

**RESOLUTION RATIFYING AND CONFIRMING RESOLUTION 2009-04-DB
ESTABLISHING S.W. ELLIOTT BRANCH 11 IMPACT DRAINAGE AREA**

WHEREAS, the Tippecanoe County Comprehensive Stormwater Management Ordinance as established by Ordinance No. 2005-04-CM authorizes the Tippecanoe County Drainage Board to classify certain geographical areas as Impact Drainage Areas and to enact and promulgate regulations in respect thereto; and

WHEREAS, on October 7, 2009 the Tippecanoe County Drainage Board adopted Resolution 2009-04-DB, Establishing the S.W. Elliott Branch 11 Impact Drainage Area; and

WHEREAS, the Tippecanoe County Drainage Board has held a public hearing and heard testimony from the Surveyor, from the Board's engineering consultants and from members of the public concerning the need for and the effect of establishing the S.W. Elliott Branch 11 Impact Drainage Area as described in Resolution 2009-04-DB; and

WHEREAS, at such meeting, the Tippecanoe County Drainage Board afforded an opportunity to all persons and organizations, including representatives of organizations, to express their views with respect to the establishment of the S.W. Elliott Branch 11 Impact Drainage Area as described in Resolution 2009-04-DB; and

WHEREAS, the Tippecanoe County Drainage Board, after conducting such public hearing, has given careful consideration to all comments and views expressed and any evidence presented regarding the designation of the S.W. Elliott Branch 11 Impact Drainage Area as described in Resolution 2009-04-DB;

NOW, THEREFORE, BE IT RESOLVED, that after conducting such public hearing, the Tippecanoe County Drainage Board confirms certain findings made in Resolution 2009-04-DB for establishing the S.W. Elliott Branch 11 Impact Drainage Area, and makes certain further findings concerning the designation of the S.W. Elliott Branch 11 Impact Drainage Area, as follows:

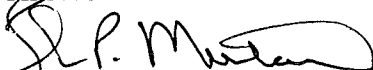
1. the Tippecanoe County Drainage Board has considered the topography, soil type, capacity of existing regulated drains and distance from adequate drainage facilities with respect to the geographical area referred to herein as the S.W. Elliott Regulated Drain Branch #11 Impact Drainage Area and more fully described on Exhibit A to Resolution 2009-04-DB;

2. the topography of the S.W. Elliott Regulated Drain Branch #11 Impact Drainage Area generally fails to provide a positive outlet for surface water drainage to the Elliott Ditch Legal Drain;
3. the soil types identified in the S.W. Elliott Regulated Drain Branch #11 Impact Drainage Area are not conducive to adequate storm water drainage;
4. the capacity of existing legal drains within the geographical area described on Exhibit A to Resolution 2009-04-DB is insufficient to provide adequate storm water drainage in the S.W. Elliott Regulated Drain Branch #11 Impact Drainage Area;
5. the S.W. Elliott Regulated Drain Branch #11 is currently inadequate to adequately convey the stormwater run-off from the watershed of S.W. Elliott Regulated Drain Branch #11 to the existing F-Lake Regional Detention Pond;
6. that in order to provide and maintain an adequate positive outlet for the watershed north and south of State Road 38 and to adequately and properly drain the lands affected, it is necessary to improve the regulated drain system by constructing a new regulated drain crossing under State Road 38, by constructing improvements to the regulated drain from north of State Road 38 to the existing F-Lake Regional Detention Pond, and by constructing other improvements to the regulated drain; and
7. that the special requirements for development within the S.W. Elliott Regulated Drain Branch #11 Impact Drainage Area as set forth in Resolution 2009-04-DB should be and they are hereby ratified and confirmed.


BE IT FINALLY RESOLVED, that by adoption of this Resolution, the Tippecanoe County Drainage Board does ratify and confirm Resolution 2009-04-DB, Establishing the S.W. Elliott Branch 11 Impact Drainage Area.

PASSED AND ADOPTED THIS 6th day of April, 2011.

TIPPECANOE COUNTY DRAINAGE BOARD



Thomas P. Murtaugh, President



David S. Byers, Vice President

ABSENT
John Knochel, Member

ATTEST:

Brenda Garrison
Brenda Garrison, Secretary

G:\forms\COUNTY\Drainage Board\Branch 11 Elliott Regulated Drain\DRAFT RESOLUTIONS\Draft Resolution Confirming Designation of Elliott Branch 11 Impact Drainage Area 04052011.doc