

Minnesota Water Resources Board
500 Lafayette Road
Box 34
St. Paul, Mn. 55101

In the Matter of a Joint Petition for Changes
in the Boundary of the Coon Creek Watershed
District Filed July 13, 1987 (Minn. Stat. 1986
sec. 473.8771)

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER

A sufficient petition having been filed with the Minnesota Water Resources Board (Board) pursuant to Minnesota Statutes Section 473.8771 (1986) seeking certain changes in the boundary of the Coon Creek Watershed District (District); proper legal notice of filing of the petition having been given by the Board; and the Board, having fully considered the record, makes the following:

FINDINGS OF FACT

1. The District was established by Order of the Board dated May 28, 1959.
2. On July 13, 1987 the District and the Lower Rum River Water Management Organization jointly filed a petition requesting certain changes in the boundary of the District. The petition was accompanied by written statements of concurrence from the Cities of Andover and Coon Rapids.
3. Notice of filing of the petition was published in the Anoka County Union on August 21 and 28, 1987. The notice described the boundary changes proposed by the petition and invited interested persons to submit written comments on the petition for Board consideration.

The notice also announced that any person who objected to the petition could submit a written request for a public hearing, and that if no written requests were received by September 18, 1987 the Board would act on the petition without conducting a hearing. No written comments or requests for hearing were received by the Board's office.

4. Notice of filing of the petition was mailed on August 31, 1987 to the District, the Cities of Andover and Coon Rapids, the Anoka County Auditor, the Lower Rum River Water Management Organization, the Minnesota Department of Natural Resources, and other persons.

5. The petition requested that the following described land be added to the District:

I. City of Coon Rapids

a. The southwest quarter of the southeast quarter of Section 5, Township 31 North, Range 24 West.

b. That portion of the west half of the northeast quarter of Section 8, Township 31 North, Range 24 West, located north of the northeasterly right-of-way line of the Burlington Northern Railroad.

c. That portion of the northeast quarter of the northwest quarter of Section 8, Township 31 North, Range 24 West, located north of the northeasterly right-of-way line of the Burlington Northern Railroad.

6. The petition requested that the following described lands be excluded from the District:

I. City of Coon Rapids

a. The west half of the northeast quarter of Section 5, Township 31 North, Range 24 West.

II. City of Andover

- a. That portion of Section 29, Township 32 North, Range 24 West, described as follows:

"Beginning at the southwest corner of the east half of Section 29; thence easterly on the south line of Section 29 to the west line of Lot 6, Block 3, Quickstrom Addition; thence northerly along said west line to the north line of said Lot 6; thence northeasterly to the southwest corner of Lot 14, Block 1, Quickstrom Addition; thence northerly along the west line of said Lot 14 to the north line of said Lot 14; thence easterly along the north line Lots 14 and 13 to the east line of Lot 8, Block 1, Quickstrom Addition; thence northerly along said east line and said east line extended to the centerline of 142nd Avenue Northwest; thence westerly along said centerline to the centerline of County State Aid Highway 9; thence northeasterly along said centerline to the intersection with a line parallel to and 860 feet north of the south line of Govt. Lot 4, Section 29; thence easterly along said line to a line perpendicular to the south line of Govt. Lot 4 and 722.9 feet westerly of the southeast corner of said Govt. Lot 4; thence southerly along said line to the west corner of parcel number 29-32-24-31-0006; thence northeasterly on the northwesterly line of said parcel 29-32-24-31-0006 to the west corner of parcel number 29-32-24-31-0009; thence southeasterly on the southwesterly line of said parcel 29-32-24-31-0009 to the south corner of said parcel 29-32-24-31-0009; thence northeasterly on the southeasterly line of said parcel 29-32-24-31-0009 to the

southerly right-of-way line of South Coon Rapids Drive; thence southeasterly along said line to the west line of the northeast quarter of the southeast quarter of Section 29; thence northerly along the west line of said northeast quarter of the southeast quarter to the south line of the southeast quarter of the northeast quarter of Section 29; thence northerly along the west line of the southeast quarter of the northeast quarter to the centerline of CSAH Number 9; thence northeasterly along said centerline to the northeast corner of Section 29; thence westerly on the north line of Section 29 to the west line of the northeast quarter of the northeast quarter of Section 29; thence southerly on said west line to the north line of the southwest quarter of the northeast quarter of Section 29; thence westerly on said north line to the west line of the east half of Section 29; thence southerly on said west line to the point of beginning."

