

ORDER FOR VIEWERS' MEETING

AND

COPIES OF ORDER APPOINTING  
VIEWERS and PETITION

COUNTY DITCH NO. 53.

=====  
Filed in my office this 14th  
day of June, A. D. 1911.

*Arthur Roswell*

County Auditor.


=====  
Sheriff's return made on the  
. . . day of June, 1911.  
=====

In the matter of the petition of E. L. Gilbert and others for a public ditch in the County of Anoka, State of Minnesota.

Whereas, a petition has been filed bearing date the 31st day of March, 1910, praying for the establishment of a public ditch in said County along the route described in said petition, together with a proper bond accompanying the same, and said petition has been heard and considered by the Board of County Commissioners of said County at their meeting held on the 3rd day of May, 1910, pursuant to notice of said hearing duly published and posted as by law required, and the said Board of County Commissioners has appointed a competent civil engineer to-wit, James Corr, to make a complete survey of said ditch and of the route thereof, who has on the 14th day of June, 1911, filed his report of said survey in my office, and the said Board of County Commissioners has appointed J. B. Meister, George Wyatt and <sup>John</sup> Hunter to be viewers of said proposed ditch by their order filed in my office on the 3rd day of May, 1910,

Now, Therefore, it is hereby ordered that said viewers be and meet at the auditor's office in the City of Anoka in said County on Saturday, the 24th day of June, <sup>1911</sup> at ten o'clock in the forenoon of said day, preparatory to assuming and commencing their duties as said viewers, said time being within fifteen days after the filing of the Engineer's report of his survey in said matter.

Witness my hand and seal this ~~XX~~ 14th day of June, 1911.

  
County Auditor of Anoka County,  
Minnesota.

# PETITION FOR PUBLIC DITCH.

To the Board of County Commissioners of the County of Anoka  
State of Minnesota:

The undersigned land owners, whose lands will be liable to be affected by, or assessed for the expense of, the construction of the ditch hereinafter described, would respectfully represent that the public health, convenience and welfare require the establishment and construction of a public ditch along the following described route in the Town of Blaine in said County of Anoka

that the construction of the same would be of public benefit and utility, and is necessary for the the following reasons, to-wit: to drain large areas of land now flooded and useless and render the same usable and valuable, to drain off stagnant waters thereon which now constitute a menace to the public health.

A general description of the proposed starting point, route and terminus of said is as follows:

Commencing at or about the quarter stake on the east line of Section Fourteen (14) and thence southwesterly thro' said Section Fourteen (14) and southerly thro' Section Twenty-Three (23) and thence southeasterly thro' Sections Twenty-Six (26) and Twenty-Five (25) until it reaches Golden Lake and there terminating, all in the said town of Blaine, Anoka County, Minnesota, Township Thirty-One (31) of Range Twenty-Three (23), and also all branches that thence running along the following route may be necessary,

and terminating ~~at~~ in said Golden Lake

as its outlet to

And your petitioners pray that you will proceed to establish such a ditch **THIRTY (30)** of  
and cause the same to be constructed as provided by Chapter Two Hundred and **fifty-eight (58)** of  
the General Laws of Minnesota for 1908, as amended by Chapter **28** of the General Laws of 1908  
and the laws amendatory thereof and supplementary thereto.  
Dated **3-31** 19**10**.

F. L. Gilbert

F. L. Trask

C. B. Westfall

APR 11 1910 10:58 AM

# IMAGE BLANK.

PETITION OF

*L. Gilbert*

AND OTHERS

*Public Ditch*

own of *Blaine*

county of *Asoka*

in the office of the County Auditor

*Asoka* County,

ta, this *2d* day

*April* A. D. 19**10**

*Arthur J. Swiree*  
County Auditor.

In the Matter of the Petition of *F. L. Gilbert*  
and Others for a Public Ditch in the County of *Asoka*  
State of Minnesota:

INAG

PETIT

L. G.

AND

Public

own of

county of

in the office

Also

ta, this

Apr

1900

In the Matter of the Petition of E. L. Gilbert

and Others for a Public Ditch in the County of A N O K A

State of Minnesota:

Whereas, A petition, bearing date the 31st day of March

A. D. 1900, signed by E. L. Gilbert and others, praying for the establishment of a ditch in said county, the route of which is described in said petition, together with a proper bond accompanying the same, has been filed in the office of the County Auditor of said county; and the said County Auditor has given due notice of the pendency of said petition by publishing and posting the same as by law required, and hearing has been had on said petition pursuant to said notice; and a duly competent civil engineer, to-wit, James Corr, has been appointed by the Board of County Commissioners of said county to make a survey of said ditch and to make and file his report of such survey;

Now, Therefore, We, the Board of County Commissioners of said county, have appointed, and hereby do appoint J. B. Meister and George Wyatt and John Hunter who are three resident freeholders of said county who are not interested in the construction of said proposed ditch, and who are not of kin to any of the parties interested therein, to be viewers of said proposed ditch and of the route thereof.

