



Redwood County

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Application for Rezoning

Permit #: 1-22r Date: 7/5/22

Location of Parcels to be Rezoned

Parcel Number(s): 62-820-0080 & 62-820-0100

Township Name: Paxton

Section: 33

Township Number: 113N

Range 35W

Legal Description: Lots 4 and 5, Block 1, Wertish Addition, Paxton Township, Redwood County

Information about the Area:

Present Zoning District: Residential

Proposed Zoning District: Industrial

Description of the road types adjacent to the proposed rezoning:

The property borders an undeveloped service lane that is immediately north of Highway 71/19. Wacouta Trail (bituminous) is located on the property's westerly boundary and Miller Drive (gravel) is located on the property's easterly boundary.

Description of the area to be rezoned:

Entire parcel is to be rezoned.

Proposed use of the land (statement of the type, extent, area, etc):

Land would be used for construction of single large building on both lots, and will be used for heavy manufacturing/ industrial purposes.

Compatibility with the Comprehensive Land Use Plan:

Property is located in an area designated as for future development in the comprehensive plan, and the proposed use is consistent with other closely-located properties on Highway 71/19.

Compatibility with surrounding land uses (statement of conditions warranting a change in zoning):

See attached Exhibit A.

Buildings on the property and adjacent properties:

See attached Exhibit B.

List existing uses:

The land is currently used for agricultural purposes or left as vacant land.

List the names and addresses of all land owners within the area to be rezoned:

See attached Exhibit C.

Additional Information:

Applicant Information:

First Name: _____ **Last Name:** _____
Business Name: Farmers Union Industries, LLC dba Artex Manufacturing
Address: [] PO Box 319, 220 Ponderosa Road **City:** Redwood Falls **State:** MN **Zip:** 56283
Home Phone: 507-644-6900 **Cell Phone:** 507-420-4871 **Email:** dbednarek@fuitllc.com

Land Owner Information: and C/O Frank Munshower 507-637-5721 frankm@rwflaw.com

First Name: Dale **Last Name:** Bednarek; President FUI

I affirm that the forgoing information is true and accurate. I understand that if any portion of this information is false or materially misleading, any rezoning permit issued in reliance upon this information is voidable at the election of Redwood County.

Land Owner Signature: Dale Bednarek **Date:** 7/1/2022

Office Use Only: * The section below is to be filled out by the Environmental Office Staff

Application Fee: \$700 **Receipt #:** 27079 **Date Approved:** _____

Application Received: 7/5/22

<u>Commission Action:</u>		<u>County Board Action:</u>	
Approved: _____	Date: _____	Approved: _____	Date: _____
Disapproved: _____	Date: _____	Disapproved: _____	Date: _____

EXHIBIT A

Compatibility with surrounding land uses:

The surrounding land is primarily industrial or used for agriculture. Applicant operates Artex Manufacturing, a division of Farmers Union Industries, LLC, located immediately west of this property and intent is to expand Artex Manufacturing operations on the property to be rezoned. Lands south of this property, which are located southerly of Highway 71 / 19, are primarily agricultural or commercial (Kibble Equipment, through Brandt Properties). Property north of land to be rezoned is made up of three tax parcels, one containing a residence and the other two presently used for agricultural purposes. Owner of these three parcels is the party selling to Applicant.

EXHIBIT B

There are no buildings on the property at this time. Farmers Union Industries, LLC dba Artex Manufacturing (Artex) owns the property immediately west of this property and uses that land for manufacturing/industrial purposes. Kibble Equipment is located immediately south of this land (across highway) and has a large building used for farm implement sales/service, along with crop production land. Land to the east is vacant (ag land) and to the north there is a home and then two ag lots, all owned by Mr. and Mrs. Wertish, who are selling the land to be rezoned to your applicant and who support the rezoning request.

EXHIBIT C

Names and addresses of all landowners within the area to be rezoned:

South of Property:

Brandt Properties Co., 36648 Highway 71, Redwood Falls, MN 56283 AND P.O. Box 230, Fargo, ND 58107-0230

East of Property (Across Miller Drive):

Jeannette Anne Harrington and Cathy Joan Ford Irrev. Trust, c/o Jerilynn I. Blackston, CPA, 1348 - 4th Street, Suite 240, San Rafael, CA 94901.

