

CERTIFICATE OF ASSESSMENTS
FOR ANNUAL MAINTENANCE

The County Drainage Board of:
Tippecanoe County, Indiana

IN THE MATTER OF:
Assessments for Annual Maintenance of
The Elijah Fugate #30 Drain

To the Auditor of Tippecanoe County:

We certify that the schedule of assessments attached hereto has been adopted pursuant to IC 36-9-27-34 and IC 36-9-27-40 to provide funds for annual maintenance of the above named drain; that due notice thereof has been published; that the period of time within which a judicial review may be requested has expired; and, that the order of the County Drainage Board fixing the assessment on each tract of land is now final.

The assessments stated in the attached schedule are annual assessments and shall be collected year after year until such assessments are terminated or changed by order of the Drainage Board. One-half of each annual assessment shall be due and payable on or before May 10 and November 10 each year, the first of which semiannual installments shall be due and payable on or before May 10 2003.

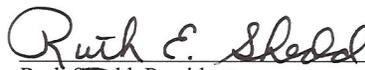
All such installments may be paid without interest, but if not paid when due shall be subject to the same rate of penalty applicable to delinquent taxes.

The County Auditor is directed to enter the assessments according to this certification in the Ditch Duplicate of the County for collection by the County Treasurer.

This 30th day of April 2003.

IN WITNESS WHEREOF, we have set our hands,

Tippecanoe County Drainage Board:

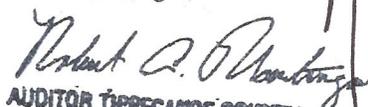

Ruth Shedd, President


John Knochel, Vice President


KD Benson, Member

FILED

APR 30 2003


AUDITOR TIPPECANOE COUNTY

BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD

IN THE MATTER OF THE

ELIJAH FUGATE 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 February 28, 2003.

Certificate of mailing of notice of time and place of hearing, to all affected landowners filed. Notice of publication of time and place of hearing in the Journal & Courier, The Lafayette Leader, and the Journal Review were filed.

Remonstrances were filed.

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 February 28, 2003.
- (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, The Lafayette Leader, and the Journal Review newspapers of general circulation in Tippecanoe and Montgomery Counties, Indiana more than ten (10) days prior to this hearing.
- (4) The ~~log~~ ^{MAIN BRANCH} consists of 10,600 feet of tile, branch one consists of 580 feet of tile, branch two consists of 3985 feet and branch three consists of 2848 feet of tile.
- (5) The present condition of the ditch is fair except for the portion described in (6).
- (6) The ditch needs the following maintenance at present: Repair and Replacement of tile from +/- 356 feet South of CR1300S to a point +/- 1960 feet North of CR 1300S.
- (7) There is now \$0.00 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains 883.146 acres total.
- (9) Estimated annual cost of maintenance is \$5122.25 for an eight-year period
- (10) Estimated annual benefits to the land drained exceed the repairs and maintenance costs.
- (11) A fund for annual maintenance should be established.
- (12) In order to provide the necessary maintenance fund, the annual assessment per acre benefited should be: \$5.80 per acre for an eight-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 2003 taxes.

*See
Maintenance
Report of 2-28-03
DR*

FILED

APR 30 2003

Robert A. Montoya
AUDITOR TIPPECANOE COUNTY

FINDINGS AND ORDER (ANNUAL MAINTENANCE) CONT:

NOW, THEREFORE, IT IS ORDERED THAT:

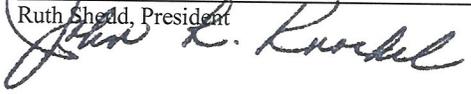
- (1) A maintenance fund be established for the Elijah Fugate ditch at the annual rate of \$5.80 per acre.
- (2) The Schedule of Assessments filed herewith are adopted and made a part thereof.
- (3) The first annual assessment shall be collected with the 2003 taxes.

DATED at Lafayette, Indiana this 2nd day of April, 2003.

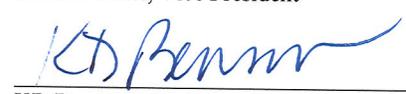
COUNTY DRAINAGE BOARD:



Ruth Shedd, President

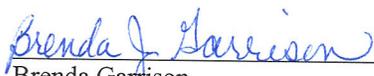


John Knochel, Vice President



KD Benson, Member

ATTEST:



Brenda Garrison
Tippecanoe County Drainage Board

PARCEL NUMBER	LANDOWNER	ADDRESS	CITY/STATE/ZIP	LEGAL DESCRIPTION	SEC/TWP/RANGE	TRACT ACRES	BENEFITED ACRES	%	COST	COST %
LEGAL DRAIN: RECONSTRUCTION AND/OR MAINTENANCE: TOTAL WATERSHED ACRES: COST PER ACRE: TOTAL COST:		ELIJAH FUGATE #30								
									883,146	
									\$5.80	
									\$40,977.97	
COUNTY AND TWP: JOINT COUNTY TWP:		TIPECANOE / & LAURAMIE MONTGOMERY MADISON								
116020000030	DEVAULT, DANIEL E C/O L/E GENEVA E DEVAULT	2015 E 1300 SOUTH	ROMNEY, IN 47981	PT NE	33/21/4	27.500	27.500	3.114%	\$159.50	3.113867922
116052000014				PT SE NW	34/21/4	23.770	23.500	2.661%	\$136.30	2.660941679
116016000035	MALSBRURY, G DAVID TTEE S MALSBRURY & G DAVID	3112 W 550 SOUTH	LAFAYETTE, IN 47909	SE	28/21/4	160.246 BYSURVEY	160.246	18.145%	\$929.43	18.14490469
110052000080	PENDLETON, JAMES W & LINDA J	13502 S 350 WEST	ROMNEY, IN 47981	PT NW	34/21/4	81.250	80.000	9.059%	\$464.00	9.058524865
116020000063	SHAW FARMS LLC C/O FARM CLINIC	932 ROBINSON STREET	WEST LAFAYETTE, IN 47906	W SIDE SE	33/21/4	132.500	26.500	3.001%	\$153.70	3.000636361
116020000074				PT E SIDE SE	33/21/4	27.500	27.500	3.114%	\$159.50	3.113867922
110052000047				PT S N	34/21/4	98.767	34.500	3.906%	\$200.10	3.906488488
110052000058				SE PT 230AC W/PT S 105AC	34/21/4	335.000	255.000	28.874%	\$1,479.00	28.87404801
110052000025	SIMISON, CHARLES B ETAL	1632 VERMILLION	DANVILLE, IL 61832	W2	34/21/4	110.250	25.000	2.831%	\$145.00	2.83078992
116020000020	STANDIFORD, GARY GENE CONSTANCE MARIE	3709 S 250 EAST	LAFAYETTE, IN 47905	PT NN 36.75AC PT NE	33/21/4	132.500	132.500	15.003%	\$758.50	15.00318181
110052000091	TIPPECANOE COUNTY COMMISSIONERS C/O COUNTY HIGHWAY	20 NORTH THIRD STREET	LAFAYETTE, IN 47901	RD 1300S 1MILE 40 FT RW	33-34/21/4	4.840	0.548%	\$28.07	0.548040754	
110052000102				CO LINE GRIMES 1/2 MILE 20 FT RW						
110052000100				1.21AC & CO LINE GRIMES 3.4 MILE 20 FT RW						
110052000100				1.82AC NE NW	33-34/21/4	3.030	0.343%	\$17.57	0.343091629	
5699000300	FUGATE STOCK FARMS	R 1 BOX 137	LINDEN, IN 47955	ROAD 1200N 3/4 MILE 20' RW 1.82AC ROAD 250E N&S ON EAST LINE 1.21 AC	31/20/4	80.000	80.000	9.059%	\$464.00	9.058524865
5699000300	MONTGOMERY COUNTY HIGHWAY	818 WHITLOCK AVE.	GRAVEFORDSVILLE, IN 47933		31/20/4					
TOTALS						3,030	883,146	0.343%	\$17.57	0.343091629
						100%		100%	\$5,122.25	0.343091629

