

BEFORE THE TIPPECANOE COUNTY DRAINAGE BOARD

IN THE MATTER OF THE

JEREMIAH EDWARDS #130 REGULATED DRAIN:

FINDINGS AND ORDER  
(RECONSTRUCTION AND ANNUAL MAINTENANCE)

This matter came to be heard upon the reconstruction report and schedule of assessments as prepared by the Tippecanoe County Surveyor and filed on March 26, 2020. 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 ~~was~~ (were not) 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 reconstruction report of the Surveyor and the schedules of assessments as determined by the board have been filed and are available for inspection in the office of the Surveyor .
- (2) Notice of filing of the reconstruction 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, 3,350 lineal feet of 24-inch tile, 1,700 lineal feet of 18-inch tile, 1,400 lineal feet of 15-inch tile and 1,625 lineal feet of 10-inch tile.
- (5) The present condition of the ditch is poor and in need of reconstruction.
- (6) The ditch needs the following reconstruction and maintenance at present:  
3,350 lineal feet of 24-inch tile, 1,700 lineal feet of 18-inch tile, 1,400 lineal feet of 15-inch tile and 1,625 lineal feet of 10-inch tile.
- (7) There is now \$2,900.00 owed to the General Drain Fund for past maintenance on this ditch.
- (8) The ditch drains 393.57 acres total.
- (9) Estimated cost of reconstruction is \$247,775.00. Estimated annual cost of maintenance is ~~\$22,000.00~~ \$24,601.24 BYG
- (10) Estimated benefits to the land exceed repair and reconstruction costs.
- (11) A fund for reconstruction and annual maintenance should (~~be~~) be established. BYG
- (12) In order to provide the necessary reconstruction and maintenance: a reconstruction fund should be established at the annual rate of \$127.00 per acre and \$50.00 minimum and the maintenance fund established at the annual rate of \$7.50 per acre and ~~\$5.00~~ \$35.00 minimum for an eight (8) year period as benefited. BYG
- (13) The schedule of assessments file herewith should be accepted as presented. ~~(should be amended as follows):~~ BYG
- (14) The assessment lists filed herewith (~~as amended above~~) are fair and equitable and should be adopted. BYG

(15) The assessments should be collected with the May 10, 2021 taxes.

NOW, THEREFORE, IT IS ORDERED THAT:

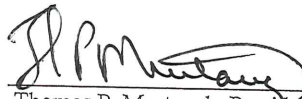
(16) A reconstruction and maintenance fund is established for the Jeremiah Edwards Regulated Drain #130. The reconstruction fund is established at the annual rate of \$127.00 per acre and \$50.00 minimum and the maintenance fund is established at the annual rate of \$7.50 per acre and ~~\$35.00~~ <sup>\$35.00</sup> minimum for an eight (8) year period as benefited. *BB*

*BB* (17) The schedule of assessments for the reconstruction and annual maintenance filed here (~~attached to the application~~) are adopted and made a part hereof.

(18) The first annual assessment shall be collected with the May 10, 2021 taxes.

DATED at Lafayette, Indiana this 6<sup>th</sup> day of May 2021.

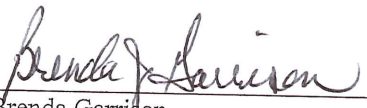
COUNTY DRAINAGE BOARD:

  
Thomas P. Murtaugh, President

  
David S. Byers, Vice President

  
Tracy A. Brown, Member

ATTEST:

  
Brenda Garrison  
Tippecanoe County Drainage Board Executive Administrator