

DRAINAGE AGREEMENT

This *Agreement* is entered into this ____ day of _____, 20____, by the County of Tipton (hereinafter referred to as "**County**") and _____,
(Print or type only)

(Property located at)
(hereinafter referred to as "**Citizen**"), upon the following terms and conditions:

WHEREAS, the County has the right-of-way alongside the county roadside ditches.

WHEREAS, the Citizen would like to fill in the roadside ditch on their property.

WHEREAS, the filling in of ditches in the County right-of-way shall be subject to the following terms:

1. **TERMS OF AGREEMENT**: This *Agreement* shall be in full force and effect from the day of recording on the Citizen's property until such time as the parties release such *Agreement*. Once approved by the Commissioners, the Citizen shall have this agreement recorded at the Tipton County Recorder's Office at his/her expense and a copy of the recorded document must be provided to the Tipton County Highway Dept.
2. **INSTALLATION**: The Citizen shall be responsible for all costs associated with installing a properly-sized underground drainage tile that leaves enough slope for water to drain off the road.
3. **MAINTENANCE**: Citizen shall be responsible for all maintenance to the drainage tile. Upon the notification of County Highway Department, the Citizen will perform the required maintenance of the said ditch within sixty (60) days. If the work is not performed satisfactorily, the County may order the work performed at the Citizen's expense.
4. **RIGHT-OF-WAY**: The County will still maintain its right-of-way to the ditch and shall, at all times, have access to it and be empowered to alter it or remove it at any time.

X

X

Landowner(s) Signature

Landowner(s) Signature

Print Name

Print Name

PREPARED BY:

Bret Morris TCHD Superintendent

Jason Henderson Tipton Co. Surveyor

NOTARY:

State of Indiana
County of _____

I, a Notary Public, hereby certify that _____, whose name is signed to the foregoing instrument or conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand this the _____ day of _____, 20_____.

(Seal)

Signature of Notarial Officer

My Commission expires: _____