OK

OK

PETITION FOR RECONSTRUCTION OR MAINTENANCE OF LEGAL DRAIN

IN THE MATTER OF:

CAUSE NO: _____

ELIJAH FUGATE DITCH

TO THE DRAINAGE BOARD OF TIPPECANOE COUNTY, INDIANA

We, the undersigned PETITIONERS, represent and show that we are landowners having land that drains into the above-entitled Drain and being Ten Percent (10%) or more in number of the total land affected, do hereby petition the Drain be reclassified as "in need of reconstruction" or to increase the existing maintenance fund to a rate which will allow the repairs needed to be completed and further request the Tippecanoe County Drainage Board to expedite proceedings in the matter to improve the drainage conditions, and state in support thereof.

1. The Elijah Fugate drain will not perform the function for which it was designated and constructed.
2. It is inadequate to properly drain the land affected without extensive repairs or changes.
3. It needs to be repaired to the extent necessary to drain its area adequately.

Dated this 29 day of October, 2002

NAME	ADDRESS	ACREAGE
<u>S. DAVID MALSBERG</u> <u>(David Malsberg)</u>	<u>2112 W 550 S</u> <u>LAFAYETTE IN 47909</u>	<u>160 A</u>
<u>Jim Pendleton</u>	<u>13502 S 350 W</u> <u>Kennett, Mo. 47981</u>	<u>82 A</u>
<u>GARY STANFORD</u> <u>(Gary Stanford)</u>	<u>3709 S 250 E</u> <u>LAFAYETTE, IN 47909</u>	<u>160 A</u>

RECEIVED
OCT 29 2002
12:07
TIPPECANOE COUNTY SURVEYOR

Maintenance / Reconstruction Report on the Elijah D. Fugate Drain
Tippecanoe County Drainage Board
February 28th, 2003

The Elijah D. Fugate Drain was originally established in 1893 in Montgomery County Circuit Court, Case Number 10973, File Box 151. The drain (tile) is located in Section 3, T20N, R4W in Madison Township, Montgomery County and Sections 28, 33 and 34, T21N, R4W in Randolph and Lauramie Townships, Tippecanoe County.

The watershed area currently contains 883.146 acres with 83.03 acres in Montgomery County and 800.116 acres in Tippecanoe County. Based upon the original Court Records the main branch consists of 10,600 feet of tile, branch one consists of 580 feet of tile, branch two consists of 3985 feet of tile and branch three consists of 2848 feet of tile.

A maintenance fund of \$1.00 per acre was established on August 3, 1971 by the Tippecanoe County Drainage Board. The Montgomery County Drainage Board waived their right to a Joint Drainage Board. The rate was raised by twenty-five percent (25%) by the Tippecanoe County Drainage Board on January 8th, 2003 as allowed by I.C. 36-9-27-42, bringing the rate to \$1.25 per acre.

A petition for Reconstruction or Maintenance of the Fugate Drain was received on October 29th, 2002. The petition was signed by the owners of forty-six percent (46%) of the acreage within the watershed. The petition was referred to the Tippecanoe County Surveyor.

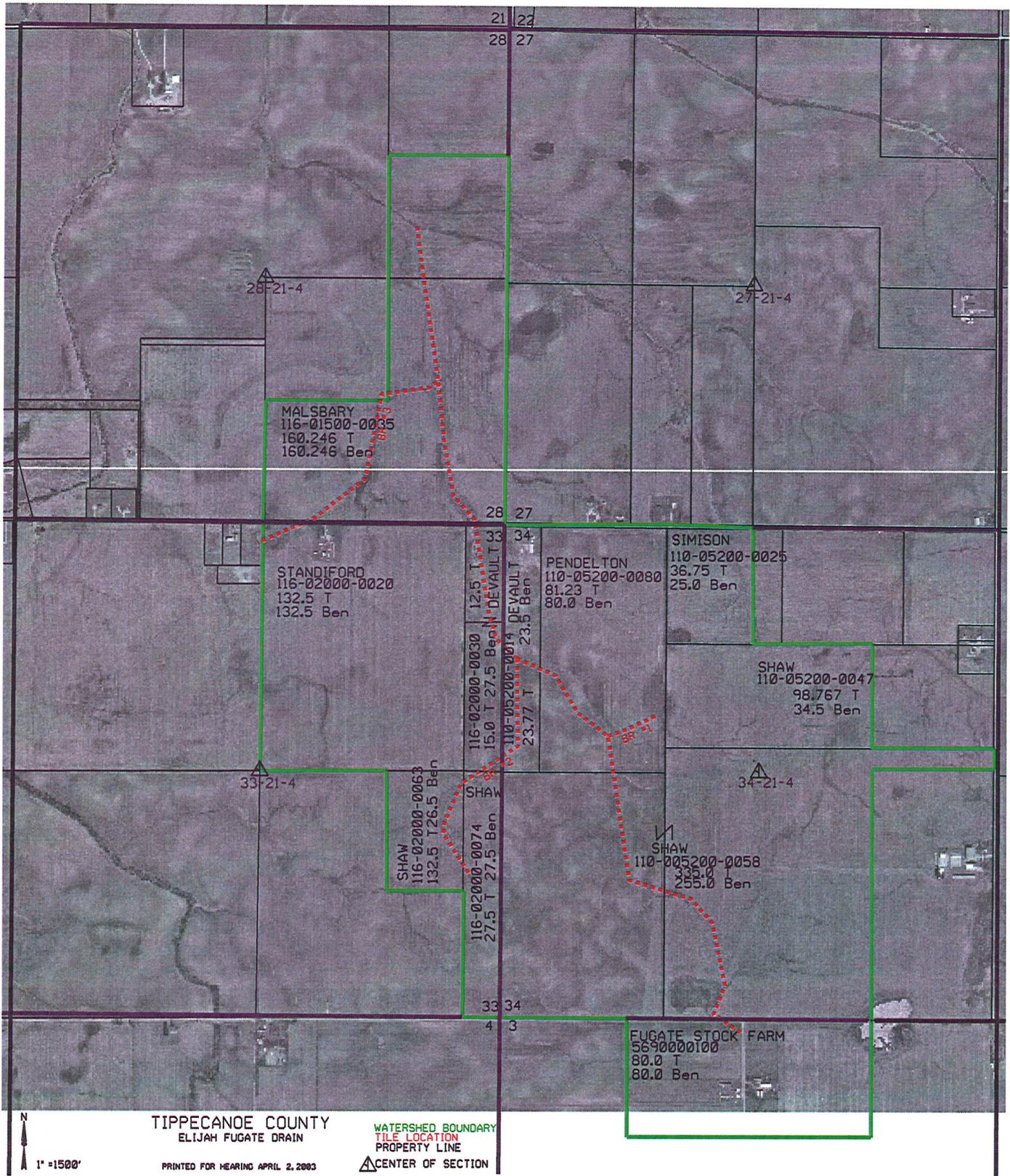
The Tippecanoe County Surveyor estimates that a sum of approximately \$40977.97 is needed to replace and repair approximately 2300 feet of tile, which is no longer working as originally designed and constructed. The replace and repair area begins approximately 338 feet South of Tippecanoe C.R.1300 South and extends to a point approximately 1960 feet North of 1300 South. The estimate also includes amounts to construct a waterway over that portion of the drain which is in need of repairs.

