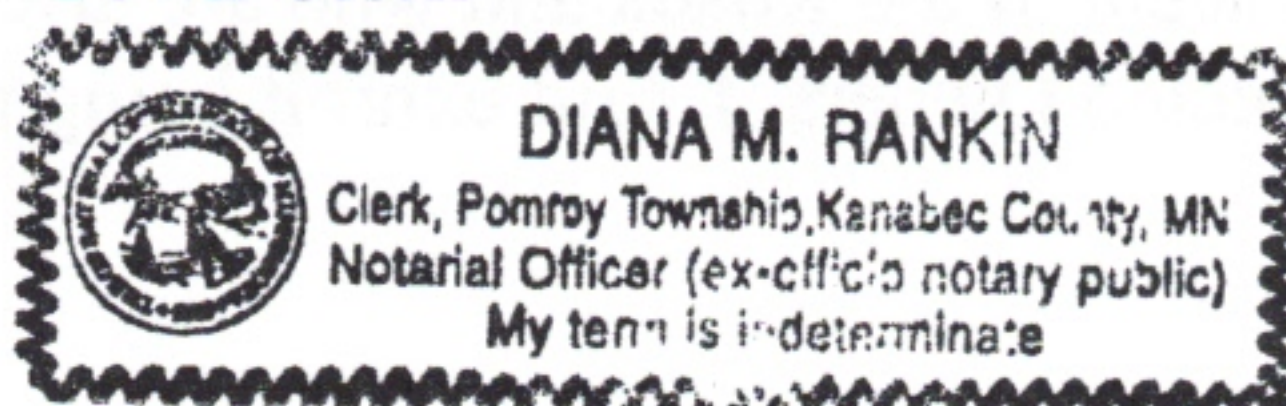
The Affected Owners have a right of appeal under Minnesota Statutes, section 164.07, subdivision 7 to seek judicial review of damages if the Town Board approves the alteration of the Roads as described above.

Adopted this 22<sup>nd</sup> day of April, 2019.

**POMROY TOWN BOARD**

  
Town Chairperson

ATTEST:   
Town Clerk





# **EXHIBIT A** Depiction of 290<sup>th</sup> and 310<sup>th</sup> Avenue Projects



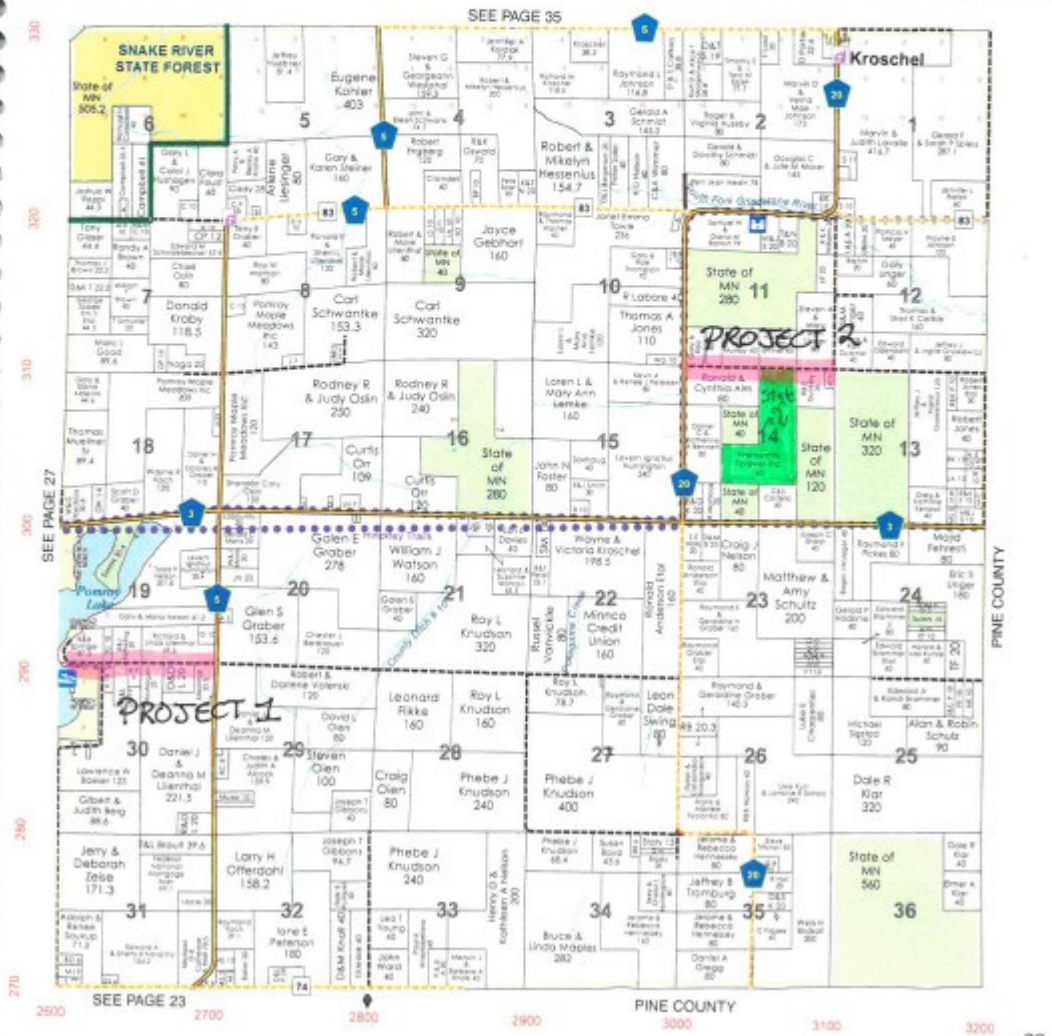
"If you tickle the earth with a hoe, she laughs  
 with a harvest."  
 ~ Douglas William Jerrold



