

Frequently Asked Questions (FAQ) Sheet
Roof Main A
Easement Vacation Petition

1. Am I being assessed for anything?

No. Please continue reading for more information.

2. Why is there a petition for this project?

Drainage infrastructure within Ohio is the responsibility of private landowners. The drainage petition process, authorized by Section 6131 of the Ohio Revised Code, allows landowners to request Delaware County to construct and maintain drainage improvements on private property. The Roof Main A project was constructed and placed on the County's Drainage Maintenance Program in 2014. Whenever a landowner wishes to vacate or relocate a project, in part or in whole, the Ohio Revised Code requires them to go through the easement vacation petition process.

3. What necessitated this request?

A landowner in the watershed has requested to relocate part of the infrastructure covered by the existing drainage easement.

4. Who pays the cost for this project?

The petitioner, in this case, will pay 100% of the cost to relocate the drainage infrastructure and develop the revised accompanying drainage easement.

5. What is the purpose of the View?

The View is an opportunity for the Delaware County Commissioners to see the area being requested for relocation/vacation, and to allow the public to point out specific areas of concern. The View will be conducted by showing a drone video of the potential project. There is no testimony allowed to be taken at the View.

6. What is the purpose of the 1st Hearing?

The Delaware County Engineer and Delaware Soil & Water Conservation District jointly prepare a 1st Hearing report which includes a description of the existing conditions, a preliminary cost estimate, and comments on the feasibility of the project. After hearing the report, the Commissioners will take testimony from the benefiting landowners. The Board may then find in favor of the petition if they believe the improvement is necessary, conducive to the public welfare, and are reasonably certain the benefits of the project will exceed the costs.

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7. Why am I considered a benefiting landowner?

The Ohio Revised Code (state law) considers all landowners within the watershed, or drainage area, of a project as *benefitting* from the improvement. Essentially the law equates benefit to use. If you are receiving this mailing, a property owned by you is located within the watershed for the Roof Main A drainage system and benefits from the drainage capacity provided by the system.

8. What happens after the 1st Hearing?

The petitioner will be required to submit engineering plans for relocation of the existing drainage infrastructure which will be reviewed by the Delaware County Engineer and Delaware Soil & Water Conservation District. When these plans are approved, the petitioner will be given permission to proceed with any construction work necessary. Once construction work is completed and certified, a Final Hearing will be scheduled to vacate any existing infrastructure and drainage easement and accept the new infrastructure and establish the relocated drainage easement.

9. How can I find more information?

Please visit the Soil & Water Conservation District's website, <https://soilandwater.co.delaware.oh.us/drainage-petition-projects/>, or call their office at 740-368-1921 and ask to speak to someone regarding the Roof Main A easement vacation petition project.