



March 15, 2022

Public Ditch Authority
c/o Scott Wold, Redwood County Environmental
Redwood County Government Center
403 South Mill Street
PO Box 130
Redwood Falls, MN 56283

Re: Petition for Realignment of County Ditch 48
Kwik Trip Store 1203
US Highway 71 and County Road 1
Redwood Falls, Minnesota

Dear Mr. Wold:

With this letter and supporting documentation, Kwik Trip, Inc. (Petitioner) formally petitions the Redwood County as the drainage authority for County Ditch 48 for permission to abandon and relocate a portion of the ditch that runs through the proposed Kwik Trip site. This petition is made pursuant to Minnesota Statutes, Section 103E.

Background

This request is made to accommodate a Kwik Trip convenience store, fueling canopies, and drive lanes to be constructed on the subject property by the Petitioner. The subject site is located in the southeast corner of US Highway 71 and County Road 1 in Redwood County, Redwood Falls, Minnesota. County Ditch 48 traverses the site from northwest to southeast as a 14-inch concrete drintile. A portion of the ditch is located within the extents of the proposed site improvements, necessitating the abandonment and realignment.

Existing Conditions

The proposed site consists of 13.39 acres and is part of the northeast quarter of Section 5, Township 112, Range 35, located in the southeast corner of US Highway 71 and County Road 1. The site is bounded on the north by US Highway 71, on the west by County Road 1, on the south by undeveloped grasslands, and on the east by commercial property. The site is currently abandoned commercial property.

County Ditch 48 traverses the site from northwest to southeast as a 14-inch concrete drintile. County Ditch 48 drains southeast to County Ditch 52, which in turn drains to Crow Creek and then to the Minnesota River.

Proposed Conditions

The plan of development proposes to remove/abandon approximately 430 feet of the 14-inch concrete drain tile and replace it with approximately 538 feet of 15-inch reinforced concrete pipe. The proposed ditch realignment will begin at the existing 45-degree bend at the northwest corner of the property and will end in the central portion of the property 430 feet to the southeast. The new alignment will run southerly along County Road 1, and then easterly where it will tie back into the existing ditch. It is proposed to use 48-inch concrete manholes at the connections and bends in the new alignment.

See attached Site Improvement Plans and Stormwater Management Plan for details.

Funding

The Petitioner will provide 100% funding for design, construction, and oversight costs associated with the ditch realignments and abandonments. No funding from Redwood County or other public entities is being requested for this project.

“Terms of the Funds”

The following language in the petition serves as the “terms” of the bond/cash deposit. This is taken directly from state statute:

1. Accompanying this petition is the Petitioner’s escrow deposit of \$10,000. Petitioner acknowledges and agrees that additional deposit may be required as additional costs are incurred in the proceedings. Petitioner agrees to pay all costs and expenses that may be incurred if the proceedings are dismissed.
2. Petitioner acknowledges that the costs incurred before the proposed drainage system modification is established may not exceed the amount in the amount of the Petitioner’s deposit.
3. Petitioner acknowledges that a claim for expenses greater than the amount of the deposit may not be paid unless an additional deposit is filed.
4. Petitioner acknowledges that if the drainage authority determines that the cost of the proceedings will be greater than the Petitioner’s deposit before the proposed drainage system modification is established, the drainage authority must require an additional deposit to cover all costs to be filed within a prescribed time.
5. Petitioner acknowledges that the proceeding will be stopped until the additional deposit prescribed by the drainage authority is filed.
6. Petitioner acknowledges that if the additional deposit is not filed within the time prescribed, the proceeding must be dismissed.
7. Petitioner acknowledges that the costs of Redwood County in the proceedings will be paid from the deposit.

Maintenance

Ownership and maintenance of the ditches will continue to be Redwood County. The Petitioner will provide an easement and routes for Redwood County access and maintenance.

Closing

We request that Redwood County as Public Ditch Authority set a time and location for a public hearing on this partial abandonment and realignment petition and give notice of the hearing by mail to owners of all property benefited by the drainage system either in a newspaper of general circulation within the affected drainage area or by publication on the Redwood County website pursuant to Minnesota Statutes, Sections 103E.805 and 103E.806.

Please contact me at (763)489-7912 or jradach@carlsonmccain.com if you have any questions or require any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe T. R.", is positioned above the typed name.

Joseph Radach, PE
Carlson McCain

Petitioner Signature

Emily Helwig
Kwik Trip, Inc.

Attachments: Kwik Trip Store 1203 Site Improvement Plans
Kwik Trip Store 1203 Stormwater Management Plan