West of Property:

Farmer's Union Industries, LLC, dab Artex Manufacturing (applicant). 36419 U.S. Highway 71, Redwood Falls, MN 56283

North of Property (Party selling property to Applicant):

Timothy and Sommer Wertish, 35994 Hunt Drive, Redwood Falls, MN 56283



COMMERCIAL PURCHASE AGREEMENT
 This form approved by the Minnesota Association of REALTORS®
 and the Minnesota Commercial Association of REALTORS®, which
 disclaims any liability arising out of use or misuse of this form.
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1. Page 1 Date May 10 2022

2. BUYER(S) is/are: Farmers Union Industries, LLC (Check one.)
 3. individual(s); OR a business entity organized under the laws of the State of Minnesota
 4. SELLER(S) is/are: Timothy Warkish (Check one.)
 5. individual(s); OR a business entity organized under the laws of the State of Minnesota
 6. Buyer's earnest money in the amount of _____
 7. Five Thousand Dollars
 8. (\$ 5,900.00) shall be delivered no later than two (2) Business Days after
 9. Final Acceptance Date to be deposited in the trust account of: (Check one.)
 10. listing broker; or
 11. Title and Abstract Services, Inc.
 (Trustee)
 12. within three (3) Business Days of receipt of the earnest money or Final Acceptance Date whichever is later.
 13. Said earnest money is part payment for the purchase of property at Parcel Numbers 4 and 5, WERTISE ADDITION
 14. Lots 4&5 Warkish Addition Paxton Township located in the
 15. City/Township of Redwood County, County of Redwood
 16. State of Minnesota, Zip Code 56283, PID # (s) 628200100/528200080, consisting of
 17. approximately 2.64 acres each, for a total of approximately 5.28 acres.
 18. and legally described as follows Parcel Numbers 4 and 5, WERTISE ADDITION Paxton Township, Redwood County
 19. _____
 20. _____ (collectively the "Property")
 21. together with the personal property as described in the attached *Addendum to Commercial Purchase Agreement:*
 22. *Personal Property*, if any, all of which property the undersigned has this day sold to Buyer for the sum of:
 23. One Hundred Sixty-Six Thousand
 24. _____
 25. (\$ 166,000.00) Dollars ("Purchase Price"), which Buyer agrees to pay in the following manner:
 26. 1. CASH of 100.00 percent (%) of the sale price, or more in Buyer's sole discretion, which includes the earnest
 27. money; PLUS
 28. 2. FINANCING of _____ percent (%) of the sale price. Buyer shall, at Buyer's sole expense, apply for any
 29. financing as required by this Purchase Agreement.
 30. Such financing shall be: (Check one.) a first mortgage; a contract for deed; or a first
 31. mortgage with subordinate financing, as described in the attached *Addendum to Commercial Purchase Agreement:*
 32. Conventional/SBA/Other Contract for Deed.
 (Check one.)
 33. DUE DILIGENCE: This Purchase Agreement IS IS NOT subject to a due diligence contingency. (If answer is IS,
 34. see attached *Addendum to Commercial Purchase Agreement: Due Diligence.*)
 35. CLOSING: The date of closing shall be See Addendum



COMMERCIAL PURCHASE AGREEMENT

36. Page 2 Date May 10 2022

37. Property located at Lots 415 Meridian Addition Paxton Township Redwood County MN 56283

38. DEED/MARKETABLE TITLE: Subject to performance by Buyer, Seller agrees to execute and deliver as: (Check one.)

39. [X] WARRANTY DEED [] LIMITED WARRANTY DEED [] CONTRACT FOR DEED

40. [] OTHER: _____ DEED conveying marketable title, subject to:

- 41. (a) building and zoning laws, ordinances, and state and federal regulations;
- 42. (b) restrictions relating to use or improvement of the Property without effective forfeiture provisions;
- 43. (c) reservation of any mineral rights by the State of Minnesota or other government entity;
- 44. (d) utility and drainage easements which do not interfere with existing improvements; and
- 45. (e) others (must be specified in writing): Seller will compensate the farmer currently farming the land if crop is not
- 46. harvested after closing this transaction. Buyer shall be responsible for harvest thereafter.

