



Le Sueur County, MN

Tuesday, September 27, 2016

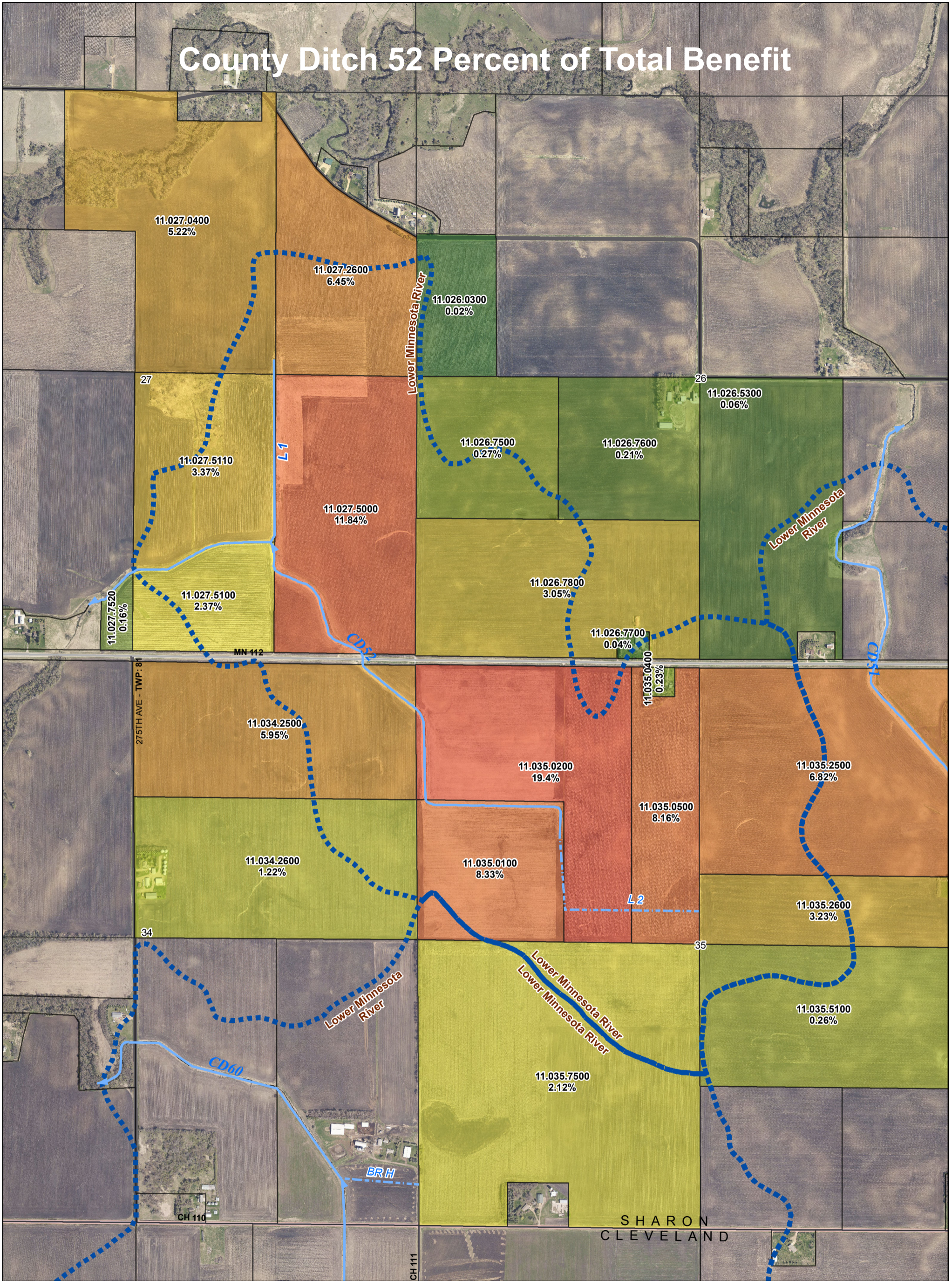
Board Meeting

Item 5

10:00 a.m. CD #52 Reconvene Redetermination Public Hearing (15 min)

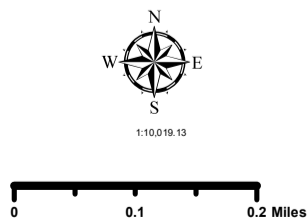
Staff Contact:

County Ditch 52 Percent of Total Benefit



MAP KEY

Benefited Parcels	— US Highway
Low	— MN Highway
High	— CSAH
COUNTY DITCH	— County Road
MAIN	— Township Road
SPUR	— Municipal Street
TILE	— State Park Road
LAKE	— State Game Preserve Road
Watershed	— Private Road - Open to public
CITY	— Unspecified