An assessment of \$11.60 per acre for four years generating \$10,244.49 per year and a four year total of \$40,977.97, or an assessment of \$5.80 per acre for eight years generating \$5122.25 per year and an eight year total of \$40,977.97 is recommended. After the repairs and replacement are completed the assessment could be reduced to a lower rate for periodic maintenance.

Respectfully submitted by



Stephen L Murray PLS
Tippecanoe County Surveyor



MONTGOMERY COUNTY DRAINAGE BOARD

110 West South Boulevard
Crawfordsville, IN 47933
Phone (765) 361-2623
Fax (765) 364-6367
Email mcc@joink.com

Commissioners
Cindy Edmiston
William McCormick
Edward Stephens

March 31, 2003

Stephen Murray
Tippecanoe County Surveyor
20 North 3rd Street
Lafayette, IN 47901

Re: Elijah Fugate Joint Drain

Dear Mr. Murray:

Please be advised that the Montgomery County Drainage Board waives the right to be represented on the Elijah Fugate Joint Drain hearing scheduled on April 2, 2003 @ 10:00 AM.

Sincerely,



Ed Stephens, President
Montgomery County Drainage Board

ES:ld



Attorney
Harry Siamas

Auditor
Nelda Hester

**Elijah Fugate Drain
County Surveyor's Preliminary Estimate**

Tile Repair and Replacement	
2300 Linear Feet of 18" tile @ \$14.00 per foot=	\$32,200.00
Contingencies @ 15%=	\$ 4,830.00
2260 Linear Feet of Grassed Waterway @ \$4.00 per foot=	\$ <u>9,040.00</u>
Total:	\$46,070.00

TIPPECANOE COUNTY SURVEYOR
TIPPECANOE COUNTY OFFICE BUILDING
20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901
Phone (765) 423-9228 Fax (765) 423-9196

March 3, 2003

Montgomery County Drainage Board
100 East Main Street
Crawfordsville Indiana 47933

Dear Board Members,

Pursuant to Indiana Code 36-9-27-14 (d) (1), we respectfully request that the Montgomery County Drainage Board waive the right to be represented on the Elijah Fugate Joint Drainage Board, and that the Tippecanoe County Drainage Board be the Board for the proceedings. We have scheduled a hearing at 10 a.m. on April 2, 2003.

There are 883.146 acres in the Fugate watershed and 83.03 acres of the watershed are in Montgomery County. Based on these acreages, ninety-one percent (91%) of the watershed is in Tippecanoe County.

Our Drainage Board and I would like to thank you for your continued cooperation and assistance.

If you should have any questions please give me a call.

Sincerely,



Stephen Murray
Tippecanoe County Surveyor

SLM:bjg

Cc: Montgomery County Surveyor

COPY

Attendees of Record

Names of Attendees

(*Note: If you are here representing a landowner, please note as such below)

1. George Rant representing G. David Maloney
2. Richard Shoemaker for Shaw Farms L.P.C.
3. Ray Stumpf ~~Ray Stumpf~~

4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____
21. _____

Stephen Murray
County Surveyor

3-19-2003

Thank you for sending information on the Fugate drain. As new owners of this west portion of our property, we are not completely familiar with it; however I seem to recall 2 drains passing thru this 37 acre, the Westpatrick and the Fugate with the later servicing about 12 acres, and not $\frac{2}{3}$ of it as indicated. Therefore, I take exception to your letter.

I am aware our former has found broken tiles on occasion. However, he has repaired or replaced them as needed.

The cost/benefit as outlined for our land is such that we definitely are not in favor of this proposed \$41,000 project and request the Board deny the petition proceeding only on the Jan 2003 plan to increase ^{to} the new rate.

Please revise your records to reflect my current address.

Sincerely yours,
Charles B. Dimison
1275 S. 50 E.
Bremhurst, In 46913
574/967-4401

R2: W2 79.5 AC
P1 NN 36.75 AC

CC Sara Freitag
Susan Houdibush
Gary Standiford / Rob Farrell

COPY

Mr. Stephen Murray
Tippecanoe County Surveyor
20 No. 3rd St.
Lafayette, IN 47901

Mr. G. David Malsbary
3112 W. 550 So.
Lafayette, IN 47909

Mar. 12, 2003

Dear Mr. Murray,

I am writing to state my very strong support for taking the appropriate action to correct the problems of the Fugate ditch. If this problem is allowed to continue, I fear ultimately the Kirkpatric ditch will be impacted as well as the Fugate drainage area.

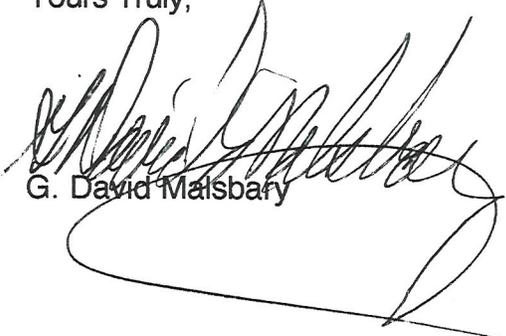
According to USDA, the drainage slope in the damaged area is too steep to effectively leave as an open ditch. USDA has indicated a willingness to support building a waterway with shared funds. This could substantially reduce costs for the drainage basin participants were it possible to complete this project by this summer. It is likely that 90% cost reimbursement may be available for the waterway only if completed by August. However, 40% of such funding must be reauthorized in August. Given present deficit projections, war costs, etc., there is a fair chance these funds won't be authorized.

Taking advantage of these funds plus the use of existing funds should substantially reduce the cost assessments to individuals. As this is a unique opportunity to benefit those being assessed, I urge us to make all interested parties, including the drainage board, aware of this potential cooperative benefit and hope we can work aggressively to take advantage of this opportunity. I am prepared to insure access for construction during the crop season.

