

## PETITION FOR REMOVAL OF DRAINAGE OR WATERCOURSE OBSTRUCTION

---

The undersigned ("Petitioner") own(s) real estate in Whitley County, Indiana which is benefited by a "mutual drain" or "natural surface watercourse" (as those defined on page two of this form). Further, an "obstruction" (as that term is defined on page two of this form) exists in the mutual drain or natural surface watercourse which, if removed, would promote better drainage on my real estate. Finally, the owner of the real estate where the obstruction exists refused, upon my request, to remove the obstruction.

1. Name, address and telephone of petitioner, and description of petitioner's real estate (Parcel number and street address):

2. Explanation of the need for removing obstruction:

3. Description of the site of the obstruction (Parcel number and street address):

4. Name, address and telephone number of the owner of site of obstruction:

5. Date you requested the above owner remove the obstruction and date the owner refused to remove:  
(Attach copies of correspondence, if any):

*If more space is needed for any of the above, please provide additional information on page two.*

**Petitions will be deemed filed on the date the Petition and filing fee are both received by the Whitley County Drainage Board (Deliver to Whitley County Surveyor's Office, 220 W. Van Buren, Suite 203, Columbia City, IN 46725. This petition will be effective only if the contents conform to the requirements of Indiana Code 36-27.4-10.**

---

I have deposited a cashier's check, money order, or cash in the amount of \$250 as a non-refundable filing fee for processing this Petition.

"PETITIONER"

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed/Typed Name)

\_\_\_\_\_  
(Date)

"PETITIONER"

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed/Typed Name)

\_\_\_\_\_  
(Date)

Space for Additional Information Supplied by Petitioner:

---



---



---



---



---



---



---



---



---



---



---



---



---



---



---



---



---



---



---



---



---



---

**DEFINITIONS:**

Mutual Drain. For purposes of this Petition, a “mutual drain is a drain” that is located on two or more tracts of land that are under different ownership, was established by the mutual consent of all the owners, and was not established under or made subject to any drainage statute.

Natural Surface Watercourse. For purposes of this Petition, a “natural surface watercourse” is an area of the surface of the ground over which water from falling rain or melting snow occasionally and temporarily flows in definable direction.

Obstruction. For purposes of this Petition, an “obstruction” is the presence of objects or materials inside or near a mutual drain or natural surface watercourse, or damage to a mutual drain or natural surface watercourse, whether naturally or intentionally created, which prevents or significantly impedes the flow of water through the mutual drain or natural surface watercourse.

**FOR USE BY WHITLEY COUNTY DRAINAGE BOARD ONLY**

---



---

- Date Petition and Fee Received:
- Date Inspected by County Surveyor:
- Date results of Inspection mailed to Board Members:
- Hearing set, if applicable for:
- Notice sent of owners of affected real estate: