

STATE OF MINNESOTA
COUNTY OF RAMSEY

RICE CREEK WATERSHED DISTRICT
SITUATED IN THE COUNTIES OF
ANOKA, HENNEPIN, RAMSEY AND
WASHINGTON

* * * * *

In the Matter of the Petition
of Evergreen Shores, Inc., for
an Improvement of Ramsey
County Ditch No. 8.

ORDER ESTABLISHING
IMPROVEMENT AND
CONFIRMING THE
VIEWERS REPORT

* * * * *

The above entitled matter came on for final hearing
by the Board of Managers of the Rice Creek Watershed District
on the 16th day of March, 1983, at the City of Shoreview City Hall,
Shoreview, Minnesota upon the petition for the
improvement of the ditch above described and the reports of
the engineer and viewers appointed herein. The petitioners
appeared by Barbara Farrell, attorney at law, Minneapolis,
Minnesota, and No one
appeared in opposition thereto. The engineer appointed by
the said managers to survey said ditch and Malcolm Allen,
Malcolm Watson and Albert Kordiak being all present and
being all of the viewers appointed herein; and the said
managers having heard said petition, all persons and parties
interested, both for and against the establishment and
construction of said improvement, and all evidence produced
by them, and having considered the same, together with the
report of the viewers and the report of the engineer, and
the reports of the Minnesota Water Resources Board and the
Director of the Division of Waters of the Department of
Natural Resources of the State of Minnesota, find the following
facts:

First. That notice of said hearing was posted and served on the appropriate officers of the Department of Natural Resources and the Water Resources Board, and on all persons, corporations, and public bodies affected by said improvement as by law required, that said notice was published, and that proofs of service, posting and publication have been filed in the office of said managers.

Second. That the reports of said engineer and viewers have been duly made and filed in the office of said managers, and that said reports as made and amended are complete, just and correct, and that all other proceedings in this matter have been had and taken, in accordance with the provisions of law relating thereto.

Third. That the estimated benefits to be derived from the improvement of said ditch are greater than the total estimated costs, including damages, and that said damages and benefits have been duly determined as required by law, and that said improvement will be of public utility and benefit, and will promote the public health and welfare, and is practicable.

Fourth. That the location of the improvement of said ditch is shown in the _____ Final Report of the Engineer in this matter, on file in the office of the Board of Managers as part of the record of this proceeding.

Fifth. That said ditch improvement lies wholly within Ramsey County, Minnesota.

Sixth. That said improvement of Ramsey County Ditch No. 8 changes the course of a part of said ditch as originally established.

Seventh. That the centerline of Ramsey County Ditch No. 8 as improved by said improvement runs through the bodies of water identified as Kerry Lake in the official

plat of Evergreen Shores, Ramsey County, Minnesota and over the Westerly 20 feet of Lot 7, Block 5, Evergreen Shores.

Eighth. That said improvement is in compliance with the provisions and purposes of applicable Minnesota Statutes.

NOW THEREFORE, IT IS ORDERED AND ADJUDGED:

First. That the improvement of said drainage ditch, be and hereby is ordered and established, as specified in the _____ Final Report of the Engineer in this matter, on file in the office of the said managers as a part of the record of this proceeding.

Second. That the Final Report of the Engineer appointed by this Board of Managers, and on file in this matter, be and the same is in all things adopted and confirmed.

Third. That the Final Report of the viewers appointed by this Board of Managers, and on file in this matter, be and the same hereby is in all things adopted and confirmed, and that the damages therein specifically arising from the construction of said improvement be and they are in all things allowed and confirmed, and that the same be paid in the manner provided by law.

Fourth. That the location of part of Ramsey County Ditch No. 8 is hereby changed from its location as originally established to the location of said improvement, as shown on Sheet No. 1 of the Plans entitled Ramsey County Ditch No. 8 Improvements, Rice Creek Watershed District Project No. 77-22, as prepared by Richard M. Greenlee and dated March 10, 1983, which Plans are a part of the Final Report of the Engineer in this matter.

Fifth. That the costs of said improvement and all other expenses thereof, and of the proceedings therefor are

in all things allowed and confirmed, and shall be paid according to law.

Sixth. That a statement listing the property and corporations benefited or damaged or otherwise affected by the within improvement as found herein shall be filed with the County Auditor of Ramsey County, Minnesota.

Seventh. That the improvement of said ditch, as specified in the Final Report of the engineer, be constructed according to law.

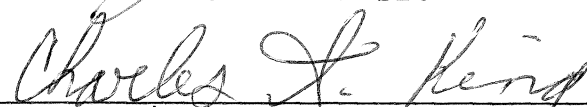
Dated this 23rd day of March, 1983.

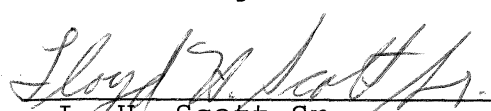
BOARD OF MANAGERS OF THE RICE CREEK
WATERSHED DISTRICT


Diane Harstad


E. A. Petrangelo


Andrew J. Cardinal Sr.


C. T. King


L. H. Scott Sr.

STATE OF MINNESOTA

RICES CREEK WATERSHED DISTRICT

COUNTY OF RAMSEY

RE: PETITION OF EVERGREEN SHORES, INC. FOR IMPROVEMENT OF RAMSEY CO. DITCH #8

RESOLUTION

Mr. Cardinal offered the following resolution and moved its adoption:

Whereas, the Board of Managers of the Rice Creek Watershed District has held a hearing on the above matter and has heard all of the evidence submitted therein,

Now Therefore, Be it Resolved that an order be made establishing the said improvement and adopting and confirming the reports of the engineer and viewers appointed therein and that a statement be filed with the County Auditor of Ramsey Co. showing the benefits and damages found by the Board.

The motion was seconded by Mr. Petrangelo.

The question was on the adoption of the Resolution and the roll being called there were 5 yeas and no nays and so the resolution was adopted this 16th day of March, 1983.

Dated this 16th day of March, 1983.

Lloyd D. Scott Jr.
Secretary

CERTIFICATION

I , the duly qualified and acting secretary of the Board of Managers of the Rice Creek Watershed District do hereby certify that the foregoing resolution and Order Establishing Improvement and Confirming the report of the viewers and the report of the viewers attached hereto are true and correct copies of the original thereof on file in the records in the office of the Rice Creek Watershed District.

Dated this day of , 1983.

Secretary of the Board of Managers
Rice Creek Watershed District