

Minnesota Water Resources Board
500 Lafayette Road
First Floor
St. Paul, Minnesota 55146

In the Matter of Petitions to Change the
Boundaries of the Lower Minnesota River,
Minnehaha Creek, Nine Mile Creek, and
Riley-Purgatory-Bluff Creek Watershed
Districts Filed on October 3 and December
4, 1984 (Minnesota Statutes 1984, Section
112.39, Subd. 4)

ORDER
REDEFINING THE
BOUNDARY OF THE
NINE MILE CREEK
WATERSHED DISTRICT

Sufficient petitions having been filed with the Water Resources Board seeking changes in the boundaries of the Lower Minnesota River, Nine Mile Creek, Minnehaha Creek, and Riley-Purgatory-Bluff Creek Watershed Districts; a public hearing having been conducted on the petitions; the report of the administrative law judge having been received; and no written exceptions to the administrative law judge's report pertaining to the boundary of the Riley-Purgatory-Bluff Creek Watershed District having been received; the Water Resources Board having fully considered the record makes the following:

FINDINGS OF FACT

- I. The Findings of Fact contained in the attached report of the administrative law judge are adopted by the Water Resources Board, with the exception of Findings of Fact No. 3 and No. 6.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 29 1985

Jean Anderson Howe
Secretary of State

- II. The joint petition dated October 2, 1984 was served by mail on the Auditors of Carver, Dakota, Hennepin, and Scott Counties; and the Commissioner and the Director of the Division of Waters of the Department of Natural Resources.
- III. By petition dated November 29, 1984 the Minnehaha Creek Watershed District seeks changes in its boundary in addition to the changes requested in the joint petition dated October 2, 1984. The November 29, 1984 petition was served by mail on the Auditors of Carver and Hennepin Counties; and the Commissioner and the Director of the Division of Waters of the Department of Natural Resources.
- IV. On January 7, 1985 the Water Resources Board received the report of the Director of the Division of Waters of the Department of Natural Resources on the petitions.

CONCLUSIONS OF LAW

- I. The Conclusions contained in the attached report of the administrative law judge are adopted by the Water Resources Board.
- II. It would serve the purposes of Minnesota Statutes Chapter 112 and the public welfare and public interest to change the boundary of the Nine Mile Creek Watershed District as requested in the petitions.

IT IS THEREFORE ORDERED THAT

- I. The legal boundary of the Nine Mile Creek Watershed District is defined by the following boundary description, which supersedes the original boundary defined in the Water Resources Board's September 30, 1959 Order that established the District, and the Water Resources Board's boundary change Orders dated May 16, 1960 and July 11, 1961:

Commencing at the intersection of the centerline of Riverview Terrace Drive (extended), Sec. 21, T27N, R24W, 5th Principal Meridian, with the centerline of Interstate Highway 35W; thence westerly along the centerline of River Terrace Drive to the south line extended of Lot 9, Block 2, Russell Kladis 1st Addition; thence westerly along said line to the west line of said Lot 9; thence northerly along the said west lot line to the north line of Lot 15, Block 1, Collis 2nd Addition; thence westerly along said north line to the centerline of Girard Curve; thence southerly along the centerline of Girard Curve to the centerline of West 109th Street; thence westerly along West 109th Street to the centerline of Humboldt Avenue South; thence southerly along the centerline of Humboldt Avenue South to the centerline of Glen Wildling Lane; thence southwesterly to the south line extended of Lot 6, Block 2 Glen Wildling Addition; thence westerly along said south lot line to the west line of Glen Wildling Addition; thence northerly 110 feet along the west line of said addition; thence west 200 feet to the east line of the Wellswood Addition in Section 28, T27N, R24W; thence southerly and easterly to the southeast corner of said addition; thence westerly along the southerly line of the Wellswood Addition to the southeast corner of R.L.S. 452, Tract A; thence westerly along said line to the east line of Marvin H. Anderson's Estate; thence northerly along said line extended to the centerline of Overlook Drive; thence westerly and southerly along said centerline to the centerline of Xerxes Avenue; thence north along the centerline of Xerxes Avenue South to the centerline of West 110th Street; thence westerly along the centerline of West 110th Street to the centerline of France Avenue (southwest corner of Section 20, T27N, R24W); thence northerly along the centerline of France Avenue to the centerline of West 102nd Street (southeast corner of Sec. 18, T27N, R24W); thence westerly along the centerline of West 102nd Street to the centerline of Little Road; thence northerly along the centerline of Little Road to the centerline of Normandale Highlands Drive; thence westerly along the centerline of Normandale Highlands Drive to the centerline of Morris Road; thence northerly and westerly along the centerline of Morris Road to the centerline of Oxborough Road; thence northerly along the centerline of Oxborough Road to the centerline of West 99th Street; thence westerly along the centerline of West 99th Street to the centerline of Rich Road; thence northerly along the centerline of Rich Road to the centerline of Utica Road; thence northerly and

