

IN THE MATTER OF THE REDETERMINATION
OF BENEFITS OF COUNTY DITCH #39
IN MARSHALL COUNTY

WHEREAS: A public hearing was held on the 6th day of June 1990 at 10:30 a.m. at the Alvarado Community Center in the city of Alvarado, Minnesota, in Marshall County, Minnesota, concerning the redetermination of benefits of County Ditch #39. A quorum of the Board of Managers of the Middle River Snake River Watershed District were present, together with their Attorney Ronald C. Vroom of Hallock, Minnesota. The Engineer of the Watershed District, Ronald J. Adrian, was present, along with the Viewers, Henry Gredvig, Robert Joe Toren, and Selmer Sorter. Also present were approximately 10 persons in attendance. A court reporter was present and a transcript and record was taken of these proceedings.

NOW THEREFORE BASED UPON all testimony, evidence, files, and records the Board of Managers of the Middle River Snake River Watershed District make the following:

FINDINGS OF FACT

- 1) That the Engineer's report for the establishment of a grass strip along County Ditch #39 has been duly filed and is sufficient under Minnesota Statutes.
- 2) That the Viewer's report for the redetermination of benefits and benefited area has been duly filed under Minnesota Statutes.
- 3) That notice of the public hearing by posting, mailing and publication has been duly given to all parties and landowners affected by these proceedings in accordance with Minnesota Statutes.

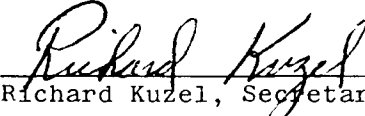
The Board of Managers having made their foregoing Findings of Fact hereby makes the following:

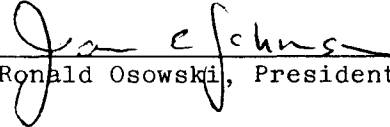
ORDER

- 1) That the benefits and damages as listed in the attached Exhibit 1 are adopted, and that the benefits and benefited area as redetermined shall hereafter be used in all further and future proceedings relating to County Ditch #39.
- 2) That the damages for the establishment of the grass strip be paid,

- 3) That the Engineer is directed to have the grass strip seeded in accordance with the Engineer's report.
- 4) That repair funds be established for County Ditch #39 as follows:
 - a) Marshall County Ditch #39 fund consisting of the balance of the funds in the Marshall County Ditch #39 repair fund and all funds received from the properties in Marshall County for the repair and maintenance of County Ditch #39.
- 5) That all costs and expenses incurred in the redetermination of benefits and all future costs and expenses be paid from the respective repair fund for County Ditch #39.

Dated this 16th day of July, 1990.


Richard Kuzel, Secretary

ATTEST: 
Ronald Osowski, President