



Le Sueur County, MN

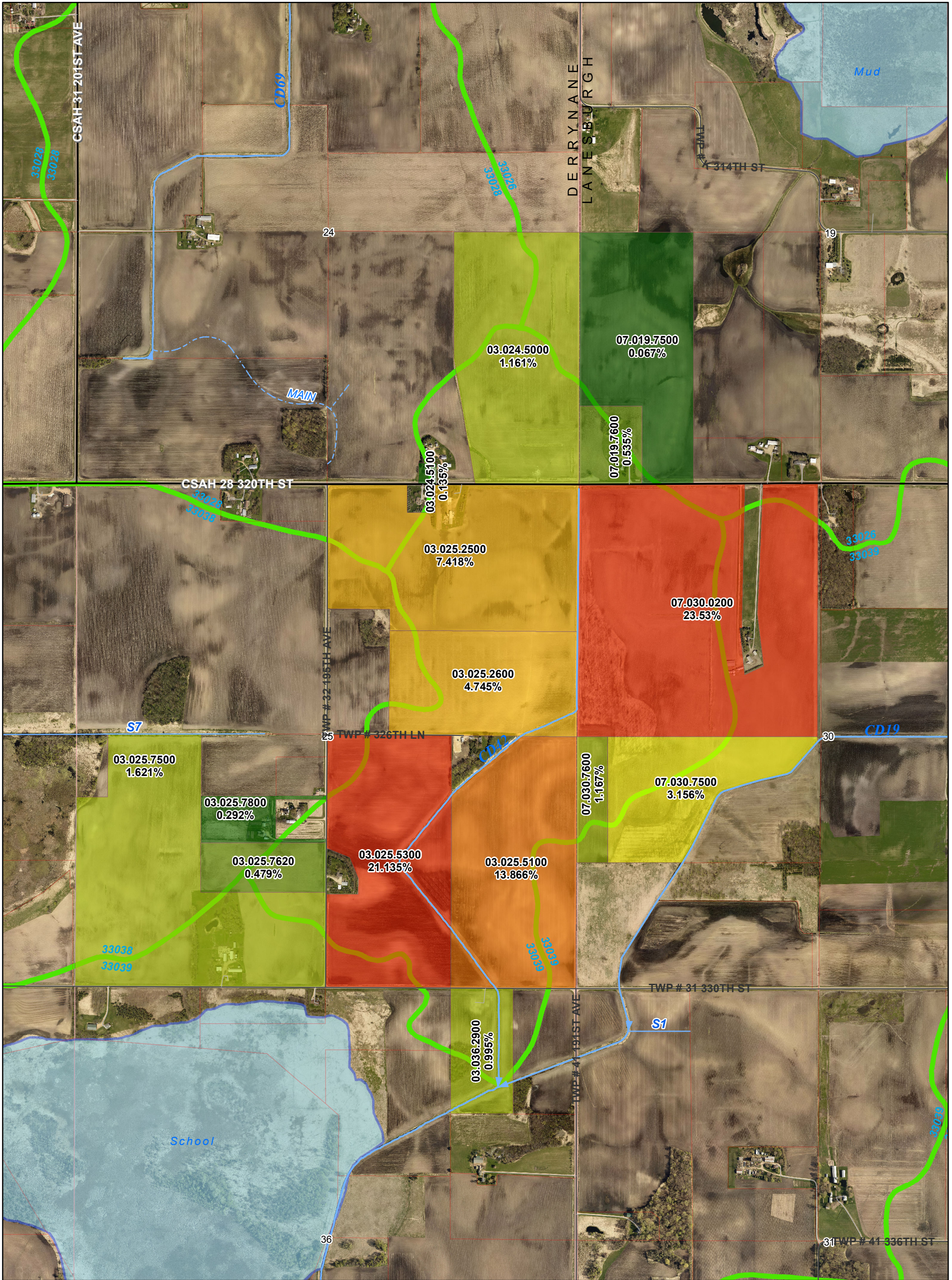
Tuesday, October 3, 2017

Board Meeting

Item 10

10:00 a.m. CD #42 Public Hearing

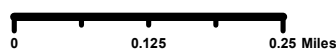
Staff Contact:



MAP KEY	
COUNTY DITCH	Percent
MAIN	0.066 - 0.291
SPUR	0.291 - 0.535
TILE	0.535 - 1.621
Ditch Watershed	1.621 - 3.156
	3.156 - 7.417
	7.417 - 13.866
	13.866 - 23.529



1:11,295.5



PLEASE REPORT MAP CHANGES TO:

LE SUEUR COUNTY GIS DEPARTMENT
GIS@CO.LE-SUEUR.MN.US
507.357.8577

County Ditch 42

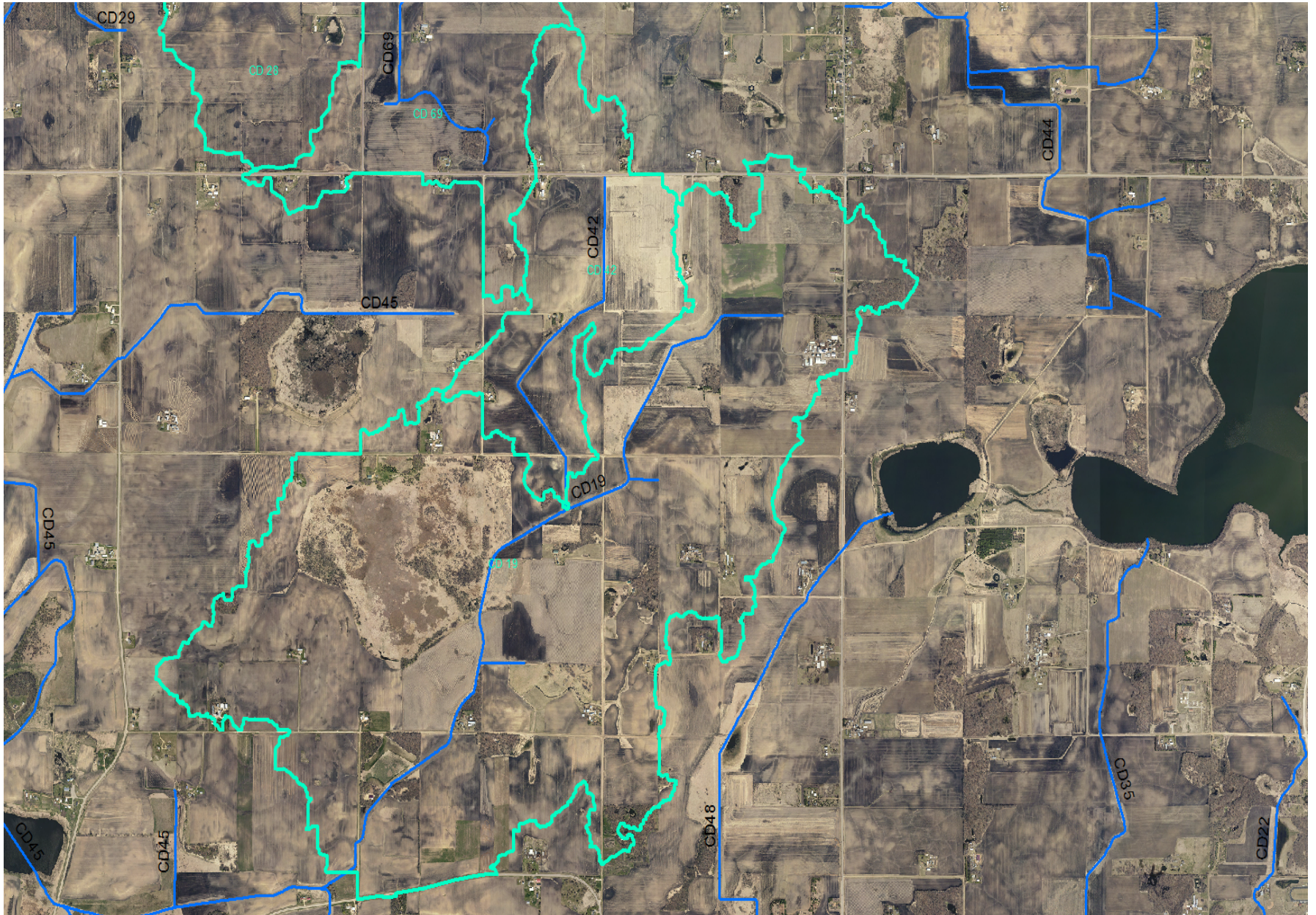


Date: 9/29/2017

Coordinate System: NAD 1983 HARN Adj MN Lx. Scur Foot
Projection: Lambert Conformal Conic
Datum: NAD 1983 HARN Adj MN Lx. Scur
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: 44.1847
Units: Foot US

MAP CREATED BY:
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Document Path: K:\CD42\Plats_Maps\CD42_Percent.mxd



STATE OF MINNESOTA
LE SUEUR COUNTY BOARD OF COMMISSIONERS
SEATED AS DRAINAGE AUTHORITY UNDER STATUTES CHAPTER 103E
FOR LE SUEUR COUNTY DITCH 42

The matter of the Redetermination of Benefits
for Le Sueur County Ditch 42

**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) 42, investigated whether conditions exist to warrant the redetermination of benefits of LCD 42; and

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

1. LCD 42 was established in 1914 and subsequently improved in 1949. Benefits for LCD 42 were determined concurrent with establishment in 1914 and improvement benefits were determined in 1949, prior to the 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 future use and drainage of said properties.
3. LCD 19 serves as the outlet for LCD 42, LCD 42 pays an outlet benefit to LCD 19 and a redetermination of benefits has been initiated for LCD 19. The resulting redetermination of benefits on LCD 19 will result in disjointed benefits rolls between LCD 19 and 42 and an inequitable distribution of outlet benefit to LCD 42 because of the disparity of time between with current benefits determination on LDC 42 and the current redetermination on LCD 19.

[15741-0036/2769926/1]

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4. Since original establishment of LCD 42 and the most current 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 42. The impacts of these changes have affected LCD 19 as the outlet and a new outlet benefit determination is necessary to reflect these changes.
5. Since the most current determination of benefits and damages, additional lands not previously determined to be benefitted have improved drainage to take advantage of LCD 42 as an outlet for drainage.
6. Since the most recent determination of benefits and damages, land values have changed within the benefitted area of LCD 42.
7. The Drainage Authority noticed and held an informational hearing on the proposed redetermination of benefits for LCD 42 on October 3, 2017. The informational hearing was attended by landowners who confirmed the determinations of the Drainage Authority.

THEREFORE, the Le Sueur County Board of Commissioners, Drainage Authority for LCD 42, 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.

FURTHER, that Bill Anderson, Allen Kerber and Ron Ringquist are appointed as viewers to redetermine and report the benefits and damages for LCD 42; and

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FURTHER, that the Auditor-Treasurer is directed to call a meeting of the viewers at which the viewers shall execute their oaths.

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 3rd day of October 2017.

LE SUEUR COUNTY BOARD OF COMMISSIONERS
SEATED AS DRAINAGE AUTHORITY UNDER
STATUTES CHAPTER 103E FOR LE SUEUR COUNTY
DITCH 42

By _____
Chairperson