

Resolution 16-2010-02

*Dead Lake Township
Ottertail County, Minnesota*

Township Road Recordings and Updates

At a Town Board meeting of Dead Lake Township in Ottertail County, Minnesota, held on the 18th day of April, 2016 at 7:00 p.m. at the Town Hall in said Township, Supervisor Kirchenwitz introduce and moved for adoption the following Resolution, which was seconded by Supervisor Prososki, and unanimously adopted by the Town Board of Supervisors: Duane Ard, Arnold Gietzen, Vince Prososki, Dan O'Boyle, and Justin Kirchenwitz.

WHEREAS, Dead Lake Township in Ottertail County, Minnesota contains a number of unrecorded Township roads; and

WHEREAS, nearly all of the unrecorded roads have been established by public dedication and plat; and

WHEREAS, the Township Board of Supervisors has determined it to be in the best interest of the Township, public and all parties concerned to identify and record the duly established town roads, and

WHEREAS, the Town Board received a request from Otter Tail County GIS Department to update and record any unrecorded town roads and agreed to prepare a listing indicating the location of said unrecorded town roads contained within the township; and

WHEREAS, the Town Board held a public hearing on this proposal on the 11th day of April, 2016 at 7:00p.m., and that the notice of said hearing was published and posted according to law,


THEREFORE, NOW BE IT RESOLVED, that the roads and road right-of-ways listed on the attached legal description of said roads are to be the duly established center lines of the four-rod roads in said Township as shown on the attached plats and maps corresponding accordingly.

BE IT FURTHER RESOLVED, that the sitting Town Board of Supervisors will properly document and record any roads developed within the Township that the Board of Supervisors deem and accept as a Township road.

Adopted this 18th day of April, 2016.

Attest:


Diane Lund, Clerk


Justin Kirchenwitz, Chairperson

At a town board meeting of Dead Lake Township in Ottawa County, Minnesota held on the 13 day of October, 1988 at 8:00 o'clock P.m. at the town hall in said township, Supervisor Adams introduced and moved the adoption of the following Resolution, which was seconded by Supervisor Dorley, and unanimously adopted by the town board of supervisors: Dorley, Adams & Kuebelberg

WHEREAS, Dead Lake Township in Ottawa County, Minnesota contains a number of township roads, and WHEREAS, Nearly all of the township roads have been established by use of prescription or by dedication and there may or may not be a record of said roads recorded in the Office of the County Recorder of Ottawa County, Minnesota, and

WHEREAS, The township board of supervisors has determined it to be in the best interest of the township, the public and all parties concerned to determine and record the center line location of said duly established town roads, and

WHEREAS, The town board has caused to be prepared a road map indicating the location of said town roads contained in the township, and

WHEREAS, The town board held a public hearing on the proposal on the 9 day of June, 1986 at 8:00 o'clock P.m. and that notice of said hearing was provided according to law,

THEREFORE, BE IT RESOLVED, That the roads and road rights of way listed on the attached Exhibit "A" are hereby determined to be the duly established center lines of the four-rod roads in said township and the center lines of the roads and road rights of way listed on attached Exhibit "B" are hereby determined to be the duly established two-rod cartways and roads in said township, all as shown on attached Road Map.

BE IT FURTHER RESOLVED, That all town roads which lie upon and follow the boundaries of the township of Dead Lake Township and adjacent townships, or other abutting political units, are deemed to lie in equal proportion in the township and the abutting political units, unless expressly indicated otherwise.

Burl Adams
Chairman of Dead Lake Township

Attest:

Peggy Silbermangel
Clerk of Dead Lake Township

Note: Copy of Description of roads included with this Resolution are in the file marked 'T' Numbered Road Maps. (each)

*Dead Lake Township
PO Box 54
Richville, MN 56576*

Resolution 18-2010-01

Establishing a Town Road – 390th Street

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

390th Street off of Beaver Dam Rd;

WHEREAS, said petition was signed by not less 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;

WHEREAS, the road passes over the following described tracts of land in Ottertail County, Minnesota, owned by the following names owners:

<u>Owners</u>	<u>Description of Land (Plat #s)</u>
<u>James and Deborah Sinna</u>	<u>Parcel # 1400099067100</u>
<u>Brent and Gail Fox</u>	<u>Parcel # 14000990672000</u>
<u>Bruce Henshaw and Linda Reddish</u>	<u>Parcel # 14000990673000</u>
<u>Marvin and Ann Hexum</u>	<u>Parcel #s 14000990674000, 14000990675000, 1400060053001, and 14000070055000</u>

WHEREAS, the Town Board conducted a public hearing on the petition on the 6th of August, 2018, after personal and posted notice provided by the petitioners pursuant to Minn. Stat. 164.07, subd.2, and published notice proved by the Town Board;

WHEREAS, the petitioners presented the Town Board with affidavits at the hearing as proof the required notice was given;

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

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

WHEREAS, the Owners listed in Appendix A have released in writing all claims for damages for such establishment;

See Appendix A attached;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of Dead Lake Township, Ottertail County, Minnesota, hereby establishes a town road legally described as follows:

390th Street: That part of Government Lot 2 in Section 6, Township 135 North, Range 40 West of the Fifth Principal Meridian in Otter Tail County, Minnesota, described as follows:

Beginning at a found iron monument which designates the southwest corner of Section 6; thence South 89 degrees 13 minutes 09 seconds East 256.70 feet on an assumed bearing along the south line of said Section 6; thence North 58 degrees 38 minutes 25 seconds East 471.74 feet to the centerline of said Beaver Dam Road; thence North 21 degrees 54 minutes 43 seconds West 253.10 feet along the centerline of said Beaver Dam Road; thence northwesterly continuing along the centerline of said Beaver Dam Road on a curve concave to the southwest, having a central angle of 12 degrees 41 minutes 37 seconds and a radius of 850.00 feet; for a distance of 188.31 feet (chord bearing North 28 degrees 15 minutes 31 seconds West) to a point of compound curvature; then northwesterly continuing along the centerline of said Beaver Dam Road on a curve concave to the southwest, having a central angle of 05 degrees 37 minutes 41 seconds and a radius of 160.00 feet, for a distance of 15.72 feet (chord bearing North 37 degrees 25 minutes 10 seconds West); then South 47 degrees 40 minutes 26 seconds West 16 feet, more or less, to the water's edge of Star Lake; thence southwesterly along the water's edge of said Star Lake to the west line of said Section 6; then South 00 degrees 08 minutes 17 seconds East 199.37 feet, more or less, along the west line of said Section 6 to the point of beginning.

BE IT FURTHER RESOLVED, the Town Board Chair and Town Clerk/Treasurer 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 Otter Tail County;

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

Adopted this 13th day of August, 2018 by the following vote:

<u>Town Supervisor</u>	<u>Yes/No</u>
<u>Justin Kirchenwitz</u>	<u>Yes</u>
<u>Vince Prosocki</u>	<u>Yes</u>
<u>Arnold Gietzen</u>	<u>Yes</u>
<u>Duane Ard</u>	<u>No</u>
<u>Dan O'Boyle</u>	<u>Absent</u>

BE IT FURTHER FINALLY RESOLVED, the Town Board amended the vote taken on August 13, 2018 to include the reasons that the road was built to specifications of both the County of Ottertail and the Township of Dead Lake and wanted to include all Supervisors in the approval of this Resolution and Road Order at the September 10, 2018 Board of Supervisors Monthly Meeting. Motion made by Kirchenwitz and seconded by Prosocki. The motion carried with Ard voting no.

ATTEST: Cheryl Harris
Cheryl Harris, Clerk/Treasurer

Dead Lake Town Board

Justin Kirchenwitz
Justin Kirchenwitz, Board Chair

Dead Lake Township
PO Box 54
Richville, MN 56576

Order Established A Town Road
Dead Lake Township
Otter Tail County

WHEREAS, the Town Board received a petition calling for the establishment of a town road under Minn. Stat. 164.07;

WHEREAS, the Town Board held a hearing on said petition of the 6th day of August, 2018, notice of thereof having been given;

WHEREAS, the Town Board pass a resolution on the 13th day of August, 2018 and further amended that resolution on the 10th day of September, 2018 establishing the road;

NOW, THEREFORE, IT IS HEREBY ORDERED the following described road is hereby established:

390th Street: That part of Government Lot 2 in Section 6, Township 135 North, Range 40 West of the Fifth Principal Meridian in Otter Tail County, Minnesota, described as follows:

Beginning at a found iron monument which designates the southwest corner of Section 6; thence South 89 degrees 13 minutes 09 seconds East 256.70 feet on an assumed bearing along the south line of said Section 6; thence North 58 degrees 38 minutes 25 seconds East 471.74 feet to the centerline of said Beaver Dam Road; thence North 21 degrees 54 minutes 43 seconds West 253.10 feet along the centerline of said Beaver Dam Road; thence northwesterly continuing along the centerline of said Beaver Dam Road on a curve concave to the southwest, having a central angle of 12 degrees 41 minutes 37 seconds and a radius of 850.00 feet; for a distance of 188.31 feet (chord bearing North 28 degrees 15 minutes 31 seconds West) to a point of compound curvature; then northwesterly continuing along the centerline of said Beaver Dam Road on a curve concave to the southwest, having a central angle of 05 degrees 37 minutes 41 seconds and a radius of 160.00 feet, for a distance of 15.72 feet (chord bearing North 37 degrees 25 minutes 10 seconds West); then South 47 degrees 40 minutes 26 seconds West 16 feet, more or less, to the water's edge of Star Lake; thence southwesterly along the water's edge of said Star Lake to the west line of said Section 6; then South 00 degrees 08 minutes 17 seconds East 199.37 feet, more or less, along the west line of said Section 6 to the point of beginning.

Dated this 10th day of September, 2018

BY THE TOWN BOARD
OF DEAD LAKE

Attest: *Cheryl Harris*
Cheryl Harris, Clerk/Treasurer

Justin Kirchenwitz
Justin Kirchenwitz, Board Chair

**Dead Lake Township
PO Box 54
Richville, MN 56576**

State of Minnesota)

) ss.

Resolution 18-2010-01 and ^{Road} Court Order

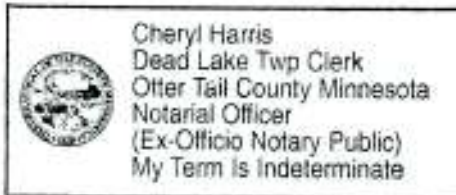
County of Ottertail)

for

Establishment of and Recording of a Town Road – 390th Street

I, Cheryl Harris, clerk of Dead Lake Township, Otter Tail County, Minnesota, hereby certify I have compared the foregoing copy of the resolution of the Town Board of said Township with the original record thereof on file with the town clerk, as stated in the minutes of the proceedings of said Board at a public hearing held on the 6th day of August, 2018, and the same is a true and correct copy of said original record and of the whole thereof, and said resolution was duly passed by said Board at a Monthly Town Board Meeting on August 13, 2018 and further amended by motion duly passed by said Board at a Monthly Town Board Meeting on September 10, 2018

Witness my hand and seal this 10th day of September, 2018.



Cheryl Harris
Signature

Cheryl Harris
Printed Name

Dead Lake Township Clerk

Dead Lake Township
PO Box 54
Richville, MN 56576

Attachment 7 of Appendix A

RELEASE OF DAMAGES

WHEREAS, the town board of Dead Lake Township, Ottertail County, Minnesota has undertaken the procedure set out in Minn. Stat. § 164.07 to establish, alter, or vacate the following described road:

390th Street off of Beaver Dam Rd
[describe the road]

WHEREAS, said establishment, alteration, or vacation will benefit the property owners adjacent to the road by improving access to the property, eliminating the encumbrance of an unneeded public road easement from the property, or a more specific description of benefit;

NOW, THEREFORE, We Bruce Hanshaw and Linda Reddish being the owners of the a parcel of land in Dead Lake Township, Ottertail County, Minnesota, and more particularly described as:

Property Parcel # 14000990673000
[property description]

hereby waive and release all claims to damages sustained by us from the establishment, alteration, or vacation of the above described road which runs through our land.

Date: 8/27/18

Linda Reddish
Owner

Bruce Hanshaw
Owner

Signed before me by the names owners on the date stated

If other Notary Public,

Sandra L Peculis

Name (printed)

Clerk Signature or other
Notary Public

Stamp

