BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD

IN THE MATTER OF THE

GRANT COLE #19 REGULATED DRAIN:

FINDINGS AND ORDER (ANNUAL MAINTENANCE)

This matter came to be heard upon the maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on April 11, 2017. The Certificate of Mailing of notice of time and place of hearing, to all affected landowners was filed.

Notice of publication of time and place of hearing in the Journal and Courier, Lafayette Indiana was filed more than ten (10) days prior to the meeting.

An objection was filed. *Richard and Helen Hayden 5511 North 225 West, West Lafayette Indiana 47906*

Evidence was presented by the Tippecanoe County Surveyor and many of those landowners affected were present. A list of those present is filed herewith.

After consideration of all the evidence, the Board does now FIND THAT:

(1) The maintenance report of the Tippecanoe County Surveyor and schedule of assessments were filed in the office of the Surveyor on April 11, 2017

(2) Notice of filing of the maintenance report and the schedule of assessments and their availability for inspection and the time and place of this hearing was mailed to all those landowners affected more than thirty (30) and less than forty (40) days before the date of this hearing.

(3) Notice of the time and place of this hearing was given by publication in the Journal & Courier newspaper of general circulation in Tippecanoe County, Indiana more than ten (10) days prior to this hearing.

(4) The legal drain consists of 9200 lineal feet of open ditch. There is approximately 9200 lineal feet of main tile and 34,700 lineal feet of branch tile which is all to be maintained by this maintenance fund.

(5) The present condition of the ditch is <u>in need of repair</u>.

(6) The ditch needs the following maintenance at present: Clearing, Dredging of open ditch portion and tile replacement

(7) There is now $2,899.09 owed to the General Drain Fund for past maintenance on this ditch.

(8) The ditch drains 1045.19 acres total.

(9) Estimated annual cost of maintenance is $6382.94.

(10) Estimated annual benefits the land drained exceeds repair and maintenance costs.

(11) A fund for annual maintenance should be re-established.

(12) In order to provide the necessary maintenance fund, the annual assessment per acre and lot benefited should be: $6.00 per acre and a $20.00 minimum collected over an eight (8) year period.

(13) The assessment list filed herewith should not be amended .

(14) The assessment list filed herewith is fair and equitable and should be adopted.

(15) The assessment should be collected with the May 10, 2018 taxes.

NOW, THERFORE, IT IS ORDERED THAT:

(1) A maintenance fund be re-established for the Grant Cole #19 Regulated Drain at the annual rate of $6.00 per acre and $20.00 minimum with an eight (8) year collection benefited.

(2) The Schedule of Assessments filed herewith are adopted and made a part thereof.

(3) The first annual assessment shall be collected with the May 10, 2018 taxes.

DATED at Lafayette, Indiana this 7th day of June 2017.

COUNTY DRAINAGE BOARD:

Thomas P. Murtaugh, President

David S. Byers, Vice President

Tracy Brown, Member

ATTEST:

Brenda Garrison
Tippecanoe County Drainage Board Secretary