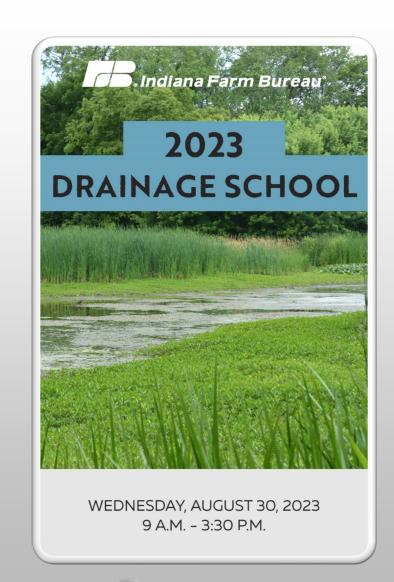
MUTUAL DRAIN REMOVAL OF OBSTRUCTION HEARINGS

KENT WARD

HAMILTON COUNTY
SURVEYOR

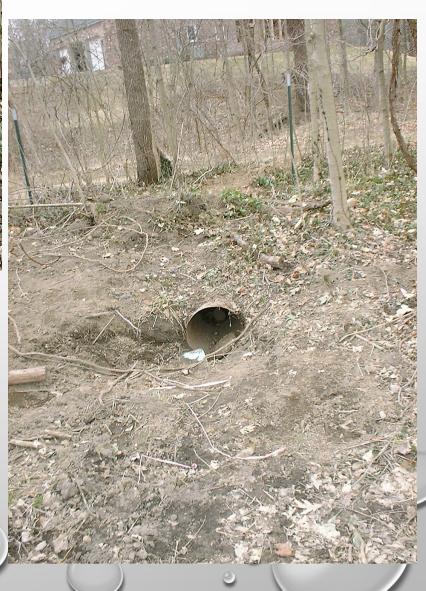








ALVA PROPERTY





PRIVATE DRAIN PETITION PROCESS Landowner affected by downstream blockage of private drain sends letter, by certified mail, to landowner of property where blockage exists, requesting removal of obstruction Downstream landowner removes No Drainage Board Yes blockage within 30 days action required Petition is filed with Drainage Board Drainage Board requests County Surveyor to investigate whether obstructions exists No Drainage Board Does obstruction exist? No action required Yes County Surveyor reports existence of obstruction to Drainage board. County Drainage Board sets date for hearing on the petition and serves notice to each owner of the land on which the obstruction exists. Hearing to be held within 30 to 90 days after filing of petition. Hearing by Drainage Board determines if the obstruction of a drain or natural surface watercourse exists, and if removal of the obstruction will promote better drainage of petitioners land without unreasonable damage to respondents land. Will removal of obstruction promote better drainage for petitioner without Petition No uhreasonable damage to respondents land? Yes GO TO NEXT PAGE Adobe PDF Filjable Form



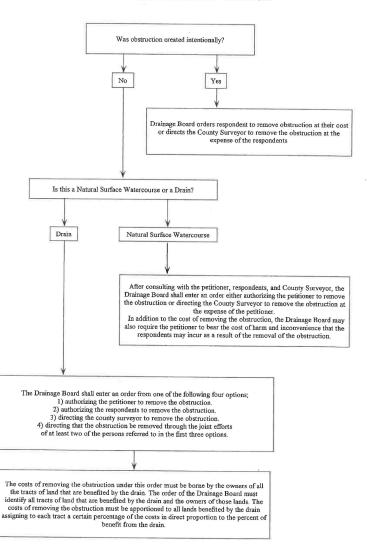
HAMILTON COUNTY DRAINAGE BOARD

IN RE: The Obstruction of Private Drainage Comes now _ who petitions the Hamilton County Drainage Board, per IC 36-9-27.4, for removal of drainage obstruction(s). Petitioner, in support of the petition, advised the Board that: 1. Petitioner is the owner of tract per the records of the Hamilton County Auditor and that said tract is upstream of a drainage obstruction within a private tile drain or a defined natural surface water channel, causing an adverse effect on petitioners tract. 2. An obstruction to drainage exists on the downstream tract owned by which is listed on the Auditors Records as tract number and whose address is shown as Said obstruction is caused by and is located 3. The petitioner has requested in writing & sent return receipt requested to the above named downstream owner, to remove the obstruction and at this time the obstruction has not been removed. In support of this there is attached a copy of the letter requesting the removal of the obstruction with the original return receipt. In has been thirty (30) or more days since the receipt of the letter by the above downstream owner. 4. Petitioner has submitted a copy of the Auditors Tax Map showing location of drain; location of obstruction; drainage shed of drain; and size of drain if tiled. 5. Petitioner has submitted a list of owners within the drainage shed of the private tile or natural stream showing names of owners; owners address; parcel number; and acres in tract. All of this information is per the Auditors Record. Also included is the estimated acres benefited by the drain for each tract listed. 6. Petitioner believes that the obstruction was: (Mark One) Caused intentionally by the downstream owner Not caused intentionally by the downstream owner. Signed Signed Printed Printed Phone Number(s) Address \$50 filing fee required.

Adobe PDF Fillable Form

PRIVATE DRAIN PETITION PROCESS Landowner affected by downs<u>tream blockage</u> of private drain sends letter, by certified mail, to landowner of property where blockage exists, requesting removal of obstruction Downstream landowner removes No Drainage Board' > Yes blockage within 30 days action required Petition is filed with Drainage Board Drainage Board requests County Surveyor to investigate whether obstructions exists No Drainage Board Does obstruction exist? > No action required Yes County Surveyor reports existence of obstruction to Drainage board. County Drainage Board sets date for hearing on the petition and serves notice to each owner of the land on which the obstruction exists. Hearing to be held within 30 to 90 days after filing of petition. Hearing by Drainage Board determines if the obstruction of a drain or natural surface watercourse exists, and if removal of the obstruction will promote better drainage of petitioners land without unreasonable damage to respondents land. Will removal of obstruction promote better drainage for petitioner without Petition > No unreasonable damage to respondents land? GO TO NEXT PAGE Adobe PDF Fillable Form

PRIVATE DRAIN PETITION PROCESS - CONTINUED



NOTE

This flowchart is provided for general information. It is not intended as a legal opinion on specific issues and should not be used to solve individual problems. If legal advice or other expert assistance is required, the services of a competent professional should be sought.

CONTACT US:

surveyor@hamiltoncounty.in.gov

Phone: 317-776-8495