CERTIFICATE OF ASSESSMENTS
FOR ANNUAL MAINTENANCE

The County Drainage Board of:
Tippecanoe County, Indiana

IN THE MATTER OF:
Assessments for Annual Maintenance of
The Julius Berlowitz Regulated Drain #08
in Tippecanoe County, Indiana

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 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, 2018.

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.

IN WITNESS WHEREOF, we have set our hands,
This 28th day of February 2018.

Tippecanoe County Drainage Board:

David S. Byers, President

Tracy A. Brown, Vice President

ABSENT
Thomas P. Murtaugh, member

BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD

IN THE MATTER OF THE

JULIUS BERLOWITZ#08 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 October 20, 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 were filed.

Objections were filed by the following landowners: Janet L. Jones 5408 Wilmington Circle Laf. In. 47905, Brian Bratcher 5508 N. Bluegrass Circle Laf. In. 47905, Ed Uerkwitz 495 S 675 East Laf. In. 47905, Christine Kreighbaum 5650 N. Bluegrass Circle Laf. In. 47905

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 October 20, 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 1,013 lineal feet of open ditch, 4,193 lineal feet of main tile, 22,614 lineal feet of branch tile and 24,349 lineal feet of regional detention pond perimeters to be maintained by this fund.

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

(6) The ditch needs the following maintenance at present: periodic mowing, spraying and tile repair

(7) There is now $333.00 owed to the General Drain Fund for past maintenance on this ditch.

(8) The ditch drains 1,920.04 acres total.

(9) Estimated annual cost of maintenance is $13,540.31.

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

(11) A fund for annual maintenance should ~~(should not)~~ be re-established.

(12) In order to provide the necessary maintenance fund, the annual assessment per acre and lot benefited should be: $3.00 per acre with an $8.50 minimum over an 8 year collection period.

(13) The assessment list filed herewith should (should 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, 2018 taxes.

FINDINGS AND ORDER (ANNUAL MAINTENANCE) CONT:

NOW, THERFORE, IT IS ORDERED THAT:

(1) A maintenance fund be re-established for the Julius Berlowitz #08 Regulated Drain at the annual rate of $3.00 per acre and an $8.50 minimum over an 8 year collection period 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 **February 2018**.

COUNTY DRAINAGE BOARD:

David S. Byers, President

Tracy A. Brown, Vice President

Absent

Thomas P. Murtaugh, Member

ATTEST:

Brenda Garrison
Tippecanoe County Drainage Board Executive Administrator