PLEASE REPORT MAP CHANGES TO:
LE SUEUR COUNTY GIS DEPARTMENT
GIS@CO.LE-SUEUR.MN.US
507.357.8577

County Ditch 52



Date: 9/13/2016
Coordinate System: NAD 1983 HARN Adj MN Le Sueur Feet
Projection: Lambert Conformal Conic
Datum: NAD 1983 HARN Adj MN Le Sueur
False Easting: 500,000.0000
False Northing: 500,000.0000
Central Meridian: -93.1333
Standard Parallel 1: 44.3000
Standard Parallel 2: 44.6667
Latitude Of Origin: 44.1667
Units: Foot US
MAP CREATED BY:
Justin Lufersman
Le Sueur County GIS Manager
jlufersm@co.lesueur.mn.us
507.357.8577

**Auditor's Tabular Assessment Statement *(1) For the Creation of a Fund to be used for the Repair of *(2) For the Repair of County
Ditch No. 52 in the County of Le Sueur Minnesota**

***If the lien is for the Creation of a fund to be used for repairs in the future strike out (2). If the lien is for repairs already made strike out (1).**

Names of the Owners of all Lands and the Names of all Public Roads, Corporate Roads and Railroads that are Assessed for the Repair of said Ditch.	Description of each Parcel of Land to be Assessed for the Repair of said Ditch as it Appears from Original Lien Statement for Construction of said Ditch.	Section	Township	Range	Number of acres in each tract according to assessment rolls and tax list.	Estimated number of acres benefited.	Amount that each tract of land and each public road, corporate road and rail-road was benefitted by the construction of said ditch.	Amount that each tract of land and each public road, corporate road and rail-road is liable for and must pay for the repair of such ditch.	Board Meeting - May 24, 2016 , Filing Date - June 15, 2016,(Actually filed 7/6/16) 205% Lien, 4% interest, 8 years	Percent of total benefit
							Acres	Dollars		
Clem L Traxler	N 1/2 of NE 1/4	35	111	25	80.00	38.00	484.50	993.23	11.035.2500	4.45%
Clem L Traxler	N 1/2 of SW 1/4 of NE 1/4	35	111	25	20.00	16.00	258.50	529.93	11.035.2500	2.37%
Baker Brothers Partnership	E 1/2 of E 1/2 of NW 1/4 less 2.08 ac	35	111	25	37.92	37.47	889.80	1,824.09	11.035.0500	8.16%
Gene L & Debra M Lewis	1.00 ac of NE 1/4 of NW 1/4	35	111	25	1.00	0.98	23.27	47.70	11.035.0300	0.21%
Norman Campbell	1.08 ac of NE 1/4 of NW 1/4	35	111	25	1.08	1.07	25.40	52.07	11.035.0400	0.23%
Baker Brothers Partnership	W 1/2 of E 1/2 of NW 1/4	35	111	25	40.00	39.48	937.53	1,921.94	11.035.0200	8.60%
Baker Brothers Partnership	NW 1/4 of NW 1/4	35	111	25	40.00	40.00	1177.00	2,412.85	11.035.0200	10.80%
Megan Holicky et al	S 1/2 of S 1/2 of NE 1/4	35	111	25	40.00	21.00	352.50	722.63	11.035.2600	3.23%
Megan Holicky et al	N 1/2 of SE 1/4	35	111	25	80.00	19.00	28.50	58.43	11.035.5100	0.26%
Russell T & Judy B Lloyd	N 1/2 of SW 1/4	35	111	25	80.00	27.00	231.00	473.55	11.035.7500	2.12%
Baker Brothers Partnership	SW 1/4 of NW 1/4	35	111	25	40.00	39.00	908.00	1,861.40	11.035.0100	8.33%
Julie Lloyd et al	N 1/2 of NE 1/4	34	111	25	80.00	40.00	648.50	1,329.43	11.034.2500	5.95%
Jim D & Diane G Lloyd	S 1/2 of NE 1/4	34	111	25	80.00	17.00	132.50	271.63	11.034.2600	1.22%
Joan C Traxler	SW 1/4 of SE 1/4 less 2.41 ac	26	111	25	37.59	4.00	6.00	12.30	11.026.5300	0.06%
Joan C Traxler	S 1/2 of SW 1/4 less 2 ac in SE 1/4 of SW 1/4	26	111	25	78.00	63.00	332.04	680.68	11.026.7800	3.05%
Matthew & Becky Larsen	2 ac in SE 1/4 of SW 1/4	26	111	25	2.00	1.00	4.46	9.14	11.026.7700	0.04%

