

ORDER AND RESOLUTION NO. 2019-01

HAVEN TOWNSHIP, SHERBURNE COUNTY

ORDER AND RESOLUTION TO CUT TREES WITHIN THE TOWN RIGHT OF WAY

1. On or about October 31, 2019, Haven Town Board, through legal counsel, mailed Notices to property owners abutting 52nd St. SE, 15th Ave. SE, 45th Ave. SE and 16th Ave. SE, together with owners along platted rights of way within the Prairie Wood Estates, River Haven, Haven Hills, Liethas Riverside Acres and Lost Acres Plats of a November 18, 2019 Hearing, to be held during the regular Haven Town Board Meeting. The purpose of the Hearing was to answer questions and hear objections or comments concerning tree and hedge cutting in these Town Rights of Way as provided by Minnesota Statutes Section 160.22.

2. At the November 18, 2019, 7:00 p.m., Hearing, the Town Board received comments, objections and questions from several property owners along these Rights of Way. The Town has taken all of these matters into consideration in deciding whether trees and hedges in these Town Rights of Way should be clear cut.

3. Considering all of the evidence provided at the Hearing, together with the personal knowledge and prior experience of the Town Board, the Town Board believes that for the safety and convenience of public travel, and for purposes of construction, re-construction and

maintenance, it is necessary to cut and remove trees and hedges in the above Town Rights of Way.

4. The Town has had or will have the Rights of Way surveyed and marked to assure that tree and hedge cutting will only take place within the Town Rights of Way.

THEREFORE, the Town determines as follows:

1. That the Town Board authorizes the cutting of trees and hedges in the Town Rights of Way as stated above.
2. The Town owns additional rights of way along the southwesterly line of the Haven Hills Plat (along Ellen Drive, n/k/a 16th Ave. SE) and the east line of Prairie Wood Estates (along Wild River Drive n/k/a 15th Ave. SE). The Board intends to preserve these added Rights of Way, but does not intend at this time to cut trees or hedges in all parts of these areas.
3. That upon completion of the surveying and cutting, the Town will mark the Rights of Way with permanent markers. The Town intends to install swing-away mailbox posts. The Town intends to keep these Rights of Way clear of trees and hedges, and other non swing-away installed mailbox posts and personal property.
4. That as required by Minnesota Statutes Section 160.22, all wood cut from trees and hedges within the platted Town Rights of Way will be disposed of by the Town. Unless requested otherwise by the owner, any trees and hedges cut outside of a platted right of way will be left on the adjacent owner's property.

Adopted November 18, 2019

HAVEN TOWN BOARD

By 
Jeffrey Schlingmann, Its Chair

ATTEST:

By 
Michael Zniewski, Town Clerk