- b. The west half of the east half of Section 32, Township 32 North, Range 24 West.
- c. That portion of the east half of the east half of Section 32, Township 32 North, Range 24 West, described as follows: "Beginning at the southwest corner of the east half of the east half of Section 32; thence easterly on the south line of Section 32 to the southeast corner of Woodland Terrace Fourth Addition located in Section 32; thence northerly along the easterly lines of Lots 6 and 7, Block 7, Woodland Terrace Fourth Addition to the south line of Lot 11; thence easterly along said south line to the easterly line of said

Lot 11; thence northerly along said easterly line to the north line of said Lot 11; thence northeasterly to the southwest corner of Lot 4, Block 6, Woodland Terrace Fourth Addition; thence northerly along the westerly line of said Lot 4 to the northerly line of said Lot 4; thence easterly along said northerly line to the east line of Section 32; thence northerly along said east line to the northeast corner of Lot 15, Block 4, Woodland Terrace; thence westerly along the north lines of Lots 15, 14, 13, 12 and 11 to the east line of Lot 9, Woodland Terrace; thence northerly along the east lines of Lots 9 through 1, and Outlot A and Outlot A extended, Woodland Terrace, to the south line of the northeast quarter of Section 32; thence northerly 408.00 feet on a line parallel to the west line of the east half of the northeast quarter of Section 32; thence westerly on a line parallel to the south line of the northeast quarter of Section 32 to the west line of the east half of the east half of Section 32; thence southerly on said west line to the point of beginning."

The above-cited parcel identification numbers are those currently used in the Anoka County Offices.

7. The purposes of the petition are to include in the District certain lands that drain into the District but are not currently under the District's jurisdiction, and to exclude from the District certain lands that drain into the Lower Rum River Water Management Organization and more properly belong under its jurisdiction.

8. Granting of the petition would make the legal boundary of the District more closely conform to the actual hydrologic divide.

CONCLUSIONS OF LAW

1. The petition meets all the requirements of Minnesota Statutes, Section 473.8771; proper notice was given by the Board; all relevant, substantive, and procedural requirements of law have been fulfilled; and the Board has proper jurisdiction in the matter.
2. Granting of the petition will aid interlocal cooperative efforts in managing surface waters in the affected areas.
3. It would be in the public welfare and public interest, and further the purposes of the Minnesota Watershed Act and the Metropolitan Surface Water Management Act, to amend the legal boundary of the District as requested by the petition.

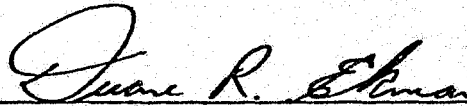
IT IS THEREFORE ORDERED

1. That the lands described in Paragraph 5 of the above Findings of Fact are hereby included in the Coon Creek Watershed District.
2. That the lands described in Paragraph 6 of the above Findings of Fact are hereby excluded from the Coon Creek Watershed District. The lands excluded from the District shall remain liable for all existing District tax levies and special assessments until they are fully paid.

3. That the new boundary of the Coon Creek Watershed District is defined by the Board's Order dated December 3, 1959, which originally established the District's boundary; as modified by Board boundary change Orders dated February 21, 1964; July 13, 1967; March 8, 1985; December 12, 1986; April 10, 1987; and as further modified by this Order.

Dated at Saint Paul, Minnesota 55101, this 21st day of September 1987.

MINNESOTA WATER RESOURCES BOARD



Duane R. Ekman
Chairman

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 8 1987
Jean Anderson Howe
Secretary of State