

Viewers' Report

In the Matter of the Petition of

and Others

County Ditch No. ....

Filed April 2, 1947

E. A. Carlson  
County Auditor

And we further report that, at the completion of our work, as aforesaid, we did sum up the total estimated benefits of the construction of said Damage Ditch # 41 and find, and hereby report, the same to be the sum of 19,242.59 DOLLARS; and that we did sum up the total estimated cost and expense of the construction of said Damage Ditch # 41 and find, and hereby report, the same to be the sum of 19,242.50 DOLLARS, including the damages awarded therefor.

We further report that we have considered the relative utility and estimated expense of construction of said Damage Ditch # 41 and find, and hereby report, that the utility of the same is greater than the said estimated expense thereof, including said damages awarded.

We further report that the said proposed Damage Ditch # 41 will be of public utility; and that the construction of the same is practicable for the following reasons: Better Drainage

Respectfully submitted,  
Julius H. Harrison  
Dated this 13 day of March  
Frank P. Gustafson  
A. D. 1947  
Viewers.

In the Matter of the Petition of W. B. Nelson and Others for a  
Drainage District # 41 in the County of Carver  
 State of Minnesota: \_\_\_\_\_

To the Board of County Commissioners of the County of Carver  
 State of Minnesota: \_\_\_\_\_

The undersigned viewers, appointed by your order, bearing date the 13<sup>th</sup>  
 day of March A. D. 1917, to view the route proposed and set forth in the  
 petition of W. B. Nelson and others, for a public District  
 # 41, respectfully report as follows, viz.:

That at the time and place specified in the order of the County Auditor of said County, to-wit:  
 at Smethport in the town of Smethport in said County, on  
 the 13 day of March A. D. 1917, at 10 o'clock  
 in the fore noon of said day, we did meet preparatory to commencing our duties as such viewers;  
 and having each taken and subscribed the oath required by law to faithfully perform our duties, and  
 having received from the County Auditor of said County, within five days after the filing of the director's  
 approval of the engineer's report of his survey in the matter of said District, of the order of  
 certified copies of the said petition for said District, of the order of  
 your Honorable Board appointing us viewers, and of the order of said County Auditor designating the  
 time and place for said first meeting of said viewers, we did, with P. E. Steedly  
 \_\_\_\_\_, the said civil engineer, appointed by you to have charge of said  
 matter, to-wit: \_\_\_\_\_

view and examine the said proposed District from its source to its outlet,  
 together with the branches thereof, the lands over which the same passes, the lands adjacent thereto  
 to be affected thereby, and, as required by law and the requirements of your said order appointing us,  
 ascertain the facts following, viz.: the names of the owners of each tract of land to be benefited and  
 damaged by the construction of said proposed District; a description of  
 each tract of land to be benefited and damaged thereby (said names of owners being the same as appears  
 on the County tax duplicates of said County, and said descriptions being in legal form); the total  
 number of acres in each of said tracts; the estimated number of acres in each of said tracts which will  
 be benefited and damaged, as the case may be; the number of acres added to each of said tracts, if any,  
 by the drainage of any meandered lake or change of course of any watercourse occasioned by the con-  
 struction of said District; the description and location  
 of all land added to any of said tracts by said drainage of any meandered lake and by the change of  
 course of any watercourse; the value of all land so added to any of said tracts of land; the damage to  
 the riparian rights of each of said tracts; the total estimated amount of benefits to each of said tracts of  
 land, and the total estimated amount of damage or injury to each of said tracts of land; and did cause  
 all the said facts, so ascertained by us, to be prepared and set forth in tabular form and statement,  
 which said tabular statement is hereto attached and made a part hereof, designated "Exhibit 1."

And we did further ascertain, where the said proposed \_\_\_\_\_ runs  
 along a public or corporate road or railroad, or drains, benefits, damages or affects such road or railroad,  
 the facts following, viz.: the names of the owners of such roads and railroads; the names of such roads  
 and railroads; a description of the parts of such roads and railroads drained, benefited, damaged and  
 affected; a description of the nature of the benefits to the parts of said roads and railroads benefited; a  
 description of the nature of the damages to the parts of such roads and railroads damaged; the esti-  
 mated amount of benefits to each part of said roads and railroads so benefited; and the estimated amount  
 of damages and injury to each part of said roads and railroads so damaged or injured; and did further  
 estimate and award the damages to each municipal and other corporation, persons, association of persons,  
 telephone and telegraph companies for injury to all roads, road-beds, railroads, telephone and telegraph  
 lines, owned by them, from the necessary construction and maintenance of all bridges, culverts and  
 other works rendered necessary by the establishment of said ditch, and have stated the same separately;  
 which facts, last aforesaid, we did cause to be arranged and set forth in a tabular statement hereto  
 attached and made a part hereof, designated "Exhibit 2."

We did further cause to be kept an accurate account of all our services and time while engaged in making said view and examination; the nature and kind of work done by us; the number of days each one of us was engaged in said work; the amount charged per day by each of us; every item of expense incurred by us in said work; and the total amount of all our expenses and compensation in said work; which account, last stated, we have caused to be set forth in tabular statement hereto attached and made a part hereof, designated "Exhibit 3."

In making our estimates of benefits to each said tracts of land by the construction of said ..... *Wichita* ....., wherever the same is located in whole or in part along the bed of a private ditch already constructed, we did deduct the amount of the reduction of the cost of the construction of the part of said ..... *Wichita* ..... on each tract of land, as ascertained and set forth by said engineer in his report, from the estimate of benefits to each tract of land.

*Frank E. Barclay*

*Paul F. Hartman*

*Frederick H. Hines Jones*