47. TENANTS/LEASES: Property [] IS [X] IS NOT subject to rights of tenants (if answer is IS, see attached Addendum
(Check one.)
48. to Commercial Purchase Agreement: Due Diligence).

49. Seller shall not execute leases from the Date of this Purchase Agreement to the date of closing, the term of which lease
50. extends beyond the date of closing, without the prior written consent of Buyer. Buyer's consent or denial shall be
51. provided to Seller within _____ days of Seller's written request. Said consent
52. shall not be unreasonably withheld.

53. REAL ESTATE TAXES: Real estate taxes due and payable in the year of closing shall be prorated between Seller and
54. Buyer on a calendar year basis to the actual date of closing unless otherwise provided in this Purchase Agreement.
55. Real estate taxes, including penalties, interest, and any associated fees, payable in the years prior to closing shall
56. be paid by Seller. Real estate taxes payable in the years subsequent to closing shall be paid by Buyer.

57. SPECIAL ASSESSMENTS:

58. [] BUYER AND SELLER SHALL PRORATE AS OF THE DATE OF CLOSING [X] SELLER SHALL PAY
(Check one.)
59. on the date of closing all installments of special assessments certified for payment with the real estate taxes due and
60. payable in the year of closing.

61. [] BUYER SHALL ASSUME [X] SELLER SHALL PAY ON DATE OF CLOSING all other special assessments
(Check one.)
62. levied as of the Date of this Purchase Agreement.

63. [] BUYER SHALL ASSUME [X] SELLER SHALL PROVIDE FOR PAYMENT OF special assessments pending as
(Check one.)
64. of the Date of this Purchase Agreement for improvements that have been ordered by any assessing authorities. (Seller's
65. provision for payment shall be by payment into escrow of up to two (2) times the estimated amount of the assessments
66. or less, as allowed by Buyer's lender.)

67. Buyer shall pay any unpaid special assessments payable in the year following closing and thereafter, the payment of
68. which is not otherwise here provided.

69. As of the Date of this Purchase Agreement, Seller represents that Seller [] HAS [X] HAS NOT received a notice
(Check one.)

70. regarding any new improvement project from any assessing authorities, the costs of which project may be assessed
71. against the Property. Any such notice received by Seller after the Date of this Purchase Agreement and before
72. closing shall be provided to Buyer immediately. If such notice is issued after the Date of this Purchase Agreement
73. and on or before the date of closing, then the parties may agree in writing, on or before the date of closing, to pay,
74. provide for the payment of, or assume the special assessments. In the absence of such agreement, either party may
75. declare this Purchase Agreement canceled by written notice to the other party, or licensee representing or assisting the
76. other party, in which case this Purchase Agreement is canceled. If either party declares this Purchase Agreement
77. canceled, Buyer and Seller shall immediately sign a written cancellation of Purchase Agreement confirming said
78. cancellation and directing all earnest money paid here to be refunded to Buyer.



ADDENDUM TO COMMERCIAL
PURCHASE AGREEMENT:
DUE DILIGENCE

116. Page 4

117. Property located at Lot 4 & 5 Hartish Addition, Paulsen Trp Redwood County MN 56283

118. D. BUYER INVESTIGATIONS: This Purchase Agreement IS IS NOT contingent upon Buyer's investigations
(Check one.)
119. of the Property for Buyer to satisfy himself/herself/itself with respect to the physical condition of the Property and
120. the feasibility and suitability of the Property for Buyer's intended purpose. Any Buyer investigations shall be
121. completed within _____ days of Final Acceptance Date of this Purchase
122. Agreement. All Buyer investigations shall be at Buyer's sole cost and expense.