The said viewers shall meet, preparatory to commencing their duties, at a time and place to be hereafter designated by the County Auditor of said county by his order, and shall thereupon first take and subscribe an oath to faithfully perform their duties as such viewers; and, having received from the County Auditor of said county a certified copy of said petition for said ditch, a certified copy of this order appointing them viewers, and a certified copy of the said order of said County Auditor designating the time and place of their first meeting, they shall proceed, with or without said civil engineer appointed to make said survey, to view and examine said work and said proposed ditch, and, having completed said view and examination, shall make and file their report thereof in the office of said County Auditor of said county, ~~on or before the~~ day of A. D. 1900

In said report said viewers shall, in tabular form, give the names of the owners of each tract of land to be benefited and damaged by the said proposed work; the description of each tract of land so benefited or damaged (said names of owners to be the same as appear on the county tax duplicates of said county, and the description to be given in legal form); the total number of acres in each of said tracts; the estimated number of acres in each tract of land to be benefited or damaged, as the case may be; the amount that each tract of land will be benefited or damaged by the construction of said ditch; the number of acres added to any tract by the total or partial drainage of any meandered lake or by the drainage of any water course, and the location and value of said added tract; the damage, if any, to riparian rights pertaining to any tract, and the amount that each such tract of land will be benefited or damaged, as the case may be, by the construction of said ditch; and in case said ditch drains, either in whole or in part, any public or corporate road or railroad, or benefits any such road or railroad so that the roadbed or traveled track thereof will be made better by the construction of said ditch, the said viewers shall estimate the benefits arising therefrom to such roads, roadbeds or railroads, and report such benefits, with names of roads or railroads and other particulars necessary to identify the corporations, public or private, to be benefited thereby, and the amount of benefits to each; and they shall also report as a part of said tabular statement the damages awarded to each municipal or other corporation for injury to any road or roadbed from the necessary construction and maintenance of any bridges, culverts or other works rendered necessary by the establishment of said ditch, stating the same separately; and the said viewers shall also report the total estimated benefits in respect to the entire ditch and the branches thereof, if any; and also whether or not, in their opinion, the estimated expense of the construction of said ditch, including the damages awarded therefor, is greater than the utility of said proposed ditch, and whether or not the construction of said ditch is impracticable for any reason, and, if so, the reasons why they consider it impracticable and why it should not be constructed.

In case the said viewers are unable to agree upon the matters required of them and herein specified, each viewer shall make his separate report and findings on the matters concerning which they fail to agree. All lands benefited by said ditch, and all public or corporate roads or railroads, benefited in whole or in part by said ditch, shall be assessed by said viewers in proportion to the benefits from the construction thereof, whether said ditch passes through said lands or along or near the line thereof; but said viewers shall not, in estimating the benefits to lands, roads or railroads not traversed

by said ditch, consider what benefits such lands, roads or railroads will receive after some other ditch or ditches shall be constructed, but only the benefits that will be received by reason of the construction of said ditch herein referred to as it affords an outlet for the drainage, or prevents the overflowing of or otherwise directly benefits such lands, roads or railroads.

The said viewers shall also file in said office of the County Auditor of said county a report of all their doings in detail, including expenses and the actual time they were engaged, and perform every duty imposed upon them by and in accordance with Chapter 230 of the General Laws of 1905, ~~within the time hereinafter specified, to wit: within thirty days from the date of their first meeting as the said date shall be set by the said order of the said County Auditor.~~

THE BOARD OF COUNTY COMMISSIONERS  
of ANOKA County, Minn.

By W. A. Gallagher,  
Chairman.

Dated this 3rd day of May A. D. 1900.

Attest:

Arthur A. Caswell,  
County Auditor.

AINAGE BLANK.

IN THE MATTER OF THE PETITION OF

L. Gilbert

AND OTHERS.

ER APPOINTING VIEWERS.

May 3 1900

Arthur A. Caswell  
County Auditor.

