RESOLUTION 2014-09
RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

ACCEPTING OFFER FOR VOLUNTARY ACQUISITION OF DRAINAGE SYSTEM RIGHT OF WAY

Manager Haake offered the following Resolution and moved its adoption, seconded by Manager Ogata:

1. The Rice Creek Watershed District (RCWD) is the Drainage Authority for Anoka County Ditch (ACD) 53-62 and has ordered the repair of Branch 1 of the drainage system.

2. The proposed repair includes realignment of a portion of Lateral 1 of Branch 1 in order to avoid impacts to public waters wetland basin 2-579W.

3. The realignment requires the acquisition of right-of-way for the re-alignment channel across property owned by Bermo, Inc. The area of right-of-way is approximately 1 acre of non-buildable land.

4. Bermo has voluntarily offered to sell the required right-of-way for $6,000. A diagram of the required right-of-way on the Bermo property is attached.

5. The Board of Managers finds, based on prior experience with acquisition of similar property, that the $6,000 offer of Bermo is reasonable and in the best interest of the drainage system.

Therefore, the RCWD Board of Managers:

A. Accepts Bermo’s offer to sell the required right-of-way for $6,000.

B. Directs the engineer to provide a legal description of the right-of-way for inclusion in a deed from the right-of-way.

C. Directs the attorney to draft a deed for the acquisition.

D. Directs its administrator to take all other necessary actions to provide payment and close the acquisition.

The question was on the adoption of the Resolution and there were 5 yeas and 0 nays as follows:

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<th>Manager</th>
<th>Yea</th>
<th>Nay</th>
<th>Absent</th>
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Upon vote, the Chair declared the Findings and Order passed.

Harley Ogata, Secretary

Dated: February 26, 2014

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I, Harley Ogata, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 26th day of February 2014.

Harley Ogata, Secretary