*Date*

*Tax Ditch Chairperson*

*(Name of Tax Ditch) Tax Ditch Chairperson*

*Address*

**Subject: *Contract No. \_\_\_\_\_\_\_\_\_***

***Project\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***

***Use of Tax Ditch Right-of-Way***

Dear *Tax Ditch Chairperson*,

The Department of Transportation (DelDOT) has been authorized to construct, reconstruct, and/or construct other related improvements to (*Road Name or Bridge #)*. The project will involve (*describe* *improvements*). Prior to proceeding with this work, DelDOT needs the concurrence of the (*name of Tax Ditch*) Tax Ditch Chairperson to use the existing tax ditch right-of-way (ROW) to construct the project.

The Tax Ditch Board of Ditch Commissioners recognized the need to maintain and improve DelDOT structures as required for the effective operation of tax ditch systems and have made that part of their report to Superior Court.

DelDOT is asking permission to use the Tax Ditch ROW to provide access for the construction activity associated with the necessary (*bridge restoration, or road reconstruction*) project and will also assure the following requirements are abided by:

1. Tax Ditch managers and affected landowners will be notified when and what work will be done. DelDOT will also obtain the necessary consent from the affected landowners.
2. Work will be scheduled to minimize interference with crops. DelDOT will be responsible to compensate the landowner for any damages that may happen to crops as part of the work. DelDOT shall address any other compensation to the landowner for affected facilities or improvements on the property at the time of the negotiation of the easement.
3. Temporary pipes, sandbag dikes and diversions as necessary will be installed to allow access to the Tax Ditch for maintenance in accordance with the contract plans.
4. Existing Tax Ditches within the project will be compared to Tax Ditch design specifications for effective function. Any proposed riprap shall be installed so that the top of the riprap or other finished grade is at or below tax ditch design/ existing grade of the channel so as to not obstruct flow. Any questions about the elevations and other design plan information will be coordinated with the DNREC Drainage Program at (302) 855-1930.
5. Limits of the work to occur within the tax ditch ROW is as shown on the attached exhibit as indicated by the Limit of Construction (LOC) and Temporary Construction Easement (TCE) lines.
6. A copy of the construction plans for the proposed improvements is attached.

The existing tax ditch ROW are identified from left and right looking upstream as the channel flows. The tax ditch ROW information is included in an attached map and was provided by de.gov/taxditchmap. Rights-of-way are measured from either the top of ditch bank (TOB) or centerline (CL) of the ditch, unless otherwise noted.

The tax ditch officers on *(name of tax ditch)* Tax Ditch are *Xxxx Xxxx, Chairperson*, (*phone number if available); Xxxx Xxxx, Manager;(phone number if available) and Xxxx Xxxx, Secretary-Treasurer, (phone number if available).*

Kindly sign in the space provided indicating the approval. Please have the (*name of tax ditch*) Tax Ditch Secretary/Treasurer witness your signature. Retain one of the original letters for your files and return the other one to DelDOT.

Sincerely,



Shehnaz Chaudhri

Group Engineer, ROW Engineering

**By signing and returning this letter, I am giving approval for DelDOT to use the existing tax ditch ROW in order to construct the project.**

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness Signature

*Xxxx Xxxx Xxxx Xxxx*

*(name of tax ditch) Tax Ditch (name of tax ditch) Tax Ditch*

*Secretary-Treasurer Chairperson*

Attachments: Exhibit / map / plan set

Cc: DNREC\_Drainage@delaware.gov, DNREC Tax Ditch Program

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_, North/Canal/South* District Engineer

Monroe Hite III, Chief of Right-of-Way

Rosemary Richardson, Statewide Acquisition and Relocation Manager

Jason Hastings, Chief of Bridge and Structures

Scott Walls, Bridge Design Engineer

\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Program Manager, Bridge Design

Shehnaz Chaudhri, Group Engineer, ROW Engineering

\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Project Manager, Team Support

**Exhibit:**

*Insert exhibit showing proposed LOC/TCE’s etc*

A picture containing diagram, text, map, plan

Description automatically generated

**Tax Ditch Map:**

*Insert Tax Ditch map attachment here. Example map can be created at de.gov/taxditchmap*

Map

Description automatically generated