123. SELLER

BUYER

124. Timothy Hartish
(Business Entity or Individual Name)

Traverse Union Industries, LLC
(Business Entity or Individual Name)

125. By: [Signature]
(Seller)

By: [Signature]
(Buyer)

126. Its: _____
(Title)

Its: President / CEO
(Title)

127. 5/15/22
(Date)

5-18-2022
(Date)

128. SELLER

BUYER

129. _____
(Business Entity or Individual Name)

(Business Entity or Individual Name)

130. By: _____
(Seller)

By: _____
(Buyer)

131. Its: _____
(Title)

Its: _____
(Title)

132. _____
(Date)

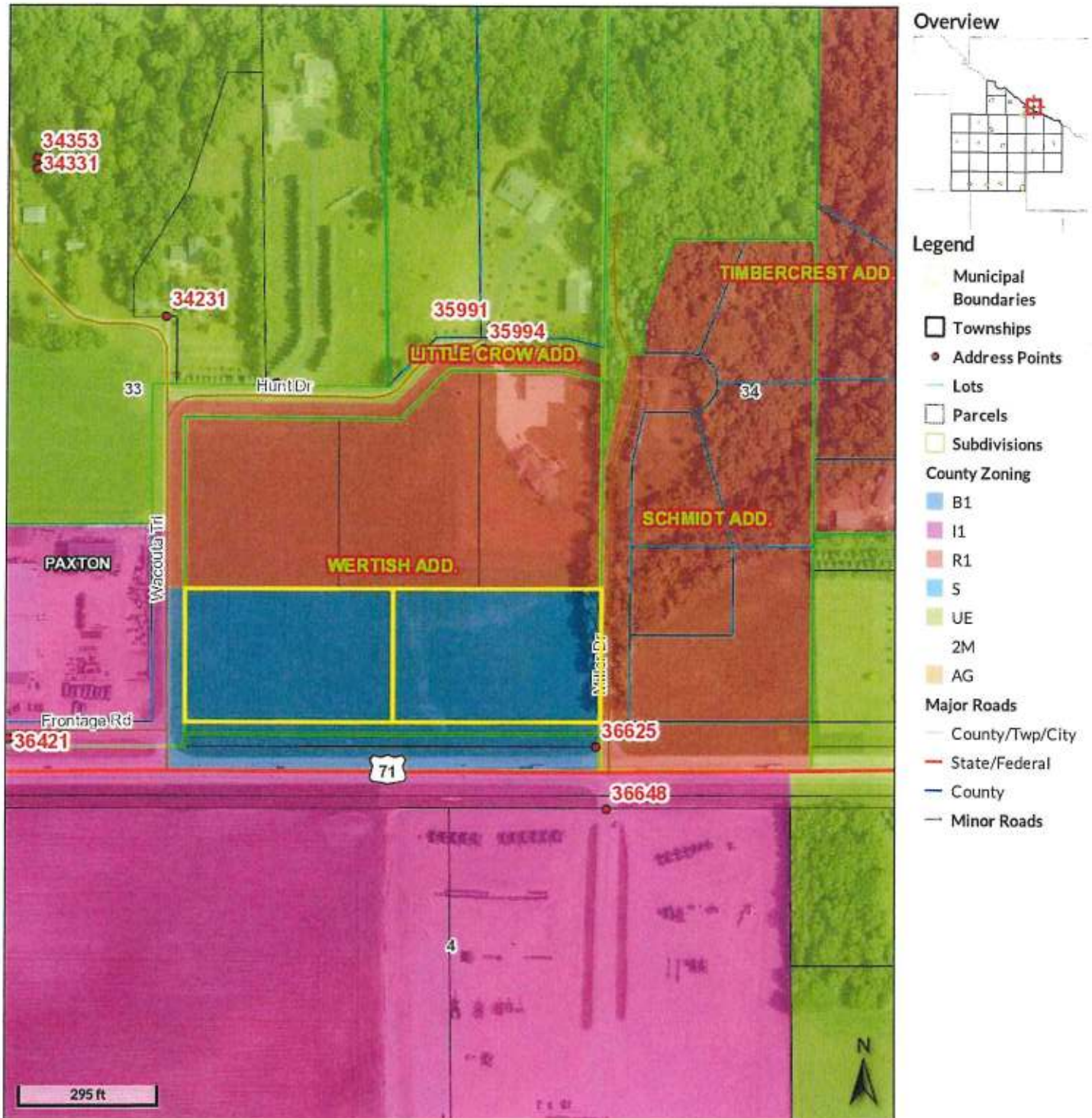
(Date)

133. THIS IS A LEGALLY BINDING CONTRACT BETWEEN BUYER(S) AND SELLER(S).
134. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL.

