

BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD

IN THE MATTER OF THE

HARRISON MEADOWS #37 REGULATED DRAIN:

**FINDINGS AND ORDER (ANNUAL MAINTENANCE)
RE-ESTABLISHING A NEW MAINTENANCE RATE**

This matter came to be heard upon the maintenance report and schedule of assessments prepared by the Tippecanoe County Surveyor and filed on October 28, 2014. 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.

One (1) Remonstrance was filed. The Surveyor's Office received a letter Dec. 1, 2014 from landowner Bruce Michael Tyrie 6127 Warrior Drive West Lafayette Indiana 47906 (Harrison Meadows Subdivision Lot 22), which will be made a part of the official proceedings.

Evidence was presented by the Tippecanoe County Surveyor and 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 October 28, 2014.
- (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 733 lineal feet of concrete swale and 2375 lineal feet of grassed swale and 375 lineal feet of pipe.
- (5) The present condition of the ditch is fair due to previous maintenance.
- (6) The ditch needs the following maintenance at present:
Re-occurring problematic issues with the headwall i.e.: erosion
- (7) There is now \$12,838.69 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains 38 single family residential lots / 13.2 acres.
- (9) Estimated annual cost of maintenance is \$2829.56.
- (10) Estimated annual benefits to the land drained exceed 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 lot benefited should be re-established: \$75.00 to be collected over an 8 year assessment 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 starting with the May 2015 taxes.

FINDINGS AND ORDER (ANNUAL MAINTENANCE) CONT:

NOW, THEREFORE, IT IS ORDERED THAT:

- (1) A maintenance fund be re-established for the Harrison Meadows #37 Regulated Drain at the annual rate of \$75.00 per lot benefited and to be collected for an eight (8) year assessment period.
- (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 2015 taxes.

DATED at Lafayette, Indiana this 10th day of December 20 .

COUNTY DRAINAGE BOARD:



David S. Byers, President

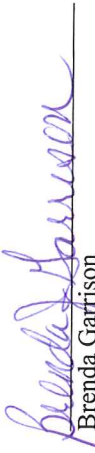


John Knochel, Vice President

Absent

Thomas P. Murtaugh, Member

ATTEST:



Brenda Garrison
Tippecanoe County Drainage Board Secretary