



**Brian J. Wendling**  
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**ORDER OF NO NECESSITY AND DISMISSAL OF PETITION**

**MARSH CREEK DRAIN**

*WHEREAS*, a meeting was held by the Board of Determination on Monday, December 5, 2016, at the Fremont Township Hall; and

*WHEREAS*, the Board of Determination received evidence and heard testimony regarding the petition, dated August 16, 2016, for maintenance and improvement of the drain and after receiving evidence and hearing testimony made its determination whether the proposed drain project is necessary and conducive to public health, convenience, or welfare pursuant to Chapter 8 of Public Act 40 of 1956, as amended.

*NOW, THEREFORE*, by a majority vote of the Board of Determination, it is hereby ordered and determined that the proposed drain project as set forth in the petition is *NOT* necessary and conducive to public health, convenience, or welfare, and the petition is hereby dismissed.

*IT IS FURTHER ORDERED* that a petition for the Marsh Creek Drain shall not be entertained within one year from the date of this Order.

**DATED: December 5, 2016**

**BOARD OF DETERMINATION**

**Ruth Averill**

**Larry Fleming**

**Brian Merrill**