Regarding the timing and amount of the assessment,, I have no strong preference of four years vs eight years and am willing to work with the preference of the remaining participants. I will not be able to attend the hearing on April 2 however, my partner, George Raub, has been asked to represent my interest.

I will be returning to the area on or before the 15th of April. If there is anything I can do to help this effort progress, please let me know. This is an issue of great importance.

Yours Truly,


G. David Malsbary

COPY

cc/ George A. Raub

United States Department of Agriculture



Natural Resources Conservation Service
1812 Troxel Drive, Suite C3
Lafayette, IN 47909-7367
PH. 765-474-9992, ext. 3

March 5, 2003

Mr. David Malsbary
3112 West 350 South
Lafayette, IN 47909

Dear Mr. Malsbary:

George Raub stopped by our office this week and expressed an interest in constructing a grass waterway and repairing/replacing tile on your farm (Farm No. 4581, Tract 4273). Our records indicate that a previous landowner had also asked for assistance from our office. Attached to this letter you will find a letter addressed to that landowner prepared by Ronald Sheffler, USDA NRCS Agricultural Engineer, recommending new tile to be installed to one side of the existing gully and a grass waterway constructed. Because this tile is a legal drain and is assessed by the county, all work on the tile needs to be approved by the County Drainage Board. It is unclear in my notes if the landowner at the time pursued this matter with the Drainage Board. Consequently, the project had been halted. We do have the preliminary engineering design for a waterway in the file.

It is my understanding that the drainage problem has recently been addressed to the Drainage Board. Steve Murray is initiating the process for implementing the repair/replacement of the tile. Because this parcel of land is and has been in agricultural production, you may be eligible for financial assistance from the USDA Farm Service Agency (FSA) for the construction of the waterway. It is important to note that the repair of this tile **is not** a cost-sharable practice, due to the legal jurisdiction the county has on the tile and current FSA policy.

As I'm sure you are aware, we need both practices in place in order to significantly reduce sediment loading to the Fugate ditch. If the county Drainage Board is willing to repair/replace the tile, our office can offer assistance for the design of a grassed waterway through USDA's Conservation Reserve Program. Ideally, we would coordinate the construction of both practices, but cannot oversee replacement of county tile in this case. If you have additional questions, please phone our office at the number listed above.

Sincerely,

A handwritten signature in black ink that reads "Mark Eastman".

Mark Eastman
District Conservationist

W/ enclosures

Cc: Steve Murray, County Surveyor
George Raub, Producer
Sandy Weaver, County Executive Director, FSA

Construction Cost Estimate

Natural Resource Conservation Service

1812 Troxel Drive, Suite C3

Lafayette, IN 47909-7367

Ph. (765) 474-9992

Prepared for: David Malsbarry

Projected Construction Cost..... \$ 66,628.10

Date: March 4, 2003

Estimate for: Grass Waterway construction

Item	Unit	\$/Unit	Quantity	Amount
Grass Waterway construction	feet	\$ 4.15	2000	\$ 8,300.00
Permanent Seeding Establishment	acre	\$650.00	3.7	\$ 2,405.00
Erosion Control Blanket Installation	sq yd	\$ 1.80	10,670.00	\$ 19,206.00
18" Tile installation (cost -share Not eligible from USDA)	feet	\$ 15.33	2000	\$ 30,660.00
<i>Cost estimate based on preliminary engineering study, not on actual field survey/design; estimate may be subject to change upon further investigation.</i>				
Subtotal				\$ 60,571.00
Contingencies (10%)				\$ 6,057.10
Total				\$ 66,628.10

Prepared by: S. Gerlach, RS IDNR



United States
Department of
Agriculture

Natural
Resources
Conservation
Service

10 S. College
Blosselsaer, IN
47978-3054
(317) 866-5840
Fax 866-5507

WILLIAM CLARKE MORIN

Grassed Waterway Investigation Report

Section 28. T21N, R4W
Randolph Township
Tippecanoe County, Indiana

A site investigation was made on May 2, 2000. Those present were Mark Eastman, District Conservationist, and myself.

The watershed consists of about 500 acres of cropland. Soils are of the "B" hydrologic group. Average watershed slope is 1.36%.

A gully has formed due to either a county drainage tile breaking down and not being repaired or erosion occurring over many years to the point that the tile was exposed and then broke.

We recommend a new tile be installed of the same size as the original and a grassed waterway be constructed to one side of the existing gully. The gully would be filled with excavated material from the waterway construction. A waterway can not be constructed in the existing gully since fill would be required to bring it up to grade and would erode out again before grass could be established.

A surface drain (wide bare channel) or open ditch would not control the erosion since the grade is too steep for either one.

The waterway would have a grade of about 0.65%, top width of about 66 feet, bottom width of 40 feet, depth of 1.5 to 2 feet, and side slopes of 8 horizontal to 1 vertical. Field surveys would determine exact dimensions.

Our estimated cost for this project is as follows:

2,000 feet of new grassed waterway @ \$3.00 per foot	\$6,000
2,000 feet of 18" plastic tile @ \$9.50 per foot	19,000

Total Estimated Cost \$25,000

NRCS can prepare construction plans.

Prepared By: Ronald G. Sheffler Date: 5-31-2000
Ronald G. Sheffler
Agricultural Engineer

The USDA is an equal opportunity provider and employer.

The Natural Resources Conservation Service works hand-in-hand with
The American people to conserve natural resources on private lands.

TO

Tippecanoe Co. Surveyor

1

3-26-03

FROM

ATTN: Stephen Murray
Dan DeVault 812.384.3517 ext. 4-work
384.3346 - home
384.8131 - FAX

SUBJECT

El. Jah Fugate Plain
Hearing Notices (2)

MESSAGE (WRITE CONCISE MESSAGE SIGN AND FORWARD PARTS 1 AND 3 TO ADDRESSEE RETAIN PART 2.)

Dear Mr. Murray,

In regards to the attached 3 pages, could you please provide the following information.

- 1) map of the denotified watershed and the amount of denotified acres
- 2) Breakout of proposal \$41,000 ± project costs, (cost extensions)
- 3) has project been bid?
- 4) What is the primary objective of the project and where is the project taking place.

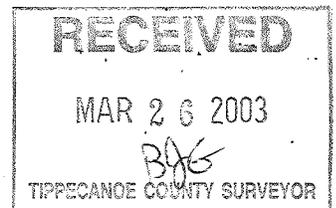
SIGNATURE

REPLY (USE THIS SPACE FOR REPLY SIGN AND DATE. RETURN PART 3 TO SENDER. RETAIN PART 1.)

Thanks for your time. If you could fax this into ASAP, (prior to the 5 day objection period), I would appreciate it.

