

TOWN OF SILVER CREEK
ASPEN ROAD ALTERATION HEARING
FEBRUARY 11, 2014

A hearing was held pursuant to MN Statute §164.07 on Tuesday, February 11, 2014, at 6:00 p.m. at the Town Hall to consider a petition dated October 7, 2013 to amend the present legal description of Aspen Road, to extend the legal description of the road by 90 feet, that has been used for maintenance purposes.

Present were Supervisors – Mike Hoops, Greg Hull, Larry Lampart; Clerk – Frederick R. Whitney; Deputy Clerk – Kristina Pirsig; Road Foreman – Rick Grupe; Town Attorney – Gerald Pete Morris; Town Equipment Operator – Jason Barnard. No constituents were present.

Chair Hoops stated the purpose of the hearing is to take testimony and answer constituent questions or concerns. A petition to alter Aspen Road was filed with the Town Clerk, and presented to the Board of Supervisors of the Town of Silver Creek. Order and Notice for hearing was posted, published, mailed, and personal service given as noted on the affidavits. Clerk verified that at least 8 voters residing within 3 miles of Aspen Road signed the petitions.

The petition to alter Aspen Road, dated October 7, 2013 was again accepted by the Supervisors.

Town attorney Morris asked several questions of Richard Grupe, Road Foreman. Grupe has performed the duties of Road Foreman for the Township since 1996. The Township has maintained the road in its present location since at least 1986 when Grupe was hired. Exhibit A was presented. It shows where the road legal description of the road ends, as well as where the 90 additional feet of road have been utilized for maintenance purposes since at least 1986. Grupe confirmed that the Town has never been told not to access the extended 90 feet for purposes of maintaining the entire Aspen Road – grading, snowplowing, and turnaround of heavy snowplows and grader.

There was no opposition to the proposed alteration expressed. Public testimony portion of the Town Road hearing was then closed.

The Board Resolution to alter Aspen Road will be approved at the regular scheduled Town Board meeting on February 18, 2014.

There being no further business, hearing adjourned at 6:15 p.m. upon motion by Hull, second Lampart. Motion carried unanimously.

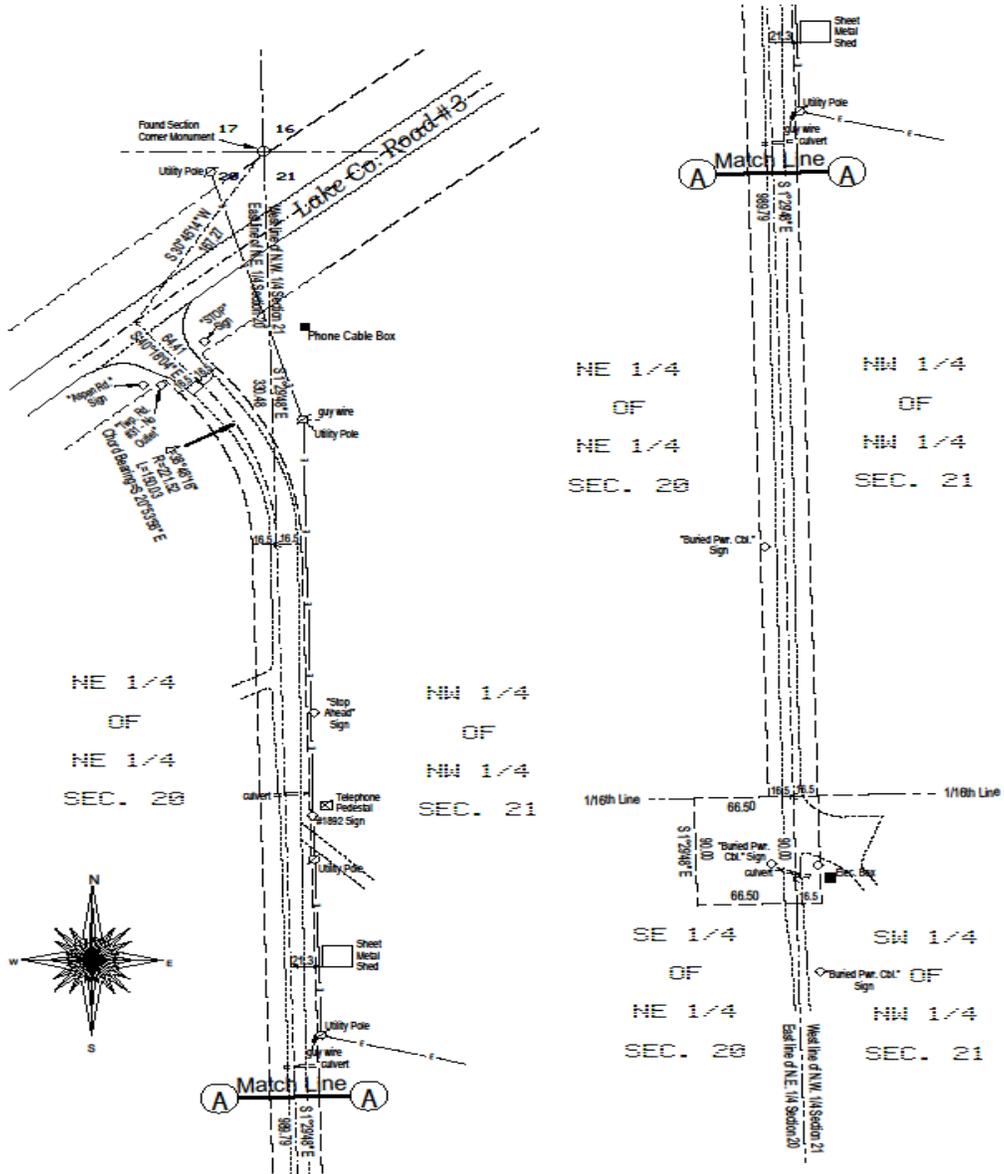
Respectfully submitted,
Frederick R. Whitney, Clerk

