**STATE OF MINNESOTA**

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

|  |  |
| --- | --- |
| **In the Matter of:****the Petition to Apportion Drainage Lien**  | **FINDINGS AND ORDER**  |

The <name of drainage authority> Board of <Commissioners/Managers>, sitting as the drainage authority for <name of drainage system>, having received a Petition to Apportion a Drainage Lien Amongst Specified Portions of a Tract by <name of petitioners>, having noticed and conducted a 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. By order dated <date> the <name of drainage authority> received a petition from <name of petitioners> requesting to apportion a drainage lien on the following described real property amongst specified portions of the tract:

<Description of property proposed to be apportioned>.

1. The petition proposed to apportion the drainage lien as follows:

<Description of the proposed apportionment of the drainage lien>.

1. On <date>, the drainage authority, by order set a time and location for a hearing on the petition, gave notice of the hearing by <(1) personal service; or (2) publication> to the auditor, the occupants of the tract, and all parties having an interest in the tract as shown by the records in the county recorder’s office.
2. 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*>

1. Petitioner<s> presented to the drainage authority on the basis of their request for apportionment. <Include further details from petitioner<s> presentation>.
2. Payments of the principal and interest on the property are not in default.

**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. The petition is hereby granted and the drainage lien attached to the above described real property shall be apportioned as follows:

<description of the apportionment>

1. The <auditor/secretary> shall update the benefits roll of <name of drainage system> to reflect the apportionment granted by this order.
2. The <auditor/secretary> shall record a certified copy of this order in the county recorder’s office and maintain a copy of this order in the drainage authority’s files.

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>