Thanks,
Dan
DeVault
R#2
Box 347
Bloomfield, IN 47424

4 pages



SIGNATURE

DATE

RURAL DEV BLOOMFIELD

TIPPECANOE COUNTY SURVEYOR
TIPPECANOE COUNTY OFFICE BUILDING
20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901
Phone (765) 423-9228 Fax (765) 423-9195

Dear Property Owner;

Enclosed are two Hearing Notices on the Elijah Fugate Regulated Drain. An assessment of \$1.00 per acre was established in August of 1971 by the Tippecanoe County Drainage Board. Montgomery County Drainage Board waived their right to a Joint Drainage Board as allowed by Indiana Code. The rate was raised by twenty-five percent (25%) by the Tippecanoe County Drainage Board on January 8th, 2003 as is allowed by I.C. 36-9-27-42, bringing the current rate to \$1.25 per acre.

On October 29th, 2002 we received a Petition for Reconstruction or Maintenance of the Fugate Regulated Drain signed by the owners of Forty-Six (46%) percent of the acreage within the watershed. The Petition was referred to the Tippecanoe County Surveyor, and as required, the Surveyor has prepared a Maintenance Report and a Schedule of Assessments.

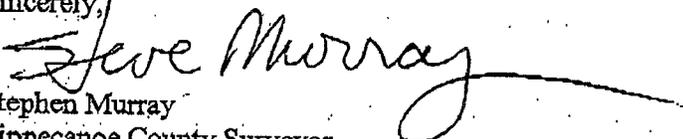
The County Surveyor has estimated that it will take approximately \$40,977.97 to replace and repair approximately 2300 feet of tile, which is no longer working as originally designed and constructed, and to construct a waterway over the tile after it is replaced and repaired.

We have included two Hearing Notices in order to give the property owners two options. Simply stated, the two options are to spread the cost of the work over either a four-year period or an eight-year period. This results in a rate of \$11.60 per acre for the four-year period and a rate of \$5.80 per acre for an eight-year period. Both options will generate the \$40977.97 needed to bring the Fugate tile back to an acceptable condition.

At the Hearing on April 2, 2003 the Drainage Board will hear testimony both in favor of and against the proposed per acre assessments. If you cannot attend the Hearing and you are in favor of raising the assessment, we would request that you send the Tippecanoe County Surveyor a letter stating that you are in favor of raising the assessment. Please indicate which option you would prefer. The Board, after hearing the testimony may choose to set one of the proposed rates or to set a lesser rate, or to deny the petition and leave the assessment at the current \$1.25 per acre.

Thank you for your cooperation, and if you should have any questions before the hearing please feel free to call me at the number above.

Sincerely,



Stephen Murray
Tippecanoe County Surveyor
Encl: 2

TIPPECANOE COUNTY DRAINAGE BOARD
TIPPECANOE COUNTY OFFICE BUILDING
20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901
Phone (765) 423-9228 Fax (765) 423-9196

BEFORE THE TIPPECANOE COUNTY
 DRAINAGE BOARD

IN THE MATTER OF:
 THE ELIJAH FUGATE DRAIN

TO: DEVAULT, DANIEL E
 C/O L/E GENEVA E DEVAULT
 2015 E 1300 SOUTH
 ROMNEY, IN 47981

HEARING ON THE MAINTENANCE REPORT OF THE
 TIPPECANOE COUNTY SURVEYOR AND ON THE
 SCHEDULE OF ASSESSMENTS FOR MAINTENANCE

You are hereby notified that on April 2, 2003 at 10:00 A.M. in the Tippecanoe Room at the County Office Building, 20 North Third Street, Lafayette Indiana, a hearing will be held by the Tippecanoe County Drainage Board on the report of the Tippecanoe County Surveyor and on the schedule of assessments for the above captioned ditch or drain.

The report of the Tippecanoe County Surveyor and the schedule of assessments made by the Board have been filed and are available for public inspection in the office of the Tippecanoe County Surveyor.

The County Surveyor has estimated that the annual cost of periodically maintaining the drain is \$10244.49.

Your are the owner of the following lands which are shown by the schedule of assessments to be assessed annually as stated below for the cost of maintenance of said drain.

If you wish to object to the above project you must do so in writing not less than five (5) days before the hearing. Objections should be sent to the office of the Tippecanoe County Surveyor, 20 North 3rd Street Lafayette, IN 47901. Any owner of land named in the schedule of assessments may file a written objection alleging that he or she is the owner of land assessed as benefited, and the benefits assessed against his or her land are excessive. The failure of any owner to file an objection constitutes a waiver of his right to object to any final action by the board.

DESCRIPTION	ACRES IN TRACT	ACRES BENEFITTED	PERCENT OF TOTAL
PT NE	27.500	27.500	3.114%

33/21/4

Your land is shown by the schedule of assessments to be annually assessed in the sum of \$319.00 for the estimated cost of periodic maintenance of the drain. The maintenance assessment is based on a rate of \$11.60 per acre. Pay no money on this proposed assessment until you receive a notice from your County Treasurer.

TIPPECANOE COUNTY DRAINAGE BOARD
 Ruth Shedd/President
 John Knochel/Vice President
 KD Benson/Member

TIPPECANOE COUNTY DRAINAGE BOARD

TIPPECANOE COUNTY OFFICE BUILDING

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DESCRIPTION	ACRES IN TRACT	ACRES BENEFITTED	PERCENT OF TOTAL
PT SE NW	23.770	23.500	2.661%

34/21/4

Your land is shown by the schedule of assessments to be annually assessed in the sum of \$272.60 for the estimated cost of periodic maintenance of the drain. The maintenance assessment is based on a rate of \$11.60 per acre. Pay no money on this proposed assessment until you receive a notice from your County Treasurer.

TIPPECANOE COUNTY DRAINAGE BOARD
Ruth Shedd/President
John Knochel/Vice President
KD Benson/Member

**TIPPECANOE COUNTY OFFICE BUILDING
TIPPECANOE COUNTY DRAINAGE BOARD
20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901
Phone 765-423-9228 Fax 765-423-9196**

===== **DRAINAGE BOARD REPORT** =====

Name: **Gary Standiford, Gary**

Street Address: 3709 South 250 East

City, State, Zip-Code: Lafayette Indiana 47905

Date: April 2, 2003

Mr. Gary Standiford attended the April 2, 2003 Hearing on the Assessment of the Elijah Fugate Drain #30. Mr. Standiford stated he did not believe the acreage of his tract as listed (132.500) was correct. After the hearing I checked the official tax program and the listed total was correct according to the Auditor tax program.

Brenda Garrison
Drainage Board Secretary

NA V NAME/ADDRESS/DESCRIPTION/PAGE 04/02/03
KEY NUMBER 116 02000 0020

NAME: STANDIFORD GARY GENE CONSTANCE MARIE
IN-CARE-OF:
ADDRESS: 3709 S 250E IN 47905
LAFAYETTE
COUNTRY:

LEGAL PT NE SEC 33 TWP 21 R4 132.50 A
DESCRIPTION

STATUS A NON-TAX MAILING CODE 29
REC-TYPE TAX-SALE N LOAN NUMBER

CONSERVANCY: NUMBER ACRES ASSESSMENT STATUS

DITCHES: NUMBER ACRES TYPE RATE STATUS
ELIJAH FUGATE DITCH 30 132.5000 A 1.25 I

DATE
40203

**TIPPECANOE COUNTY OFFICE BUILDING
TIPPECANOE COUNTY DRAINAGE BOARD
20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901
Phone 765-423-9228 Fax 765-423-9196**

===== **DRAINAGE BOARD REPORT** =====

Name: Dick Shoemaker Manager of Shaw Farms LLC.....

