

IN THE MATTER OF \_\_\_\_\_ DRAIN PETITION

LOCATED IN: TWP \_\_\_\_\_, SEC \_\_\_\_\_

**PETITION FOR ESTABLISHMENT OF A NEW REGULATED DRAIN**

We, the undersigned property owners, whose lands are some or all of those lands affected by the above enumerated drain, hereby request the Allen County Surveyor to obtain the necessary maps, engineering drawings, specifications and other necessary documents for presentation to the Allen County Drainage Board to cause a drain to be made and accepted as a regulated drain in Allen County, Indiana, all pursuant to the 1965 Indiana Drainage Code as amended. It is agreed that petitioners will give all consents and provide all maps, engineering drawings, specifications and other documentation as requested by the Allen County Surveyor in order to allow said surveyor to prepare the petition for hearing to enable the Allen County Drainage Board to establish said regulated drain.

1. It is hereby certified that this petition is being filed by the owners of 10% or more in acreage or by 25% of assessed valuation of the land and said land is outside the corporate boundaries of a municipality and is affected by the proposed drain.
2. The legal description of each tract of land that petitioners believe will be affected by the proposed drain and the name and address of each owner as shown by the tax duplicate of Allen County are attached hereto as Exhibit "A." Public ways owned by Allen County or by the State of Indiana may be described by their name or number and the right-of-way of a railroad may be described as the right-of-way of the owner through section, township and range. The petition does describe an area of land equal to three-fourths (3/4) or more in area of all the affected land as required by I.C. 36-9-27-57.
3. The general route of the proposed drain is as described in an attachment hereto marked Exhibit "B."
4. In the opinion of the petitioners, the cost, damages and expenses of the proposed drain will be less than the benefits accruing to the owners of land likely to be benefited by the drain.
5. In the opinion of the petitioners, the proposed drain will either: (a) improve the public health; (b) benefit a public highway in a county or a public street in a municipality; (c) drain the grounds of a public utility.
6. The name and address of the attorney representing petitioners in the drainage petition is \_\_\_\_\_  
\_\_\_\_\_
7. Petitioners hereby agree to pay all costs of notice and all legal costs if said petition is dismissed at any time.

8. The proposed contract deputy to serve on this project shall be \_\_\_\_\_  
 \_\_\_\_\_ and petitioners hereby request the surveyor appoint  
 such person or firm as a contract deputy.  
*(Delete No. 9 if not applicable.)*
9. In the opinion of the petitioners, said drain to be established by this petition will be an urban drain.
10. Petitioners hereby waive all waiting periods required pursuant to Indiana Code 36-9-27-1, et seq., and in particular the minimum 30-day waiting periods for preliminary and final Drainage Board hearings as required by I.C. 36-9-27-57 (e) and I.C. 36-9-27-63 (a).

Dated: \_\_\_\_\_

**NAME/Signature**

**ADDRESS**

_____	_____
_____	_____
_____	_____

**SURVEYOR'S ACCEPTANCE**

The Allen County Surveyor, having examined the within petition to determine if it is in proper form, finds as follows:

1. The name assigned to the herein drain is \_\_\_\_\_.
2. Said petition is in proper form and \_\_\_\_\_ is hereby appointed as contract deputy to serve on this project.
  - 2.1. The petition is not in proper form and is hereby returned to the attorney for the Petitioner, showing that the petition fails to comply with the legal requirements as follows:  
 \_\_\_\_\_
3. Petitioners agree to pay all costs of notice and legal costs if said petition is dismissed.

**(No. 4 Optional)**

4. Petitioners have affirmed to surveyor that to the best of their knowledge and belief, all landowners affected by said petition have signed such petition.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Allen County Surveyor