**Pomroy**

**Township 41N - Range 22W**

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**EXHIBIT B**  
List of Affected Owners

<b>Owner Name(s) and Mailing Address</b>	<b>Property Address (if different)</b>	<b>PID Number</b>
Richard and Linda Lilienthal 2694 290th Avenue Brook Park, MN 55007	(same)	13.00925.20
Aaron and Jennifer Sigfrinius 5957 Fairwood Lane Minnetonka, MN 55345	(unknown)	13.00925.00
Randy and Julie Kettering 825 4 <sup>th</sup> Avenue SW Faribault, MN 55021	2636 290 <sup>th</sup> Avenue Brook Park, MN 55007	13.00930.00
Tommy L. Grahn, et al. 12814 Mankato Street NE Blaine, MN 55449	2622 290 <sup>th</sup> Avenue Brook Park, MN 55007	13.00935.00
Beverley B. Springer - Gregory H. Springer 3658 Eddingham Avenue Calabasas, CA 91302	(unknown)	13.00940.00
Joel and Verlinda Plath 1799 Lois Drive Shoreview, MN 55126	(unknown)	13.01835.00
Dale C. Mickelson 5486 Baywater Drive Tampa, FL 33615	2621 290 <sup>th</sup> Avenue Brook Park, MN 55007	13.01840.00
Gregory and Wendy Kroschel 28908 Quarry Street Brook Park, MN 55007	(same)	13.01845.00 13.01375.00
William and Laura Roche 2637 290 <sup>th</sup> Avenue Brook Park, MN 55007	(same)	13.01385.00
Lee and Jennifer Vreeland 2643 290 <sup>th</sup> Avenue Brook Park, MN 55007	(same)	13.01380.00
Carol Hushagen Revocable Trust 2244 220 <sup>th</sup> Avenue Mora, MN 55051	(unknown)	13.01385.10
Daniel and Deanna Lilienthal 2867 Rainbow Street Brook Park, MN 55007	2673 290 <sup>th</sup> Avenue Brook Park, MN 55007	13.01395.10

Daniel J. Lilienthal 2867 Rainbow Street Brook Park, MN 55007	(unknown)	13.01395.00
Steven and Mary Ann Unger, c/o Gary H. Unger, et al. 3132 Velvet Street Brook Park, MN 55007	(unknown)	13.00585.00
Archie and Jean Entner 3066 310 <sup>th</sup> Avenue Brook Park, MN 55007	(same)	13.00590.00
Timothy and Jenell Murray 17865 Concord Drive Ham Lake, MN 55304	3046 310 <sup>th</sup> Avenue Brook Park, MN 55007	13.00575.00
Gary and Rae Thompson 3104 Uniform Street Brook Park, MN 55007	(same)	13.00565.00
Ronald and Cynthia Alm Trust 3025 310 <sup>th</sup> Avenue Brook Park, MN 55007	(same)	13.00750.00
State of Minnesota DNR Division of Land & Minerals 500 Lafayette Road, Box 45 St. Paul, MN 55155	(unknown)	13.00750.15 13.00730.00
Johnathon P. Johnson 3099 310 <sup>th</sup> Avenue Brook Park, MN 55007	(same)	13.00730.50