

**WHITLEY COUNTY DRAINAGE BOARD
AGREEMENT FOR DRAINAGE GRANT**

WHEREAS, the undersigned ("Landowner") is the owner of land affected by a regulated drain known as the Drain, # _____ (the "Drain"), which is subject to the jurisdiction of the Whitley County Drainage Board (the "Drainage Board") pursuant to the Indiana drainage laws; and

WHEREAS, this Agreement pertains to a proposed project for the reconstruction of the Drain (the "Proposed Reconstruction"). The nature and location of the Proposed Reconstruction is described as follows:

(attach additional pages if necessary); and

WHEREAS, Landowner desires that the Drainage Board approve the Proposed Reconstruction and/or expedite the commencement of the work; and

WHEREAS, Landowner recognizes that the ability of the Drainage Board to finance the Proposed Reconstruction and other drainage projects is limited by the availability of funds in the county's General Drain Improvement fund; and

WHEREAS, Landowner is entering into this Agreement with the knowledge and expectation that the Drainage Board should and will rely on this Agreement in its consideration of the classification of the Drain and/or the referral and/or approval of the Proposed Reconstruction and/or the acceptance of bids and awarding of contract(s) for the Proposed Reconstruction;

NOW, THEREFORE, Landowner promises and agrees as follows:

1. If the Proposed Reconstruction is approved by the Drainage Board, Landowner hereby agrees to pay the sum of \$ _____ as a grant pursuant to Indiana Code 36-9-27-75 (the "Grant").
2. The Grant shall be payable upon the Drainage Board's approval of the Proposed Reconstruction. The Grant shall be delivered to the Whitley County Surveyor's office. The check shall be payable to the Whitley County Treasurer with the memo portion of the check referencing the name and number of the Drain.
3. In accordance with Indiana Code 36-9-27-75, the Grant shall be used to reduce the costs assessed to affected owners in connection with the Proposed Reconstruction.
4. Although it is intended that the Drainage Board may rely on this Agreement, the Drainage Board is not obligated to approve the Proposed Reconstruction. The approval of the Proposed Reconstruction is subject to the requirements of the Indiana drainage laws. However, Landowner's agreement to pay the Grant is subject to the condition that the Proposed Reconstruction is approved by the Drainage Board.

In witness whereof, the undersigned Landowner has signed this Agreement as of the _____ day of _____, 200 .

LANDOWNER:

(Signature)

(Printed/Typed Name)

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(Address)**