westerly along the centerline of Utica Road to the centerline of Toledo Road; thence northerly along the centerline of Toledo Road extended to the north line of Normandale Highlands 8th Addition; thence westerly along the said north line extended to the centerline of County Road 34 (Normandale Boulevard); thence southerly along the centerline of County Road 34 to the centerline of West 98th Street, Section 28, T116N, R21W; thence westerly along the centerline of West 98th Street to the centerline of Nesbitt Avenue; thence northerly along said centerline to the centerline of West 94th Street (north-east corner of Section 29, T116N, R21W); thence westerly along the centerline of West 94th Street to the centerline of the Minneapolis-Northfield & Southern Railroad; thence south and westerly along said centerline to the north line of the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 29, T116, R21; thence westerly along said line to the west line of the northeast $\frac{1}{4}$ of said Section 29; thence southerly along said line to the center of Section 29, T116, R21; thence westerly along the east-west $\frac{1}{2}$ ^{line} of said Section 29 and the east-west $\frac{1}{2}$ line of Section 30 to the center of Section 30; thence northerly along the north-south $\frac{1}{2}$ line to the centerline of West 94th Street (north line of Section 30); thence westerly along said centerline to the west line of the Clark's Pond 2nd Addition; thence northerly along said line extended to the centerline of Yukon Avenue; thence northerly and westerly along the centerline of Yukon Avenue to the centerline of Amsden Ridge Drive; thence westerly along the centerline of Amsden Ridge Drive to the centerline of Decatur Avenue; thence southerly along the centerline of Decatur Avenue to the south line extended of Lot 10, Block 1 of the Amsden Ridge; thence westerly along said line extended to the centerline of Amsden Road; thence southwesterly along the centerline of Amsden Road to the centerline of Anderson Lakes Parkway, Section 24, T116N, R22W; thence westerly and northerly along the centerline of Anderson Lakes Parkway to the centerline of Center Way, Section 23, T116N, R22W; thence northerly along said centerline to the centerline of Westwind Drive; thence westerly and northerly along the centerline of Westwind Drive to the centerline of Preserve Boulevard; thence northerly along said centerline to the centerline of Prairie Center Drive, Section 14, T116N, R22W; thence north and easterly along said centerline to the south line extended of Lot 1, Block 1, Eden Prairie Center Addition; thence westerly and northerly along the southwest line extended of said lot to the centerline of West 78th Street; thence west and northerly along the centerline of West 78th Street to the centerline

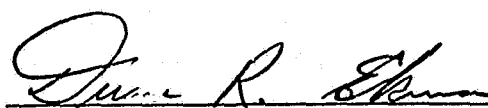
of U.S. Highway 169-212; thence north and easterly along said centerline of U.S. Highway 169-212 to the centerline of Valley View Road (County Road 60), Section 11, T116N, R22W; thence westerly along said centerline to the north-south centerline of Baker Road (County Road 60), Section 10, T116, R22; thence north along the north-south centerline of said roadway to the south line extended of Lot 2, Auditor's Subdivision #225; thence westerly along said lot line to the north line of the Forest Knolls 2nd Addition; thence westerly along said line to the east line of the Edenvale 6th Addition; thence north along said line to the north line of Section 10, T116, R22; thence westerly along said section line to the west line (the southwest corner) of Section 3, T116, R22; thence northerly along ^{the} west section line of Section 3, T116N, R22W to the east $\frac{1}{4}$ corner Section 4, T116, R22; thence westerly along the east-west $\frac{1}{4}$ line of said section to the centerline of Kurtz Lane; thence westerly along the centerline of Kurtz Lane to the west line extended of Kakach 1st Addition, Section 4, T116, R22; thence north and westerly along the west line extended of the plats of Kakach 1st Addition, Registered Land Survey 261, and Birch Island Acres extended to the centerline of County Road 4; thence north and easterly to the centerline of Oak Ridge Road; thence westerly along the centerline of Oak Ridge Road to the centerline of Kutcher Lane; thence northerly along the centerline of Kutcher Lane to the centerline of South Eden Drive; thence north and easterly along the centerline of South Eden Drive to the centerline of North Eden Drive; thence northerly along the centerline of North Eden Drive to the north section line of Section 4, T116, R22; thence westerly along said north section line to the intersection of the east line extended of Lot 11, Block 5, Black Oaks, Section 3, T117, R22; thence northerly along said line to the centerline of Boulder Creek Drive; thence north and easterly to the east line of Lot 10, Block 4, Black Oaks; thence north and easterly along said line to the south line of Lot 8, Block 4, Black Oaks; thence easterly along said line extended to the east line of the Black Oaks; thence north along the east line of said addition to the north line of said addition; thence westerly along said line to the centerline of Woodland Road; thence northerly along said centerline to the north line of Lots 8-6 (extended), Block 6 Woodland Hills 4th Addition Section 32, T117, R22W; thence westerly along said north lot lines to the centerline of Holiday Road; thence northerly along said centerline of Holiday Road to the centerline of Bellwood Lane, Section 29, T117, R22; thence northeasterly along said centerline to the

