

**WHITLEY COUNTY DRAINAGE BOARD**  
**PETITION FOR RELOCATION OF DRAIN (I.C. 36-9-27-52.5)**

The undersigned ("Petitioner") proposes a project (the "Project") for the relocation of a public drain and hereby requests that the Project be approved pursuant to I.C. 36-9-27-52.5. The Project consists exclusively of the relocation of a regulated drain from one site on property owned by Petitioner to another site on property owned by Petitioner.

Petitioner's name: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Legal description of subject property: \_\_\_\_\_

Address of subject property (if applicable): \_\_\_\_\_

Parcel number: \_\_\_\_\_

Name and number of affected regulated drain: \_\_\_\_\_

**Required Attachments:** The following documents and information must be attached to this petition: (1) surveys and/or drawings showing the location of the existing drain and the proposed relocation; and (2) project specifications approved by the County Surveyor.

I/we the undersigned Petitioner(s) certify that the undersigned Petitioner(s) is/are the owners of both the existing drain site and the proposed drain site. Petitioner(s) understand that: (a) the Project must be approved by the county drainage board at a public meeting; (b) if approved, the Project will be completed under the supervision of the County Surveyor; and (c) if approved, the Petitioner(s) will be responsible for the entire cost of the Project.

"PETITIONER"

"PETITIONER"

\_\_\_\_\_  
(Signature)  
Dated: \_\_\_\_\_

\_\_\_\_\_  
(Signature)  
Dated: \_\_\_\_\_

**CONSENT OF ADJOINING LANDOWNER**

The undersigned, as adjoining landowner(s), hereby consent(s) to the Project described above with the understanding that the entire cost of the Project will be paid by Petitioner and no portion of said cost will be charged to the adjoining landowner(s) and/or or to the drain's maintenance fund balance. The undersigned agree(s) that the undersigned will not be adversely affected by the Project. The undersigned understand(s) that the relocation of the drain will result in the relocation of the drain easement pursuant to Indiana Code 36-9-27-33 (which provides for a right of way over the land lying within 75 feet of either side of the drain). Although the Project involves the relocation of the drain within the Petitioner's property, the relocated drain easement may include the property of the undersigned if the relocated drain is within 75 feet of the property of the undersigned.

\_\_\_\_\_  
(Signature)  
Dated: \_\_\_\_\_

\_\_\_\_\_  
(Signature)  
Dated: \_\_\_\_\_

**ACTION BY DRAINAGE BOARD**

At a public meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Whitley County Drainage Board considered the above petition and took the following action:

\_\_\_\_\_ **Approval:** The board hereby grants the above petition and authorizes the Project in accordance with the specifications approved by the County Surveyor. Based on the investigation of the County Surveyor, the board finds that no owner of land in the watershed in which the regulated drain is located will be adversely affected by the Project.

\_\_\_\_\_ **Denial:** The above petition is denied for the following reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Whitley County Drainage Board:

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