**STATE OF MINNESOTA**

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

|  |  |
| --- | --- |
| **In the Matter of:**  **Unauthorized Outlet Into <name of drainage system>** | **NOTICE OF UNAUTHORIZED OUTLET AND ORDER TO BLOCK OUTLET OR OTHERWISE MAKE OUTLET INEFFECTIVE** |

PLEASE TAKE NOTICE that pursuant to Minn. Stat. § 103E.401, subd. 7, you are the owner of property where an unauthorized outlet into <name of drainage system> is located. This notice is being sent to you based on the following findings made by the <name of drainage authority>, the drainage authority for <name of drainage system>.

**Findings:**

1. <Name of drainage authority> is the drainage authority for <name of drainage system>.
2. On <date>, the drainage authority discovered that a <private tile system/private open ditch/roadway culvert> was providing an outlet for drainage into <name of drainage system> from unassessed lands located in the following location:
   1. <Descriptions of property and acreage using the drainage system for an outlet>;
   2. <Descriptions of property and acreage using the drainage system for an outlet> (collectively, the “Unassessed Properties”).
3. According to the records maintained by the <drainage authority> located at <location of records>, the Unassessed Properties are not within the benefited and assessed area of <name of drainage system> and have not petitioned for express authority to use <name of drainage system> as an outlet.

**Order:**

Based on the foregoing findings, you are hereby ordered to take the following actions:

1. Block the outlet or otherwise make the outlet of the <private tile system/private open ditch/roadway culvert> ineffective on or before <date>.
2. Discontinue use of <name of drainage system> as an outlet for the Unassessed Properties until:
   1. An outlet fee is paid as determined by the drainage authority based on the benefits received by the Unassessed Properties for the period the unauthorized outlet was operational; and
   2. A petition is filed with the drainage authority for express authority to use the outlet, the petition is approved by the drainage authority after a public hearing, and an outlet fee established.

PLEASE TAKE FURTHER NOTICE that if you do not block or make the outlet ineffective within the time period required in this notice, the drainage authority will issue an order without further notice to have the work performed to bring the outlet into compliance. After the work is completed, the drainage authority will send a statement to the auditor of <name of county> county, containing the expenses incurred to bring the outlet into compliance and the outlet fee based on the benefits received by the property during the period the unauthorized outlet was operational. Said expenses and outlet fee will be filed as a drainage lien on the tax list for your property the following year pursuant to Minn. Stat. § 103E.401, subd. 8(a).

If you have any questions, please contact <Drainage Inspector> at <contact information>.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

<Full Name>, Chairperson