EXHIBIT A

AspenRd2013.pcs

Township of Silver Creek - Aspen Road

IN THE NORTHEAST QUARTER OF SECTION 20 AND IN THE NORTHWEST QUARTER OF SECTION 21, ALL IN TOWNSHIP 53 NORTH, RANGE 10 WEST OF THE FOURTH PRINCIPAL MERIDIAN



NE 1/4
OF
NE 1/4
SEC. 20

NW 1/4
OF
NW 1/4
SEC. 21

NE 1/4
OF
NE 1/4
SEC. 20

NW 1/4
OF
NW 1/4
SEC. 21

1/16th Line --- 66.50 --- 1195.75.5 --- 1/16th Line

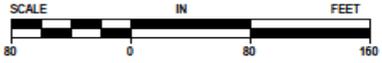
SE 1/4
OF
NE 1/4
SEC. 20

SW 1/4
OF
NW 1/4
SEC. 21

West line of NW 1/4 Section 21
East line of NE 1/4 Section 20

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.

L.L.S. #10535 Date: March 13, 2013
Revised May 21, 2013 S.G.P.



**LEGAL DESCRIPTION FOR ASPEN ROAD,
SILVER CREEK TOWNSHIP**

A 33.00 foot wide easement for road purposes over, under and across that part of the Northeast Quarter of the Northeast Quarter of Section 20 and that part of the Northwest Quarter of the Northwest Quarter of Section 21, all in Township 53 North, Range 10 West of the Fourth Principal Meridian which lies 16.50 feet on each side of the following described centerline: Commencing at the section corner common to Sections 16, 17, 20 and 21 in said Township 53 North, Range 10 West and assuming for the purpose of this description that the east line of the Northeast Quarter of said Section 20 has a bearing of South 1 degree 29 minutes 48 seconds East; thence South 30 degrees 45 minutes 14 seconds West a distance of 167.27 feet to a point on the centerline of Lake County Road Number 3, the point of beginning of the township road centerline to be described; thence South 40 degrees 18 minutes 04 seconds East a distance of 64.41 feet; thence southeasterly 150.03 feet along a tangential curve, concave to the Southwest, radius 221.52 feet, central angle 38 degrees 48 minutes 16 seconds to a point on the east line of said Northeast Quarter, said point being 330.48 feet south of the northeast corner of said Northeast Quarter; Thence South 1 degree 29 minutes 48 seconds East along said east line a distance of 989.79 feet to the southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 20 and said centerline there terminating.

Also the North 90.00 feet of the East 66.50 feet of the Southeast Quarter of the Northeast Quarter of said Section 20.

Also the North 12.00 feet of the West 16.50 feet of the Southwest Quarter of the Northwest Quarter of said Section 21 and the South 48.00 feet of the North 60.00 feet of the West 50.00 feet of said Southwest Quarter of the Northwest Quarter of said Section 21.