

BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD

IN THE MATTER OF THE

GUSTAV SWANSON #76 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 June 30, 2015. 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 were filed. Remonstrances were not filed.

Evidence was presented by the Tippecanoe County Surveyor and ^{ONE} ~~many~~ of those landowners affected ^{WAS} ~~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 June 30, 2015.
- (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 0 feet of open ditch.
- (5) The present condition of the ditch is in need of repair.
- (6) The ditch needs the following maintenance at present:
Main Tile Replacement from CR.1000South to Headwall.
- (7) There is now \$0.00 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains 1253.18 acres total.
- (9) Estimated annual cost of maintenance is \$8,250.00.
- (10) Estimated annual benefits the land drained exceeds repair and maintenance costs.
- (11) A fund for annual maintenance should ~~(should not)~~ ^{RE-} be established.
- (12) In order to provide the necessary maintenance fund, the annual assessment per acre and minimum benefited should be: \$6.00 per acre with a \$20.00 minimum collected over an 8year period.
- (13) The assessment list filed herewith should ~~be~~ (not be) amended ~~as follows~~:
- (14) The assessment list filed herewith (~~as amended above~~) is fair and equitable and should be adopted.
- (15) The assessment should be collected with the May 10, 2016 taxes.

FINDINGS AND ORDER (ANNUAL MAINTENANCE) CONT:

NOW, THEREFORE, IT IS ORDERED THAT:

- (1) A maintenance fund be established for the Gustav Swanson #76 Regulated Drain at the annual rate of \$6.00 per acre and \$20.00 minimum 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, 2016 taxes.

DATED at Lafayette, Indiana this 7th day of October 2015.


COUNTY DRAINAGE BOARD:



David S. Byers, President



Tracy Brown, Vice President



Thomas P. Murtaugh, Member

ATTEST:



Brenda Garrison
Tippecanoe County Drainage Board Secretary