**STATE OF MINNESOTA**

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

|  |  |
| --- | --- |
| **In the Matter of:****<Consolidation/Division> of <Name of Drainage System(s)>** | **FINDINGS AND ORDER <GRANTING/DENYING> PETITION TO <CONSOLIDATE/DIVIDE>** |

The <name of drainage authority> Board of <Commissioners/Managers>, sitting as the drainage authority for <name of drainage system>, having received a Petition to <consolidate/divide> <name of drainage system(s)> pursuant to Minnesota Statutes, section 103E.801 by <Petitioners>, having noticed and conducted a public hearing on the petition, and based on the record and proceedings, <Commissioner/Manager> \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ moved, seconded by <Commissioner/Manager> \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to adopt the following Findings and Order:

**Findings:**

1. A Petition dated <date> was received by the <Auditor/Secretary> of the <drainage authority> requesting to <consolidate/divide> <name of drainage system> pursuant to Minn. Stat. § 103E.801.
2. The drainage authority met at <time> on <date> at <location>, accepted the petition, and set the matter on for public hearing on <date> at <time> at <location of public hearing>.
3. Notice of the public hearing was published once per week for three successive weeks in <name of newspaper>. Notice of the public hearing was given in accordance with Minn. Stat. § 103E.801, subd. 3 and ch. 103E. An affidavit of publication is on file with the drainage authority.
4. A public hearing before the drainage authority was held on <date> at <time> at <location of hearing>.
5. At the public hearing, Engineer <name> presented the engineer’s report. The Engineer <recommended/does not recommend> a repair of the drainage system <if repair is recommended, specify the locations presented in the engineer’s report to be repaired>.
6. During the public hearing portion of the proceedings, the following persons appeared and provided comment (the Board’s response is indicated in italics following each comment):
	1. <Commenter Name>, <Property Description/Political Subdivision> <Street Address>, <City>, <State> <Zip>:

<summary of comment>

<*Board’s response to comment*>

* 1. <Commenter Name>, <Property Description/Political Subdivision> <Street Address>, <City>, <State> <Zip>:

<summary of comment>

<*Board’s response to comment*>

[Note: If the engineer’s report recommends repair and the drainage authority intends to order repair, the findings consistent with the following paragraphs are also recommended.]

1. The drainage authority finds that the <consolidation/division> is consistent with the redetermination of benefited areas of the drainage system. <Provide further explanation of how the consolidation or division is consistent with the redetermination of benefited areas>.
2. The drainage authority finds that the <consolidation/division> would provide for the efficient administration of the drainage system. <Provide further explanation of how consolidation or division would provide for efficient administration of the drainage system>.
3. The drainage authority finds that <consolidation/division> would be fair and equitable. <Provide further explanation of how consolidation or division would be fair and equitable>.

**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:

1. That the <name of drainage system(s)> be <consolidated/divided> as described herein.
2. The name of the <consolidated/divided> system<s> shall be <name of drainage systems(s)>.
3. The drainage authority shall have jurisdiction over and be responsible for repairs of the <consolidated/divided> portion of the drainage system<s>.
4. This order shall not release property from a drainage lien or assessment filed for costs incurred on account of the drainage system before the date of this 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:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Yea | Nay | Absent | Abstain |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |
| <LAST NAME> | 🞏 | 🞏 | 🞏 | 🞏 |

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>