Street Address: 932 Robinson Street.....

City, State, Zip-Code: West Lafayette Indiana 47906

Phone Number: 743-1877 or cell# 426-6864

**Parcel #: 11602000063,74,47 and 110052000058
Shaw Farms, LLC.**

Mr. Dick Shoemaker wanted to inform the Surveyor's office he is in agreement of the Elijah Fugate #30 Assessment proposed.

He did state he would prefer the 8-year option presented.

He will try to make the Hearing on April 2, 2002 at 10 a.m.

Brenda Garrison
Drainage Board Secretary

4-1-03 BGG

Brenda Garrison

From: Montgomery County Surveyor [mcsurveyor@joink.com]

Sent: Tuesday, April 01, 2003 8:44 AM

To: Brenda Garrison

Subject: Elijah Fugate Drain & Arthur Fraley (Fugate Land

April 1, 2003

Brenda,

Here is the list of the Fugate land owner you called about yesterday.

Fugate, David K

Ditch # : 596-00008-10

Parcel # : 012-06021-01

PT NEQ SWQ 2-20-4 (10 Acres)

→ not Fugate Ditch
Per Montgomery Co.
Surveyors Office

Fugate Stock Farms

Ditch # : 569-00001-00

Parcel # : 012-06020-00

3-20-4 (80 Acres)

Fugate
Ditch

BFG

If you have any questions, please call, or email me.

Scott Yeager

Brenda Garrison

From: Brenda Garrison
Sent: Wednesday, February 12, 2003 8:03 AM
To: 'survey54@yahoo.com'
Cc: Steve Murray; Rob Evans
Subject: Elijah Fugate #30 Drain Assessment

Tracking:	Recipient	Read
	'survey54@yahoo.com'	
	Steve Murray	
	Rob Evans	Read: 2/12/2003 8:06 AM

Mr. Yeager,

Below I have the benefited landowners for the Elijah Fugate Drain. This was provided to me by you a few months ago. I would like to double check the parcel numbers and also the acreage, as we are in the process of gathering the info for a hearing in the near future on this drain. If there has been any splits and or changes of any kind I would appreciate the update. The hearing is tentatively (letters have NOT gone out yet) scheduled for April 2, 2003. I will be in touch with you during this process, to keep your office informed. I will also need the local paper name and person to contact (legal ads) in order to publicize the hearing as per Indiana Drainage Code. Please feel free to call me with any questions. (765-423-9228)

Thank you for your time on this matter.

Brenda Garrison/Tippecanoe County Drainage Board Secretary

569-00001-00

Fugate Stock Farms

R 1 Box 137

Linden In 47955

NE NW 3-20-4 80 Acres

569-00003-00

Montgomery County Highway

818 Whitlock Ave

Crawfordsville, IN 47933

RD 1200 N 3-20-4 3.030 Acres

2/12/2003

Brenda Garrison

From: Montgomery County Surveyor
Sent: Wednesday, February 12, 2003 9:48 AM
To: Brenda Garrison
Subject: Elijah Fugate Drain

Brenda,

That list is still correct, according to my records. The local paper is the Journal Review, they can be reached at 119 N. Green Str, Crawfordsville, IN 47933: (800) 488-4414 (www.journalreview.com)

If there is anything else I can help you with, please call, or email me.

Wm. Scott Yeager,

Chief Deputy Surveyor, Montgomery County
office (765) 361-3234
fax (765) 361-3235
email (mcsurveyor@joink.com)

2/12/2003

**NOTICE ON THE HEARING OF THE MAINTENANCE REPORT
AND ON THE
SCHEDULE OF ASSESSMENTS FOR MAINTENANCE**

ELIJAH FUGATE DRAIN

To whom it may concern :

You are hereby notified that on April 2, 2003 at 10:00 a.m. in the Tippecanoe Room of the Tippecanoe County Office Building, Lafayette, Indiana a hearing will be held by the Tippecanoe County Drainage Board on the maintenance report of the County Surveyor and on the schedule of assessments for the above captioned ditch or drain.

The maintenance report of the County Surveyor and the schedule of assessments made by the Drainage Board have been filed and are available for public inspection in the office of the County Surveyor.

TIPPECANOE COUNTY DRAINAGE BOARD

Brenda Garrison, Executive Secretary

TO:

Journal & Courier Fax: 742-5633 **Attn: Linda/Legal Ad**

The Leader Fax: 742-5156 **Attn: Nancy/Legal Ad**

Journal Review Fax: 364-5425 **Attn: Lisa/Legal Ad**

FROM:

Tippecanoe County Drainage Board 423-9228

20 North Third Street

Lafayette, Indiana 47901

Publication Dates:

Monday the 24th of March 2003: The Journal & Courier and Journal Review

Thursday March 20, 2003: The Lafayette Leader

PLEASE PROVIDE A CERTIFICATE OF PUBLICATION FOR THE ABOVE LEGAL NOTICE

Fax 03-17-03

Brenda Garrison

From: Brenda Garrison
Sent: Monday, April 07, 2003 9:12 AM
To: 'mcsurveyor@joink.com'
Cc: Steve Murray; 'macs@wico.net'
Subject: Elijah Fugate #30 Hearing
Contacts: Larry Utz

Mr.. Yeager & Mr.. Utz:

The following are the results of the Assessment Hearing held on the 2nd of April for the above drain .

The landowners passed an assessment of \$5.80 per acre for 8 years. There were three landowners present at the hearing and those were:

Mr.. Raub representing Mr.. Malsbury, Mr.. Standiford and Mr.. Shoemaker for Shaw Farms.

I will send your office an assessment packet on the 29th as I will be giving it to our Auditor on that date. (by code 20 days after Public Notification, as The Leader here in Lafayette only comes out weekly, I must wait until the time frame allows)

Please supply your Auditor with a copy of the F&O and the Assessment sheet upon arrival.

Could you email me with your Auditor's office e-mail address if available??
I have cc'd your Commissioner Mr.. William McCormick.

Thank you so much for all your help in this process. I look forward to working again with you.

Brenda Garrison
Surveyor's Office/Tippecanoe County /765-423-9228

Bgarrison@county.tippecanoe.in.us

[\[Close Window\]](#)

Landowners to share in Fugate Ditch repair costs

By **Beth Hlavek**, Journal and Courier

Some southern Tippecanoe County landowners will pay an additional \$5.80 per acre annually on their property tax bills for the next eight years to fund repairs of the Elijah Fugate Ditch.

The Tippecanoe County Drainage Board has approved a \$41,000 project to replace drainage tiles and create a waterway to address flooding concerns caused by erosion.

The Fugate Ditch project will be funded by seven landowners within the 883-acre watershed, composed of land in Randolph and Lauramie townships as well as 80 acres in Montgomery County. The ditch's main branch is roughly two miles long, just north of the county line between county roads 150 and 300 East.

