

STATE OF MINNESOTA )  
                                  )    SS  
COUNTY OF RAMSEY    )

In the matter of the Petition of the Village of New Brighton for certain modifications of Ramsey County Ditch #2 in an area owned by the Village, between 3rd Street N.W. extended, and 11th Street N.W. in said Village.

WHEREAS The above entitled matter came on duly to be heard by and before the County Board of Ramsey County, State of Minnesota, at a meeting of said Board, duly called for the purpose of hearing and considering the said petition for the modification, alteration and realignment of said Ditch #2 and the apportionment and assessment of the cost therefore, on the 5th day of May 1969, at 10:00 o'clock A.M. of said day, and continued on May 19, 1969, at 10:00 o'clock a.m. on said day, at which times the said County Board did consider the said petition and the plans for modification, alteration and realignment of said Ditch #2, as prepared and submitted by Brauer & Associates, Inc., Engineers for said Village of New Brighton, and the reports of the Banister Engineering Company dated February 7, 1969, and dated May 1, 1969, and it appearing by proper evidence that due notice was given of the pendency of said petition and of said time of hearing thereon by posting and publication, and that said County Board did at the time above specified proceed to consider said Petition and the Engineer's reports thereon, and heard all the parties interested for or against the granting of

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Division of Waters Soils & Minerals

Director				
Supervisor	<i>AMS</i>			
Regulation				
Development	<i>ATP</i>			
Studies				
Basic Data				
Graphics				

RAMSEY

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by the overflow and flooding of water onto property owned by petitioner.

NOW, THEREFORE, As conclusions from the foregoing findings, the County Board of the County of Ramsey, State of Minnesota, being satisfied that the proposed modification, alterations and realignment of said ditch will not impair the designed function of said ditch for which it was constructed for the purpose of drainage, do hereby order and direct that said ditch be modified, altered and realigned as prayed for in said petition and according to the report and plan of said Brauer & Associates, Inc., made and filed herein.

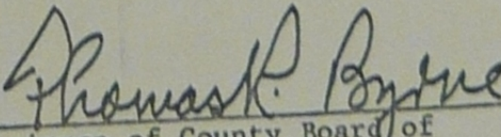
IT IS FURTHER ORDERED, That the said Petitioner shall at no cost to the County perform the work incident to the modification, alteration and realignment of Ditch #2 as outlined in the Brauer & Associates, Inc., report and plan and shall thereafter maintain said Ditch between Station 77 + 00 and Station 48 + 65 at no expense to the County of Ramsey, and shall indemnify and save harmless the County of Ramsey from any liability for damages to land caused by the construction of said modification, alterations and realignment, and maintenance of said Ditch #2 between Station 77 + 00 and Station 48 + 65 and by the overflow and flooding of water onto property owned by Petitioner and shall in addition pay to the County the sum of \$507.61 to cover the cost of these proceedings and the Consulting Engineer's fee for services incident thereto.

It is further ordered that no assessment shall be levied against the land of said Petitioner benefited by said modification, alteration and realignment.

Dated at St. Paul, Minnesota this 19th day of May 1969.

BOARD OF RAMSEY COUNTY COMMISSIONERS

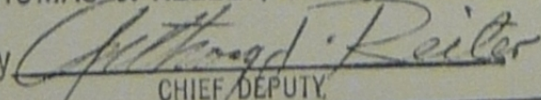
By

  
\_\_\_\_\_  
Chairman of County Board of  
Ramsey County, Minnesota

ATTEST:

THOMAS J. KELLEY, County Auditor,

By

  
\_\_\_\_\_  
CHIEF DEPUTY

County Auditor and Ex-Officio Clerk of the Board