centerline of Holiday Road; thence easterly along said centerline of Holiday Road to the centerline of Woodland Road (also the west section line of Section 28, T117, R22W); thence northerly along said centerline to the east-west $\frac{1}{4}$ line of Section 28, T117, R22; thence easterly along said $\frac{1}{4}$ line to the east line of the plat of the Woodgate Addition; thence southerly along the east line of said addition, the Kvetensky Addition and the west lot lines of Lots 6 and 5, Highland Heights Addition and the west line of Lots 4 and 7, Wing Lake Terrace 4th Addition to the south line of Section 28, T117, R22; thence easterly along said section line to the centerline of Williston Road; thence northerly along said centerline of Williston Road to the south line extended of the High Point Lots Addition; thence easterly along the south line of the High Point Lots Addition and the Kroll Second Addition to the centerline of Woodhill Road (also the west section line of Section 27, T117, R22W); thence northerly along the centerline of Woodhill Road to the centerline of State Highway 7, Section 21, T117, R22W; thence easterly along the centerline of State Highway 7 to the centerline of Shady Oak Road, Section 23, T117N, R22W; thence south and easterly along the centerline of Shady Oak Road to the east-west $\frac{1}{4}$ line of Section 23, T117N, R22W; thence easterly along said $\frac{1}{4}$ line to the centerline of Second Street North; thence easterly along said centerline to the centerline of 17th Avenue (west line of Section 24, T117, R22W); thence northerly along the centerline of 17th Avenue to State Highway 7, Section 24, T117N, R22W; thence easterly along the centerline of State Highway 7 to the centerline of Minnetonka Hills Road; thence southeasterly along said centerline to the centerline of 5th Avenue North; thence southerly along the centerline of 5th Avenue North to the centerline of Excelsior Avenue; thence easterly along the centerline of Excelsior Avenue to the centerline of Tyler Avenue, Section 19, T117, R21W; thence southerly along the centerline of Tyler Avenue (vacated 11/17/15) to the south line of Section 19, T117, R21; thence easterly along the south line of said section to the centerline of Blake Road (County Road 20); thence southerly along the centerline of Blake Road to the centerline of Interlachen Boulevard, Section 29, T117, R21W; thence easterly along the centerline of Interlachen Boulevard extended to the north line of Auditor's Subdivision 176, Section 28, T117, R21W; thence easterly along said line extended to the centerline of the Northfield and Southern Railroad; thence south and westerly along the centerline of the Northfield and Southern Railroad to the centerline of Benton Avenue, Section 32; T117N, R21W; thence

easterly along the centerline of Benton Avenue to the centerline of the east frontage road of Highway 100 (Normandale Boulevard), Section 33, T117, R21W; thence southerly along the centerline of the east frontage road of Highway 100 to the centerline of Valley View Road; thence southeasterly along the centerline of Valley View Road to the centerline of West 62nd Street, Section 19, T28, R24; thence easterly along West 62nd Street to the centerline of France Avenue (northeast corner of Section 30, T28, R24); thence southerly along the centerline of France Avenue to the centerline of West 66th Street; thence easterly along the centerline of West 66th Street to the centerline of Xerxes Avenue, Section 29, T28, R24; thence southerly along the centerline of Xerxes Avenue (extended) to north line of Hippe's Lakeview Terrace Addition, Section 32, T28, R24; thence easterly along said line to the centerline of West 72nd Street; thence easterly along the centerline of West 72nd Street to the centerline of Penn Avenue; thence southerly along the centerline of Penn Avenue to the centerline of West 74th Street; thence easterly along the centerline of West 74th Street to the centerline of Lyndale Avenue South, Section 33, T28, R24W; thence southerly along the centerline of Lyndale Avenue South to the centerline of Interstate 494; thence easterly along the centerline of Interstate 494 to the centerline of Nicollet Avenue, Section 3, T116N, R24W; thence southerly along the centerline of Nicollet Avenue to the centerline of West 86th Street (north line of Section 10, T27, R24W); thence easterly along the centerline of West 86th Street to the centerline of Portland Avenue South; thence southerly along the centerline of Portland Avenue South to the centerline of West Old Shakopee Road, Section 15, T27N, R24W; thence westerly along the centerline of West Old Shakopee Road to the centerline of Interstate 35W, Section 16, T27, R24W; thence southerly along the centerline of Interstate 35W to the intersection of Riverview Terrace Drive (extended), Section 21, T27, R24W, the beginning.

Dated at Saint Paul, Minnesota 55146, this 12th day of April 1985.

MINNESOTA WATER RESOURCES BOARD



Duane R. Ekman
Chairman

1368894