The proposal drew support from a handful of people in attendance at last week's meeting, including farm manager Richard Shoemaker. Heavy rains have caused minor drainage problems for the 300-acre Shaw Farms, where corn and soybeans are grown northwest of county roads 300 East and 1200 South, he said.

"I remember my boss, the previous manager of Shaw Farms, tried to have work on this project 15 or 20 years ago," Shoemaker told the board.

The additional assessment could be added as soon as the 2003 spring tax bills, since the statewide reassessment is expected to delay bill mailings by at least two weeks, said county attorney Dave Luhman. However, county officials may decide to wait until the fall installment.

County surveyor Steve Murray said he plans to discuss plans for the new waterway with U.S. Department of Agriculture representatives before construction begins.

Construction will begin before the entire \$41,000 is collected, as the project is expected to borrow funding from the county's general drainage fund, Murray said.

During its meeting Wed-nesday, the drainage board also approved plans for four housing developments, all expected to break ground by spring or summer.

The developments include two phases of the planned 350-acre Valley Lakes residential and commercial subdivision, southeast of 18th Street and County Road 350 South, and housing additions in West Lafayette and Battle Ground also received final approval.

The third phase of Wake Robin Estates 2 will add 45 lots on 19 acres on Lindberg Road, between McCormick and Klondike roads, by the fall, said Tim Beyer, head of engineering for Vester and Associates.

Shawnee Ridge is also entering its third phase, northeast of Indiana 43 and County Road 600 North. Construction is expected to begin on 12 lots on four acres with groundbreaking likely this spring, Beyer said.

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TIPPECANOE COUNTY SURVEYOR
TIPPECANOE COUNTY OFFICE BUILDING
20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901
Phone (765) 423-9228 Fax (765) 423-9196

Dear Property Owner;

Enclosed are two Hearing Notices on the Elijah Fugate Regulated Drain. An assessment of \$1.00 per acre was established in August of 1971 by the Tippecanoe County Drainage Board. Montgomery County Drainage Board waived their right to a Joint Drainage Board as allowed by Indiana Code. The rate was raised by twenty-five percent (25%) by the Tippecanoe County Drainage Board on January 8th, 2003 as is allowed by I.C. 36-9-27-42, bringing the current rate to \$1.25 per acre.

On October 29th, 2002 we received a Petition for Reconstruction or Maintenance of the Fugate Regulated Drain signed by the owners of Forty-Six (46%) percent of the acreage within the watershed. The Petition was referred to the Tippecanoe County Surveyor, and as required, the Surveyor has prepared a Maintenance Report and a Schedule of Assessments.

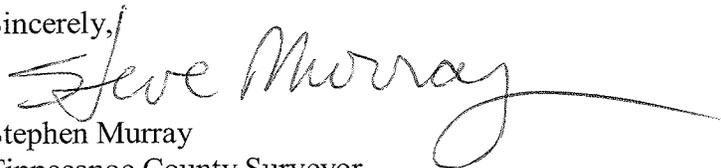
The County Surveyor has estimated that it will take approximately \$40,977.97 to replace and repair approximately 2300 feet of tile, which is no longer working as originally designed and constructed, and to construct a waterway over the tile after it is replaced and repaired.

We have included two Hearing Notices in order to give the property owners two options. Simply stated, the two options are to spread the cost of the work over either a four-year period or an eight-year period. This results in a rate of \$11.60 per acre for the four-year period and a rate of \$5.80 per acre for an eight-year period. Both options will generate the \$40977.97 needed to bring the Fugate tile back to an acceptable condition.

At the Hearing on April 2, 2003 the Drainage Board will hear testimony both in favor of and against the proposed per acre assessments. If you cannot attend the Hearing and you are in favor of raising the assessment, we would request that you send the Tippecanoe County Surveyor a letter stating that you are in favor of raising the assessment. Please indicate which option you would prefer. The Board, after hearing the testimony may choose to set one of the proposed rates or to set a lesser rate, or to deny the petition and leave the assessment at the current \$1.25 per acre.

Thank you for your cooperation, and if you should have any questions before the hearing please feel free to call me at the number above.

Sincerely,



Stephen Murray
Tippecanoe County Surveyor
Encl: 2

TIPPECANOE COUNTY DRAINAGE BOARD

TIPPECANOE COUNTY OFFICE BUILDING

20 NORTH 3RD STREET

LAFAYETTE, INDIANA 47901

Phone (765) 423-9228 Fax (765) 423-9196

BEFORE THE TIPPECANOE COUNTY
DRAINAGE BOARD

IN THE MATTER OF:
THE ELIJAH FUGATE DRAIN

TO:

HEARING ON THE MAINTENANCE REPORT OF THE
TIPPECANOE COUNTY SURVEYOR AND ON THE
SCHEDULE OF ASSESSMENTS FOR MAINTENANCE

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The County Surveyor has estimated that the annual cost of periodically maintaining the drain is \$10244.49.

You are the owner of the following lands which are shown by the schedule of assessments to be assessed annually as stated below for the cost of maintenance of said drain.

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TIPPECANOE COUNTY DRAINAGE BOARD
Ruth Shedd/President
John Knochel/Vice President
KD Benson/Member

TIPPECANOE COUNTY DRAINAGE BOARD

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The County Surveyor has estimated that the annual cost of periodically maintaining the drain is \$5122.25.

Your are the owner of the following lands which are shown by the schedule of assessments to be assessed annually as stated below for the cost of maintenance of said drain.

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TIPPECANOE COUNTY DRAINAGE BOARD
Ruth Shedd/President
John Knochel/Vice President
KD Benson/Member

The Lafayette Leader

Notice of Hearing on Elijah Fugate Drain

(Governmental Unit)

Tippecanoe County, Indiana

514 Main St, P.O. Box 908
Lafayette, IN 47902-0908

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) - number of equivalent lines.....

Head - number of lines.....

Body - number of lines.....

Tail - number of lines.....

Total number of lines in notice..... 18

COMPUTATION OF CHARGES

18 lines, 4 column wide
at .728 cents per line..... \$ 8.77

Additional charge for notices containing rule or tabular work
(lines x)..... \$

Charge for extra proofs of publication (\$1.00 for each proof
in excess of two)..... \$

TOTAL AMOUNT OF CLAIM..... \$ 8.77

DATA FOR COMPUTING COST

Width of single column 14.6 ems

Number of insertions 1

Size of type 07 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Kierst Kjonaas

Date: 3-28-03

Title: Office Coordinator

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Tippecanoe County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Kiersti Kjonaas, who, being duly sworn, says that (s)he is Office Coordinator of the Lafayette Leader, a weekly newspaper of circulation general printed and published in the English language in the (city) (town) of Lafayette in state and county afore-said and that the printed matter attached said, and that the printed matter attached hereto is a true copy, which was duly published in said paper and the publication date(s) being as follows:

3/28/03

Kiersti Kjonnas-Office Coordinator

Subscribed and sworn to before me this 28 day of March., 2003

Rhonda Parker
Rhonda Parker- Notary Public

NOTICE ON THE HEARING OF THE MAINTENANCE REPORT AND ON THE SCHEDULE OF ASSESSMENTS FOR MAINTENANCE ELIJAH FUGATE DRAIN

To whom it may concern:
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Tippecanoe County Drainage Board
Brenda Garrison, Executive Secretary

The Lafayette Leader

Notice of Hearing for Elijah Fugate Drain

(Governmental Unit)

Tippecanoe County, Indiana

514 Main St, P.O. Box 908
Lafayette, IN 47902-0908

PUBLISHER'S CLAIM

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Head - number of lines.....