Karl & Sandra Germscheid Trust	NE 1/4 of SW 1/4	26	111	25	40.00	3.00	23.00	47.15	11.026.7600	0.21%	
Karl & Sandra Germscheid Trust	NW 1/4 of SW 1/4	26	111	25	40.00	7.00	29.00	59.45	11.026.7500	0.27%	
Eileen Lee	E 1/2 of SE 1/4	27	111	25	80.00	79.00	1290.00	2,644.50	11.027.5000	11.84%	
Vetter Enterprises, c/o Kevin & Julie Vetter	4.22 ac in SE cor of SE 1/4 of SW 1/4, lying S of C.D. #52	27	111	25	4.22	2.00	17.83	36.55	11.027.7520	0.16%	
Vetter Enterprises, c/o Kevin & Julie Vetter	Beg at S 1/4 cor, th E 1323.69 ft, th N 1035.55 ft, th SE 386.45 ft, SE 151.74 ft, SE 131.51 ft, SE 383.36 ft, SE 253.97 ft, SE 53.22 ft, th SE to intersection of W line of W 1/2 of SE 1/4, th S along said line to beg	27	111	25	28.93	28.93	258.37	529.66	11.027.5100	2.37%	
Brian R Vetter & Kevin & Timothy Vetter	Comm at SE cor of W 1/2 of SE 1/4, th N 1086.55 ft to beg, th cont N 1561.45 ft, th W 1308.87 ft to W line of W 1/2 of SE 1/4, th S along said line 1869 ft +/- (GIS), th NE 24 ft +/- (GIS), th NE 53.22 ft, E 253.97 ft, NE 383.36 ft, NE 131.51 ft, NE 151.74 ft, NE 386.45 ft to beg	27	111	25	51.13	41.07	366.80	751.94	11.027.5110	3.37%	
Loren F & Julie Stauff Trust	SW 1/4 of NE 1/4	27	111	25	40.00	22.00	568.50	1,165.43	11.027.0400	5.22%	
Ray Hewitt	SE 1/4 of NE 1/4	27	111	25	40.00	27.00	703.00	1,441.15	11.027.2600	6.45%	
Kevin & Jeanette Hewitt	W 1/2 of SW 1/4 of NW 1/4	26	111	25	20.00	1.00	1.50	5.00	11.026.0300	0.02%	
State of MN -MNDOT	State Hwy #112	34	111	25			1200.00	2,460.00	11.999.8889	11.01%	
Grand Total:								10897.50	22341.83		100.00%

STATE OF MINNESOTA
LE SUEUR COUNTY BOARD OF COMMISSIONERS
SEATED AS DRAINAGE AUTHORITY UNDER STATUTES CHAPTER 103E
FOR LE SUEUR COUNTY DITCH 52

The matter of the request for the
Redetermination of Benefits for Le Sueur
County Ditch 52

**Order initiating Redetermination of
Benefits and Appointing Viewers**

Commissioner _____ made a motion to adopt the following Findings and Order:

WHEREAS, the Le Sueur County Board of Commissioners, Drainage Authority for Le Sueur County Ditch (LCD) 52, upon the request of benefitted landowners on May 24, 2016, investigated whether conditions exist to warrant the redetermination of benefits of LCD 52; and

WHEREAS, upon investigation, the Board has determined the following:

1. LCD 52 was established in 1950. Benefits for LCD 52 were determined concurrent with establishment in 1950, prior to the enactment of various laws, regulations, and programs protecting wetlands and prior to initiation of modern, intensive farming and drainage practices within the County.
2. The current benefits roll reflects the benefitted properties, benefitted areas, and benefit values as determined by viewers based on assumptions regarding the ability of landowners to convert wetlands for agricultural purposes and assumptions regarding the productivity of land.
3. Since original establishment of LCD 52 and the original determination of benefits and damages, land uses and drainage practices have changed to accelerate and increase the flow of water to the drainage system changing the nature and value of benefits accruing to lands from construction of LCD 52.

[15741-0028/2339605/1]

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4. Since the original determination of benefits and damages, additional lands not previously determined to be benefitted have improved drainage to take advantage of LCD 52 as an outlet for drainage.
5. Since the original determination of benefits and damages, land values have changed within the benefitted area of LCD 52.
6. The Drainage Authority noticed and held an informational hearing on the proposed redetermination of benefits for LCD 52 on July 26, 2016. The informational hearing was attended by landowners who confirmed the determinations of the Drainage Authority.
7. At the close of public comments on July 26, 2016, the Drainage Authority continued the meeting to September 27, 2016 to allow staff to prepare maps displaying the currently benefitted area in comparison to the watershed of the drainage system and certain drainage improvements.
8. At the continued meeting on September 27, 2016, staff presented the requested information which was reviewed by the Drainage Authority.

THEREFORE, the Le Sueur County Board of Commissioners, Drainage Authority for LCD 52, finds that the conditions required for the initiation of a redetermination of benefits exist, that the original benefits and damages do not reflect reasonable present day land values, and the benefitted areas have changed.

ORDER

IT IS HEREBY ORDERED that a Redetermination of Benefits, pursuant to Minnesota Statutes 103E.351 is ordered to be completed and that Ron Ringquist, Bill Anderson, and Allen Kerber are appointed viewers, to redetermine and report the benefits and damages for LCD 52.

[15741-0028/2339605/1]

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The motion was seconded by Commissioner _____, and after discussion, the motion _____ and the Findings and Order were _____ by a vote of ___ yes and ___ no.

Dated this 27th day of September 2016.

LE SUEUR COUNTY BOARD OF COMMISSIONERS
SEATED AS DRAINAGE AUTHORITY UNDER
STATUTES CHAPTER 103E FOR LE SUEUR COUNTY
DITCH 52

By _____
Chairperson