MN-ADPA-DD-4 (8/20)

Farmers Union Industries - Wertish Addition

Zoning Map



- Legend**
- Municipal Boundaries
 - Townships
 - Address Points
 - Lots
 - Parcels
 - Subdivisions
 - County Zoning**
 - B1
 - I1
 - R1
 - S
 - UE
 - 2M
 - AG
 - Major Roads**
 - County/Twp/City
 - State/Federal
 - County
 - Minor Roads

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 GEOSPATIAL

AFFIDAVIT OF SERVICE VIA U.S. MAIL

STATE OF MINNESOTA)
) ss
COUNTY OF REDWOOD)

RE: *Application for Rezoning* submitted by Farmers Union Industries, LLC dba Artex Manufacturing, Permit Application No. 1-22r

I, Lali Ortega, a person not less than eighteen (18) years of age, being first duly sworn upon oath, hereby state a copy of the following:

1. Notice of Public Hearing on *Application for Rezoning*; and
2. Notice of Public Hearing

were duly served upon:

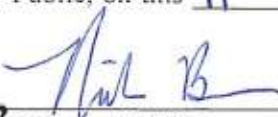
-SEE ATTACHED-

by enclosing a copy of the same in an envelope, with postage prepaid, and depositing said envelope in a United States Postal Service mailbox located at Redwood Falls, Minnesota on the 13th day of July, 2022.

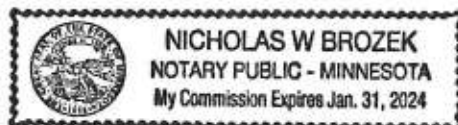


Lali Ortega
Environmental Administrative Assistant

Subscribed and sworn to before me, a Notary Public, on this 19th day of July, 2022, by Lali Ortega.



