

AN ACT

File #1499

July 2, 1878

---To authorize the location of an Avenue around Lake Phalen---

---Be it enacted by the Legislature of the State of Minnesota---

SECTION ONE

That Gen. R. W. Johnson, H. J. Brainard and Henry Brandt of the County of Ramsey are hereby appointed Commissioners to locate and survey a road sixty (60) feet wide from a point on the St. Paul and Lake Phalen and White Bear Lake road where it crosses the North line of Section number twenty-seven (27) Township number twenty-nine (29) Range twenty-two (22) Thence running in a Northwest direction to the shore of Lake Phalen and to locate and survey a road or Avenue one hundred (100) feet wide commencing where said road strikes said Lake thence entirely around said lake and as near the shore thereof as practicable to place of beginning.

SECTION TWO

Said Commissioners or a majority of them shall meet at the Auditor's office in the City of St. Paul on or before the first (1st) day of June eighteen hundred and seventy-eight (1878) and there make oath that they will faithfully discharge their duties as provided by this act and impartially assess damages if any they find to be sustained by the owners of land through which said road may run which oath shall be filed in said Auditor's office and proceed to the discharge of their duties.

SECTION THREE

The said Commissioners are hereby authorized to employ the County Surveyor with such assistants as they may deem proper, as may be necessary for the proper location and establishment of said road,

SECTION FOUR

Said Commissioners shall on or before the first day of July, eighteen hundred and seventy-eight (1878) cause an accurate plat of the survey and location of said road to be made and filed in the office of the County Auditor of Ramsey County which plat shall be prima facie evidence in all courts of this state of the location survey and establishment of said road.

SECTION FIVE

It shall be the duty of said Commissioners to appraise the damages that may accrue to the owners of any lands through which said road may be established and on or before the first day of July next to file such appraisal in the office of County Auditor of Ramsey County.

SECTION SIX

Any owners of lands through which said road passes may appeal from the appraisal of damages made by said Commissioners to the District Court of Ramsey County at any time within twenty (20) days after the first day of July aforesaid.

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SECTION SEVEN

Such appeal shall be taken by the services of a notice in writing one upon County Auditor and one upon the County Attorney of Ramsey County and on the filing in the office of the Clerk of the District Court a copy of such notice with proof of service with a description of the property taken and the amount of the Commissioners award together with appellants grounds of appeal the appeal will be deemed to be complete and thereafter proceedings shall be had as in actions originally commenced in the District Court.

SECTION EIGHT

All damages appraised by said Commissioners or determined and awarded by the court together with the expenses and per diem of the commissioners, surveyor and employees shall be paid by the County of Ramsey.

SECTION NINE

This act shall be in force from and after its passage.

Approved March 6th. A.D. 1876.

New Canada Township

REPORT OF COMMITTEE

File #1499

July 2, 1878

We the undersigned Commissioners appointed by the Act of the Legislature, approved March 6th, 1878, a copy of which is attached hereto, beg leave to submit the following report of damages and benefits resulting from the construction of the road, or avenue therein referred to; also maps and estimates of cost of construction of the same.

SEC. 16 TOWN 29 RANGE 22	AMOUNT TAKEN ACRES	DAMAGES	BENEFITS
Chas. Basille Lot 3---40 9/10 acres	2 25/100	\$45.00	\$58.00
Geo. Hill " 10 "	7/10	10.00	12.00
O. C. Murray " 2---E 12 8/10 "	62/100	10.00	12.00
Louis Roberts " 2---E 15 Acres of W 25 acres	1	20.00	25.00
Jane W. Rowan NW 1/4 of SW 1/4	1/10	5.00	6.00
Carl Reiter S 13 1/3 acres NW 1/4 of SE 1/4	1/40	5.00	6.00
" " N 10 acres of Lot 1	5/10	35.00	25.00
Margdalene Schemp Lot 1, except N 10 acres	87/100	30.00	35.00

SEC. 21 TOWN 29 RANGE 22	AMOUNT TAKEN ACRES	DAMAGES	BENEFITS
W. M. Stees Lot 6	42	\$142.00	\$70.00
J. C. Conway Lot 5 (5 62/100 acres)	3 62/100	80.00	70.00
Charlotte M. Lewis Lot 4 & W 1/2 of NW 1/4	3 18/100	70.00	80.00
W. F. Donaldson Lot 3	3 78/100	75.00	80.00

SEC. 22 TOWN 29 RANGE 22	AMOUNT TAKEN ACRES	DAMAGES	BENEFITS
R. P. Lewis in SW 1/4	2	\$60.00	\$65.00

LAKE RESIDENCES

W. H. Tuck	Lot 1	1 33/100	\$25.00	\$30.00
J. W. Brady	Lot 2	87/100	5.00	6.00
G. Gordon	Lot 3	1 6/10	25.00	30.00
A. T. Manson & C. Hitchcock	Lot 4	1 26/100	25.00	30.00
H. Iglehart	Lots 5, 6, 7 & 8	2 77/100	40.00	60.00
J. K. Pryce	Lot 9	64/100	10.00	15.00
J. J. O'leary	Lot 10	69/100	10.00	15.00
<b>TOTAL</b>			<b>\$727.00</b>	<b>\$727.00</b>

Respectfully submitted

R. W. Johnson )

H. J. Brainard ) Commissioners

NOTE: Report accepted and adapted and confirmed and ordered published.

New Canada

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MADE IN U.S.  
March 23, 1878

STATE OF MINNESOTA  
Office of Secretary of State

I hereby certify that I have carefully compared the foregoing with the original on file in this office and that the same is a true copy thereof.

Witness my hand and the  
great seal of the State this  
23rd day of March, A.D. 1878.

J. S. Irgens  
Secretary of State

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