

BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD

IN THE MATTER OF THE

CRIST FASSNACHT #29 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 **April 15, 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~~ (were not) filed.

Evidence was presented by the Tippecanoe County Surveyor. 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 **April 15, 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 and 15,235 lineal feet of main tile and 20,830 lineal feet of branch tile.**
- (5) The present condition of the ditch is in poor condition and in need of repair.
- (6) The ditch needs the following maintenance at present: **Main and branch tile repair**
- (7) There is now **\$0.00 owed** to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains **959.849 acres** total.
- (9) Estimated **annual** cost of maintenance is **\$3881.99.**
- (10) Estimated annual benefits the land drained exceeds repair and maintenance costs.
- (11) A fund for annual maintenance **should** (~~should not~~) be established.
- (12) In order to provide the necessary maintenance fund, the annual assessment per acre and lot benefited should be: **\$3.75 per acre with a \$10.00 minimum over an 8 year period of collection.**
- (13) The assessment list filed herewith 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, 2016** taxes.

FINDINGS AND ORDER (ANNUAL MAINTENANCE) CONT:

NOW, THEREFORE, IT IS ORDERED THAT:

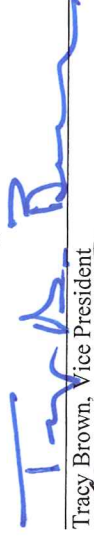
- (1) A maintenance fund be established for the Crist Fassnacht #29 Regulated Drain at the annual rate of \$3.75 per acre with a \$10.00 minimum benefited.
- (2) The Schedule of Assessments filed herewith are adopted and made a part thereof.
- (3) The first annual assessment shall be collected with the May 10, 2016 taxes.

DATED at Lafayette, Indiana this 3rd day of June ~~2015~~ 2015.

COUNTY DRAINAGE BOARD:



David S. Byers, President




Tracy Brown, Vice President



Thomas P. Murtaugh, Member

ATTEST:



Brenda Garrison
Tippecanoe County Drainage Board Secretary