



**WHITLEY COUNTY DRAINAGE BOARD  
ACTION ON CONSENT FOR PERMANENT STRUCTURES**

The following is a record of the action taken by the Whitley County Drainage Board on a petition to allow permanent structures to be constructed, installed and maintained over, under and/or within the statutory right-of-way of a regulated drain as permitted by IC 36-9-27-33(d).

Date of Board Meeting:  
Place of Board Meeting: Whitley County Government Center  
Name of Applicant:  
Property Owner Name:  
Address and Legal Description of subject property:

Name and number of affected regulated drain:  
Location of portion of regulated drain subject to proposed consent:

Consent **denied** for the following reasons:

Consent **granted** subject to the following terms and conditions:

1. This consent is limited to the portion of the drain easement described above.
2. This consent is limited to the permanent structure(s) described in the following table and such structure(s) shall be no closer to the drain than the minimum distance(s) described below (measured from the center of a tile drain and from the top edge of the nearest bank of an open drain):

Description of Permanent Structure(s)	Minimum Distance

3. Unless otherwise required by the conditions of this consent, the size and location of the approved structure(s) must not be materially different from that described in the application, any materials or drawings submitted with the application or any other information provided to the Board by the applicant.
4. This consent is subject to the condition that neither Whitley County, nor the Drainage Board, nor any of their officials or employees, shall be liable for any damages to the approved structures or improvements, including any damages caused by any repair, maintenance, or reconstruction work on the drain. The property/structure owner shall be responsible for the costs to restore any approved permanent structures removed by the Board in connection with the Board's reconstruction or maintenance of the drain.
5. The structure shall not interfere with or cause any obstruction to the drainage improvements.
6. Other conditions:
7. Placing (or keeping) the approved structure or improvement within the statutory right-of-way constitutes the agreement of each owner and future owner to the foregoing terms and conditions. "OWNER" refers to the owner of the approved structure.
8. Structure must be placed a minimum of 4 feet under a tile and a minimum of 6 feet under the natural bottom of any open drain.
9. ENGINEER must be notified 24 hours prior to installation and installation must occur during normal business hours.

Whitley County Drainage Board by:

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