**STATE OF MINNESOTA**

***Before the*
<DRAINAGE AUTHORITY NAME>
SITTING AS THE DRAINAGE AUTHORITY FOR
<NAME OF DRAINAGE SYSTEM>**

|  |  |
| --- | --- |
| **In the Matter of:****Recording <Name of Drainage System>** | **FINDINGS AND ORDER DECLARING INTENT TO RECORD <NAME OF DRAINAGE SYSTEM>** |

The <name of drainage authority> Board of <Commissioners/Managers>, sitting as the drainage authority for <name of drainage system>, at a public meeting convened on <date>, <Commissioner/Manager> \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ moved, seconded by <Commissioner/Manager> \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to adopt the following Findings and Order:

**Findings:**

1. <Name of drainage system> is a public drainage system consisting of <subsurface drain tile, open ditches, or both>.
2. <Name of drainage system> was originally established around <year>, according to the laws in effect at the time of establishment of said system. <Name of drainage system> was subsequently repaired and a redetermination of benefits and damages was ordered on <date>.
3. The orders relating to <name of drainage system> were never recorded in the office of the County Recorder of <name of county> County. Rather, the order was filed with the County Auditor as required by law.
4. <Name of drainage system> continues to convey agricultural drainage within its watershed.
5. The drainage authority has continued to access the drainage system by utilizing the right of way created at the time of establishment.
6. The drainage authority has determined it to be in the best interests of the properties and the owners of the property benefited by <name of drainage system> to determine and record the right of way occupied by <name of drainage system>.
7. The drainage authority will hold a public hearing on the proposal on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, <year>, at <time> and that notice of said hearing be provided according to law.

**Order:**

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for <name of drainage system>, hereby orders as follows:

That the center lines for the easements for <name of drainage system> depicted on the attached **Exhibit A** are hereby determined to be the duly established center lines of easements of a width of 100 feet either side of said center lines. The legal descriptions of said center lines are generally described in **Exhibit B**. In the event the physical location of <name of drainage system> differs from the depiction or legal description as contained herein, the physical location shall govern.

The drainage authority reserves the right, after due notice, to change the description provided herein in case of error or, if more precise information becomes available, by filing supplemental findings and order.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing findings and order, and there were \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ absent, and \_\_\_\_\_ abstentions as follows:

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| --- | --- | --- | --- | --- |
|  | Yea | Nay | Absent | Abstain |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
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Upon vote, the Chair declared the motion passed and the Findings and Order adopted.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

<Full Name>, Chairperson

\* \* \* \* \* \* \* \* \* \* \*

I, <Full Name>, <Name of County or Watershed District> <Auditor/Secretary>, do hereby certify that I have compared the above motion; findings and order with the original thereof as the same appears of record and on file with the <name of drainage authority> and find the same to be a true and correct transcript thereof. The above order was filed with me, <name of county of watershed district> <Auditor/Secretary>, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

IN TESTIMONY WHEREOF, I hereunto set my hand this
\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 <Full Name>