Notary Public



Parcel ID	Owner 2	Owner	C/O	Address	Address 2	CITY	STATE	ZIP
021243040		ANDERSON,ROSS A		103 N CROVE		REDWOOD FALLS	MIN	56283
021943120		ANDERSON,STEVEN S & JOYCE		37403 US HWY 71		REDWOOD FALLS	MIN	56283
023030020		BARBER,PETE & LISA		35901 SUNKY CR		REDWOOD FALLS	MIN	56283
027207020		BARBER,WISCONSIN & CORY N		222 KIRKWOOD LN		REDWOOD FALLS	MIN	56283
028040040		BERNARD,DALE & MICHELLE L		37037 237 ST		REDWOOD FALLS	MIN	56283-3175
020041060		BRANDT PROPERTIES CO		PO BOX 230		REDWOOD FALLS	MIN	56283
021317060		BRYAN,PHILIP J & NICOLE M		36246 CROW CREEK LN		REDWOOD FALLS	MIN	56283
020044060		DAHLBERG,MIAMI & CONNIEJEAN		300 SOUTHDALE SIE		REDWOOD FALLS	MIN	56283
021303100	STATE OF MINNESOTA TRUST	DNR-REAL ESTATE TRUST	ATTN: TAX SERVICES	30446 NOBLE AVE	PO BOX 45	REDWOOD FALLS	MIN	56283
025903000		DRESSEN,MARK & BRENDA J		34442 WAPASHA TRL		REDWOOD FALLS	MIN	56283
02007240		ELLERAY AND		33931 NOBLE AVE		REDWOOD FALLS	MIN	56283
025266180		ESTERO FAMILY RLTY		37000 337 ST		REDWOOD FALLS	MIN	56283
025000840		FARNSWORTH,MARK E & JENNIFER M		35155 US HWY 71	PO BOX 315	REDWOOD FALLS	MIN	56283
025000040		FARMERS UNION INDUSTRIES LL		34481 WACOUITA TRL		REDWOOD FALLS	MIN	56283
027700160	WESTERLYNN MARI:	FELNSKOVEN,NEVA & JANICE L	KAYLA FISCHER	24417 WACOUITA TRL		REDWOOD FALLS	MIN	56283
024900900		FERGUSON,NEELEN KIR		24412 WAPASHA TRL		REDWOOD FALLS	MIN	56283
027343100		CARMAN,JUSTIN M & KRISA		30255 NOBLE AVE		REDWOOD FALLS	MIN	56283
026240020		GRILLION,THOMAS L & ANNISSA J		36251 CROW CREEK LN		REDWOOD FALLS	MIN	56283
021400100		HARRINGTON,JEANNE LITE ANNE ETAL	& AMY J WENDINGER	36235 US HWY 71		REDWOOD FALLS	MIN	56283
027820180		HESS,GERALD J & DIBORJA L		36235 US HWY 71		REDWOOD FALLS	MIN	56283
025000040		HOLLING,IGLAS L & TAMARA A		36235 US HWY 71		REDWOOD FALLS	MIN	56283
022820160		HUSTBY,JOSEPH R & NICOLE J		56250 US HWY 71		REDWOOD FALLS	MIN	56283
022820080		JESSE'S COLLISION &	RESTORATION LLC	849 BIRCH AVE	PO BOX 549	REDWOOD FALLS	MIN	56283
022820140		JOHN,ROBERT SOLUTIONS LLC		36276 CROW CREEK LN		REDWOOD FALLS	MIN	56283
020042040		JOHN,ROBERT W & SARA F		30267 200 ST		REDWOOD FALLS	MIN	56283
027300020		KERKIDOFF,MYRIN E & SALLY J		37023 337 ST		REDWOOD FALLS	MIN	56283
026240020		LINDGREN,RAELEY D & JENNIFER J		37132 337 ST		REDWOOD FALLS	MIN	56283
020037050		LINSMEYER,ERIC		34231 WACOUITA TRL		REDWOOD FALLS	MIN	56283
021004040		MADSON,GLENN W & SARA F		34580 WAPASHA TRL		REDWOOD FALLS	MIN	56283
025800900		MADSON,JOHNS J		35245 CROW CREEK LN		REDWOOD FALLS	MIN	56283
022820120		MANN,TRONALD G & SAKORA L		34300 WAPASHA TRL		REDWOOD FALLS	MIN	56283
025800540		MESSE,MICHAEL B & HEATHER J		23 WEST 12 ST		REDWOOD FALLS	MIN	56283
020041020		MINNESOTA DEPARTMENT OF	VETERAN AFFAIRS	386 JOHN IRELAND BLVD		REDWOOD FALLS	MIN	56283
020041000		MINNESOTA STATE OF	TRANSPORTATION BUILDING	250 S MILL ST		REDWOOD FALLS	MIN	56283
020001030		MINNESOTA STATE OF	TRANSPORTATION BUILDING	104 W PLEASANT ST		REDWOOD FALLS	MIN	56283
023060020		MN VALLEY REGIONAL RAILAUTH		5630 20TH ST NE		REDWOOD FALLS	MIN	56283
025800040		MORRIS,RICHARD W		36253 US HWY 71		REDWOOD FALLS	MIN	56283
021004040		NELAND,JOHN J		34453 66A,COUITA TRL		REDWOOD FALLS	MIN	56283
025000040		NOBLE,JUSTIN L & KRISTINA M		163 E OAK ST		REDWOOD FALLS	MIN	56283
027343040		OBERLOP,DEANNE T & TERESA		215 N OAK ST		REDWOOD FALLS	MIN	56283
027343040		OKEN,ARRY F & LINDA		215 N OAK ST		REDWOOD FALLS	MIN	56283
025500120		PABST,ROGER D		1441 LAMB LITLIN		REDWOOD FALLS	MIN	56283
025044080		PASKEWITZ,ELLEN S ALLISON		4012 ZANZIBAR LN N		REDWOOD FALLS	MIN	56283
025740080		PASKEWITZ,DAVID J		5413 CEDAR WY		REDWOOD FALLS	MIN	56283
027700040		PASKEWITZ,DAVID J & MONICA		54030 TIMBERCREST RD		REDWOOD FALLS	MIN	56283
027700060		PASKEWITZ,DAVID J & MONICA	% LIVING WORLD CHURCH	36259 US HWY 71		REDWOOD FALLS	MIN	56283
022820260	KLAMUNTSCHIK & G	PATRICK,KUSAN		618 MEDALE ST		REDWOOD FALLS	MIN	56283
021431300		PLUMB,CATHERINE A	% ROBERT S SCHNEIDER	3431 WACOUITA TRL		REDWOOD FALLS	MIN	56283
020042020		PREBEK,JOHN JR		50 BOX 406		REDWOOD FALLS	MIN	56283
021343180		REDWOOD FALLS CONGREGATION		170 BOX 111		REDWOOD FALLS	MIN	56283
025000880		REDWOOD INDUSTRIES INC		36145 US HWY 71		REDWOOD FALLS	MIN	56283
022820100		RIP,KAMILLAM & GAIL		34230 TIMBERCREST RD		REDWOOD FALLS	MIN	56283
027343020		RICH,SCHEIDER FARMS LLP		250 E 3RD ST		REDWOOD FALLS	MIN	56283
025800020		RICH,SCHEIDER FARMS LLP				REDWOOD FALLS	MIN	56283
025800040		SEEHAUSEN,TROY JOHN				REDWOOD FALLS	MIN	56283
020041060		STACELINDER,R				REDWOOD FALLS	MIN	56283
025800070		STEFFLER,APRIL J & JOLENE A				REDWOOD FALLS	MIN	56283
027343100		THE TRICKMARKS R & CHRISTINE M				REDWOOD FALLS	MIN	56283
021431140		TIMBERCREST PROPERTIES INC	% GENE DAHMS			REDWOOD FALLS	MIN	56283
027700080		TO,ANDREW M & SETH R				REDWOOD FALLS	MIN	56283
027700100		TO,ANDREW M & MARY E				REDWOOD FALLS	MIN	56283