Body - number of lines.....

Tail - number of lines.....

Total number of lines in notice..... 11

COMPUTATION OF CHARGES

11 lines, 4 column wide
at .487 cents per line..... \$ 5.36

Additional charge for notices containing rule or tabular work
(lines x)..... \$

Charge for extra proofs of publication (\$1.00 for each proof
in excess of two)..... \$

TOTAL AMOUNT OF CLAIM..... \$ 5.36

DATA FOR COMPUTING COST

Width of single column 14.6 ems

Number of insertions 1

Size of type 07 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Kierst Kjonaas

Date: 4-11-03

Title: Office Coordinator

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Tippecanoe County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Kiersti Kjonaas, who, being duly sworn, says that (s)he is Office Coordinator of the Lafayette Leader.

The Lafayette Leader

Notice of Hearing on Elijah Fugate Drain

(Governmental Unit)

514 Main St, P.O. Box 908
Lafayette, IN 47902-0908

Tippecanoe County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

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Total number of lines in notice..... 18

COMPUTATION OF CHARGES

18 lines, 4 column wide
at .728 cents per line..... \$ 8.77

Additional charge for notices containing rule or tabular work
(lines x)..... \$

Charge for extra proofs of publication (\$1.00 for each proof
in excess of two)..... \$

TOTAL AMOUNT OF CLAIM..... \$ 8.77

DATA FOR COMPUTING COST

Width of single column 14.6 ems

Warrant No.

IN FAVOR OF

\$.....

On Account Of Appropriation For

Howed....., 20.....

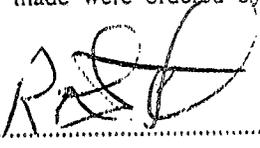
the sum of \$.....

FED. ID. 35-2088688

I have examined the within claim and hereby certify as follows:

- That it is in proper form.
- That it is duly authenticated as required by law.
- That it is based upon statutory authority.
- That it is apparently (correct) (incorrect)

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.



....., 20.....

PROOF OF PUBLICATION

State of Indiana,
County of Montgomery

} ss:

Before me, a Notary Public in and for the County of Montgomery and State of Indiana, personally appeared **R. G. Dietz**, who being duly sworn upon his oath, deposes and says, that he is publisher of the Crawfordsville Journal Review, a public daily newspaper of general circulation in Montgomery County, State of Indiana, printed in the English language and printed and published daily at 119 North Green Street in the city of Crawfordsville, Montgomery County, state of Indiana, and that said Journal Review has been published continuously for more than five years last past, in said City and County; that the notice of Publication, a true copy of which is hereto annexed was duly published in

said newspaper, for.....

..... 1 insertions, successively
which publications were made as follows:

First publication on the 5 day of April, 2003

Second publication on the day of 200.....

Third publication on the day of 200.....

Fourth publication on the day of 200.....

And that all of said publications were made in full compliance with the law.

[Signature]

Subscribed and sworn to before me this 7 day of April, 2003

[Signature]
Notary public

My commission expires 5-8-2008

Publisher's Fee 598

NOTICE OF THE HEARING ON THE MAINTENANCE REPORT AND SCHEDULE OF ASSESSMENTS OF THE ELIJAH FUGATE DRAIN #30
The Findings and Order of the 8 year annual Assessment Maintenance option was passed by the Tippecanoe County Drainage Board at the April 2, 2003 Hearing. A copy of the order has been filed and is available for inspection in the office of the Tippecanoe County Surveyor.
TIPPECANOE COUNTY DRAINAGE BOARD
Brenda Garrison,
Executive Secretary
4/5 1t

PLEASE INCLUDE THIS NUMBER A04033374 WITH YOUR REMITTANCE.

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PUBLISHER'S AFFIDAVIT

State of Indiana)
Tippecanoe County) ss

Personally appeared before me, a notary public in and for said county and state, the undersigned Susan Garrity who, being duly sworn, says that she is Clerk of the Journal and Courier a daily newspaper of general circulation printed and published in the English language in the (city) (town) of Lafayette in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for time, the dates of publication being as follows:
March 24th, , 2003

Subscribed and sworn to before me this 24th day of March, 2003

[Signature]
[Signature]

Notary Public

LINDA M HONEA
Notary Public, State of Indiana
County of White

My commission expires _____

My Commission Expires Jul 15, 2007

NOTICE ON THE HEARING OF THE MAINTENANCE REPORT AND ON THE SCHEDULE OF ASSESSMENTS FOR MAINTENANCE ELIJAH FUGATE DRAIN
To whom it may concern:
You are hereby notified that on April 2, 2003 at 10:00 a.m. in the Tippecanoe Room of the Tippecanoe County Office Building, Lafayette, Indiana a hearing will be held by the Tippecanoe County Drainage Board on the maintenance report of the County Surveyor and on the schedule of assessments for the above captioned ditch or drain.
The maintenance report of the County Surveyor and the schedule of assessments made by the Drainage Board have been filed and are available for public inspection in the office of the County Surveyor.
TIPPECANOE COUNTY DRAINAGE BOARD
Brenda Garrison,
Executive Secretary
3/24/2003 No. 24836

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AI

For Accountable Mail

Name and Address of Sender
 Tippecanoe County Surveyor Office
 20 North Third Street
 Lafayette In. 47901

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**NOTICE OF THE HEARING ON THE MAINTENANCE REPORT
AND
SCHEDULE OF ASSESSMENTS OF THE
ELIJAH FUGATE DRAIN #30**

The Findings and Order of the 8 year annual Assessment Maintenance option was passed by the Tippecanoe County Drainage Board at the April 2, 2003 Hearing. A copy of the order has been filed and is available for inspection in the office of the Tippecanoe County Surveyor.

TIPPECANOE COUNTY DRAINAGE BOARD
Brenda Garrison, Executive Secretary

TO:

Journal & Courier Fax: 742-5633 **Attn: Linda/Legal Ad**
The Leader Fax: 742-5156 **Attn: Nancy/Legal Ad**
Journal Review Fax: 364-5425 **Attn: Lisa/Legal Ad**

FROM:

Tippecanoe County Drainage Board 423-9228
20 North Third Street
Lafayette, Indiana 47901

Publication Dates:

ASAP: The Journal & Courier and Journal Review

ASAP: The Lafayette Leader

PLEASE PROVIDE A CERTIFICATE OF PUBLICATION FOR THE ABOVE LEGAL NOTICE

FAXED APRIL 2, 2003