

**PETITION FOR LATERAL O3 OF
JACKSON COUNTY JUDICIAL DITCH NO. 3**

TO THE HERON LAKE WATERSHED DISTRICT BOARD OF MANAGERS AS
DRAINAGE AUTHORITY FOR JACKSON COUNTY JUDICIAL DITCH NO. 3

Pursuant to the provisions of Minn. Stat. §103E.225, Petitioners herein make the following representations:

WHEREAS, this Petition relates to an improvement to parcel areas situated in Section 2 and Section 11 of Rost Township, which falls within the boundaries of the Jackson County Judicial Ditch No. 3 watershed district (“J.D. 3” or “the system”); and

WHEREAS, the proposed lateral shall be designated as “Lateral O3” to J.D. 3 and will begin at the outlet into existing Branch O (“existing Branch O”) located in the NW ¼ of the NE ¼ of Section 11 of Rost Township, and run generally north into the SW ¼ of the SE ¼ of Section 2 of Rost Township and there terminating; and

WHEREAS, the starting point and general course and terminus of the proposed lateral project is depicted on Exhibit A which is attached hereto for reference; and

WHEREAS, proposed lateral is necessary to connect property depicted on Exhibit A which is currently served by the system and assessed benefits in order to provide an adequate outlet to existing Branch O;

WHEREAS, the names and addresses of owners of the 40-acre tracts that the proposed lateral passes over as depicted on the attached Exhibit A are as follows:

Tract 1 Parcel ID: 15.002.0350 Passed Over Acres: 19.80 Owner/Address:	Mark & Kathleen Rademacher Trust 1025 Northridge Dr. Lakefield, MN 56150
---	--

Tract 2 Parcel ID: 15.011.0200 Passed Over Acres: 39.80 Owner/Address:	Robert A. & Marles A. Lange 825 19 th St. Lakefield, MN 56150
---	--

WHEREAS, this Petition is signed by (1) at least 26% of the owners of the owners of the property that the lateral passes over; and (2) the owners of at least 26% of the area of the property that the lateral passes over; and

WHEREAS, Petitioner provides herewith a corporate surety bond in the face amount of \$10,000 payable to the Heron Lake Watershed Board of Managers acting as Drainage Authority for Jackson County Judicial Ditch No. 3 (“Drainage Authority”), said bond conditioned to pay the costs incurred if the proceeding is dismissed or a contract is not awarded to allow the costs incurred to exceed the amount of the bond and that they will cause additional bond to be filed if it appears that the costs exceed the amount of the bond; and

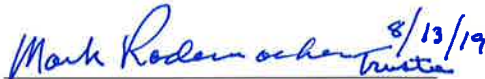

WHEREAS, Petitioner has been informed and understands that it may not withdraw as a Petitioner at any time after this Petition is accepted by the Drainage Authority. Petitioner further acknowledges that if the proposed drainage project is dismissed or a contract is not awarded that it is liable to the Drainage Authority for all of the costs incurred including engineering, legal and miscellaneous fees and expenses in relation to this Petition as outlined under Minnesota Statutes 103E; and

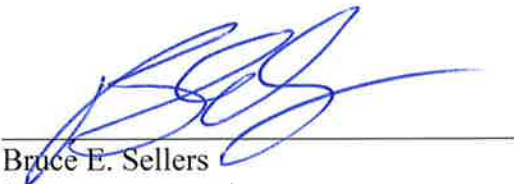
WHEREAS, Petitioner requests that the engineer be specifically ordered to determine and offer alternative proposals for the consideration of the Drainage Authority, which relate to the proposed lateral that the engineer deems feasible, if any, including re-routing or any alternative outlets, if any; and

WHEREAS, Petitioner asserts that the proposed lateral project will benefit and be useful to the public and will promote the public health; and

WHEREAS, the Petitioner requests that the Drainage Authority, for practical purposes and feasibility considerations, at its earliest opportunity, consolidate this Petition—or schedule to be simultaneously considered by the Drainage Authority—with a similarly-related Petition for an Improvement to Jackson County Judicial Ditch No. 3, which was accepted by the Drainage Authority on May 16, 2017;

NOW THEREFORE, we, as Petitioners, ask the District Administrator of the Heron Lake Watershed District to present this petition to the Board of Managers (after examination by the Watershed District’s legal counsel), acting as Drainage Authority for Jackson County Judicial Ditch No. 3, for the appointment of Chuck Brandel, I+S Group, or, in the alternative, an engineer skilled in drainage matters to examine the proposed work.

Owner Signature	Property Owned	Affected Acres
 Mark Rademacher, Trustee	Parcel ID: 15.002.0350	19.80
 Kathleen Rademacher, Trustee		



Bruce E. Sellers
 Attorney for Petitioner
 Wendland Sellers Law Office
 825 East Second St.
 P.O. Box 247
 Blue Earth, MN 56013
 507-526-2196

This petition is prepared by:

 Bruce E. Sellers, Attorney at Law
 Wendland Sellers Law Office
 825 East Second St.
 P.O. Box 247
 Blue Earth, MN 56013
 507-526-2196