

## OTTER TAIL COUNTY BOARD OF COMMISSIONERS

In the Matter of  
County Ditch No. 23

### **FINDINGS AND ORDER REDETERMINING BENEFITS**

The above captioned matter came on for hearing before the Otter Tail County Board of Commissioners, Drainage Authority for Ditch 23, on June 1, 2015, the Board having ordered a redetermination of the benefits. The hearing was continued to July 14, 2015 for the viewers to reconsider some parcels. On July 14 the County board received the Viewers' Amended Report; then at meeting held July 21, 2015 it was discovered that there was a technical error in the Report which, as directed by the Board, was corrected by the Auditor and submitted to the County Board on August 18, 2015; the Board having considered the comments at the public hearing, and being fully advised in the premises, makes the following Findings of Fact and Order:

#### FINDINGS OF FACT

##### I.

On July 9, 2013 this Board ordered a redetermination of benefits for ditch 23, appointing Richard Bergquist, Dennis Tigges and George Palmer as ditch viewers.

##### II.

The ditch viewers submitted the report to the drainage authority and on April 24, 2015 the Otter Tail County Auditor mailed out the Property Owners Report as required by Minnesota Statute 103E.303.

##### III.

At the public hearing held June 1, 2015 the drainage authority directed the viewers to re-examine some parcels contained in the report and the public hearing was continued to July 14, 2015.

IV.

The viewers submitted an amended viewers report on July 14, 2015 and which was corrected by the Auditor and submitted to the Board on August 18, 2015, a copy of which is marked Exhibit A attached to the original copy of this order. A full copy of the viewers report is on file with the office of the Otter Tail County auditor, and is available for viewing on the Otter Tail County website:

[www.co.ottertail.mn.us](http://www.co.ottertail.mn.us)

V.

The corrected Amended Viewer's Report reflects the determination that only that portion of parcels with lake frontage which are suitable for development pursuant to the local land use controls are assessed as lake property, with the balance of such parcels assessed as non-lake property.

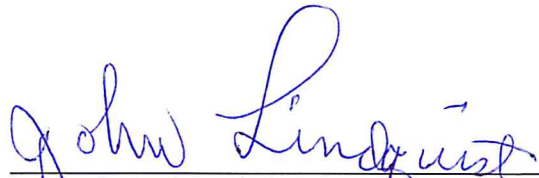
VI.

The corrected Amended Viewers Report accurately reflects the benefits to the land served by Ditch 23 and is in conformity with the provisions of Minnesota statutes chapter 103E.


ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the benefits for Ditch 23 are hereby re-determined so as to conform to the Amended Viewers' Report, a copy of which is attached to the original order and on file with the office of the Otter Tail County Auditor.

Dated: 08/18/15

  
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John Lindquist, Chair  
Otter Tail County Board of Commissioners

ATTEST:

  
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Larry Krohn, Clerk