

RESOLUTION OF THE BOARD OF TRUSTEES  
OF THE TOWN OF ARCADIA

MAINTENANCE OF THE WILSON AND NAGLE DRAINS

WHEREAS, the Hamilton County Drainage Board has given its consent to the Town of Arcadia for the Town to maintain the Wilson Drain and the Nagle Drain where the said drains are located within the corporate boundaries of the town in lieu of assessing various citizens of the town in connection with the maintenance of the same; and

WHEREAS, the Town of Arcadia has agreed to maintain that part of the Wilson Drain and the Nagle Drain where the same are located within the municipal boundaries of the town in lieu of the County Drainage Board making an assessment against certain citizens of the town or against the Town itself in connection with the maintenance of the said drains.

NOW, THEREFORE, BE IT RESOLVED BY the Board of Trustees for the Town of Arcadia as follows:

1. The Town of Arcadia shall maintain that part of the Wilson Drain and that part of the Nagle Drain which is located within the municipal boundaries of the Town, and the Hamilton County Drainage Board shall be responsible for the maintenance of the said drains where the same are located outside of the municipal boundaries of the Town.
2. The Town has agreed to maintain that portion of the Wilson Drain and the Nagle Drain located within the Town, in lieu of the Hamilton County Drainage Board assessing citizens of Arcadia or assessing the Town itself in connection with the maintenance of the said drains by the Hamilton County Drainage Board, its employees and/or agents.
3. That part of the Wilson Drain and the Nagle Drain located within the Town shall not be subject to assessments by the Hamilton County Drainage Board so long as the said drains where located with the Town are maintained by the Town.
4. The Town shall promptly inform the Hamilton County Drainage Board, through the office of the County Surveyor, of any and all maintenance and/or repairs made to the said drains by the Town.
5. The Town acknowledges that this Resolution is subject to the laws of the State of Indiana, and that the Wilson and the Nagle Drains are legal drains and are under the jurisdiction of the Hamilton County Drainage Board.
6. In the event of and upon the date that the Hamilton County Drainage Board resumes maintenance jurisdiction over that part of the Wilson Drain and that part of the Nagle Drains located within the Town of Arcadia, then this Resolution shall have no further force or effect, and the Town shall have no further responsibilities or obligations under this Resoltuion regarding the maintenance of the said drains.

THIS RESOLUTION IS PASSED AND ADOPTED by the Board of Trustees of the Town of Arcadia this 15<sup>th</sup> day of June, 1983, and shall be in full force and effect from and after its passage according to law.

BOARD OF TRUSTEES OF ARCADIA

**FILED**

JUN 20 1983

HAMILTON COUNTY DRAINAGE BOARD

*Nancy Ellen Oldham*  
SECRETARY

ATTEST:

*Bette Shields*  
Bette Shields, Clerk-Treasurer

*William Cook Jr.*

William Cook, Jr., President

*John I. Lake*

John I. Lake

*James L. Correll*

James Correll

The Hamilton County Drainage Board  
c/o The County Surveyor  
Hamilton County Court House  
Noblesville, Indiana 46060

RE: Maintenance by the Town of Arcadia On Part Of The  
Wilson And The Nagle Drains

Gentlemen:

On June 6, 1983, the Hamilton County Drainage Board voted to permit the Town of Arcadia to maintain that part of the Wilson and the Nagles Drains located within the town in lieu of imposing assessments against the citizens of the town. The action of the Drainage Board was made subject to the town, by resolution, accepting the responsibility to maintain that part of the Wilson and the Nagle Drains located within the town.

Please be advised that at its regularly scheduled meeting held on June 15, 1983, the Arcadia Board of Trustees passed a Resolution that, among other things, provided as follows:

1. In lieu of the Hamilton County Drainage Board entering assessments against citizens of the town, the Town of Arcadia shall maintain the Wilson and the Nagle Drains where the same are located within the municipal boundaries of the Town.
2. The Hamilton County Drainage Board shall continue to maintain that part of the Wilson and the Nagle Drains located outside the boundaries of Arcadia.
3. Prior to performing any maintenance and/or repair work on the said drains where located within the municipal boundaries, the town shall first inform the Hamilton County Surveyor of the need and of the extent of such repairs and/or maintenance to be performed by the town.
4. The Resolution acknowledges that the Wilson and the Nagle Drains are legal drains and are under the jurisdiction of the Hamilton County Drainage Board, and that the maintenance of the same by the town are subject to the laws of the State of Indiana.
5. The Resolution covers only the maintenance of the said drains and shall remain in full force and effect until such time as the Drainage Board resumes maintenance jurisdiction over those parts of the said drains which are located within the town, and until such time that the Drainage Board

**FILED**

JUN 20 1983

HAMILTON COUNTY DRAINAGE BOARD

*Nancy Ellen Alderman*  
COUNTY CLERK

re-acquires jurisdiction over the maintenance of the two drains where the same are located within the town, there shall be no assessments made by the Drainage Board against any citizens of the town in connection with maintenance of the said drains where located within the town.

A copy of the foregoing resolution is attached for your review and approval. Unless we are notified by you to the contrary, the Town of Arcadia will begin operating immediately under the Resolution. Thank you for your assistance and cooperation in this matter.

ARCADIA, BOARD OF TRUSTEES

by William Cook, Jr.  
William Cook, Jr. President

John I. Lake  
John I. Lake

James L. Correll  
James Correll