56282000
590640025 PRITCHARD, J

WESTMINSTER, CO
WOLFENDEN, & TERI
CITY OF REDWOOD FALLS
TOWNSHIP BOARD OF S % TAMMY HOJLE, CLERK
FRANK MUSHOWER

277 L 3RD ST
37266 OO HWY 24
% KEITH WUETZEL, CITY ADMINIS
PO BOX 526
56235 US HWY 71
FRANK MUSHOWER, INC, CORP

REDWOOD FALLS
REDWOOD FALLS
REDWOOD FALLS
REDWOOD FALLS

MIN 56282
MIN 56283
MIN 56283
MIN 56283

TO: Whom It May Concern
FROM: Nick Brozek *NB*
Land Use and Zoning Supervisor
Redwood County Environmental Office
DATE: July 12, 2022
RE: Notice of Public Hearing on Rezoning Application

COPY



Please find enclosed a *Notice of Public Hearing* regarding an *Application for Rezoning* filed by Farmers Union Industries, LLC dba Artex Manufacturing, pursuant to Redwood County Code of Ordinances Section 153.008, to rezone from "B-1" Highway Service Business District to "I-1" Industry District, certain property in the County of Redwood, State of Minnesota, described as follows:

Lot 4 and Lot 5, Block 1, Wertish Addition.

A public hearing thereon will be held before the Redwood County Planning Commission at the regularly scheduled Planning Commission meeting starting at 1:00 o'clock p.m. on Tuesday, the 26th day of July, 2022. The meeting will be held in the Board Room of the Redwood County Government Center, 403 South Mill Street, Redwood Falls, MN 56283.

Pursuant to Redwood County Zoning Ordinance, all property owners of record within five hundred (500) feet in incorporated areas and/or one-half (1/2) of a mile of the affected property or the ten (10) properties nearest to the affected property, whichever would provide notice to the greatest number of landowners in the unincorporated areas, the township in which the affected property is located, and all municipalities within two (2) miles of the property are required to be notified in writing of the time and place of the public hearing.

If you have any comments or questions regarding this matter, please contact the Redwood County Environmental Office by telephone at (507) 637-4023, via email at Environmental@co.redwood.mn.us, or in writing at *Redwood County Environmental Office, P.O. Box 130, Redwood Falls, MN 56283.*

Enclosure



**NOTICE OF HEARING
ON APPLICATION FOR REZONING**

An *Application for Rezoning* has been filed by Farmers Union Industries, LLC dba Artex Manufacturing, pursuant to Redwood County Code of Ordinances Section 153.008, to rezone from “B-1” Highway Service Business District to “I-1” Industry District, certain property in the County of Redwood, State of Minnesota, described as follows:

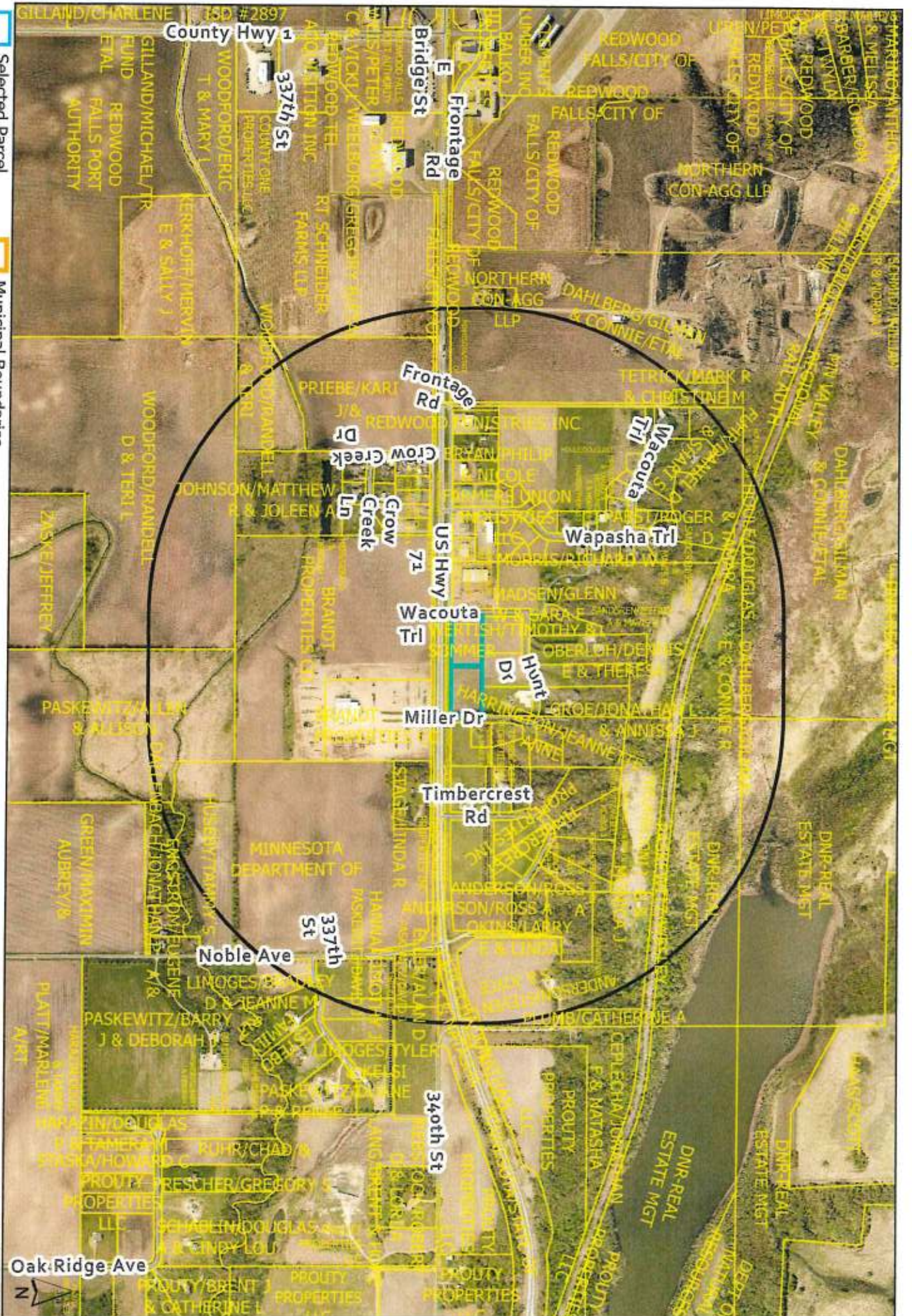
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DATED: July 8, 2022

Nicholas W. Brozek
Land Use & Zoning Supervisor
Redwood County Environmental Office



- Selected Parcel
- Municipal Boundaries
- Notification Area
- Sections
- Roads
- Parcels

Rezoning Area:
0.5 miles from selected parcel



Parcel IDs: 62-820-008X
 62-820-0100

