

Notice of Appeal to Court of Revision
Drainage Act, R.S.O. 1990, c. D.17, subs. 52(1) and 76(4)

To: The Clerk of the Corporation of the Town of Kingsville

Re: Esseltine Drain
 (Designation of drainage works)

Take notice that I/we, an owner or owners of land assessed for the above-mentioned drainage works, appeal to the Drainage Court of Revision under:

- Section 52 (1) for the construction or improvement of a drain; or
- Section 76 (4) for the development of a new assessment schedule for the drain on the grounds that:
- My/our land has been assessed too high;
 - My/our land has been assessed too low;
 - Other land or road has been assessed too high;
 - Other land or road has been assessed too low;
 - Other land or road that should have been assessed has not been assessed;
 - Due consideration has not been given as to type of use of land.

Include Details of Appeal (attach additional pages if needed):
 See attached Detail of Appeal

Property Owners Appealing to Court of Revision

- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number, if available.
- If appealing to Court of Revision regarding multiple properties, attach additional page with property information.

Property Description

1775-Cottonwood Ave Plan M41 LOT 9

Ward or Geographic Township

Gosfield South, County of Essex, Ontario

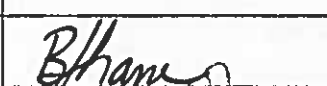
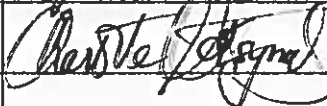
Parcel Roll Number

290-000-12400-0000

If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer. Only the owner(s) of the property may appeal to the Court of Revision.

Partnership

Partnership (Each partner in the partnership must complete this section).

Name (Last Name, First Name)	Signature	Date (yyyy/mm/dd)
Lane, Bradley		2018/03/21
Maksymetz, Charlotte		2018/03/21

Enter the mailing address and primary contact information of property owner below:

Last Name Lane		First Name Bradley		Middle Initial J
Mailing Address				
Unit Number	Street/Road Number 1775	Street/Road Name Cottonwood Ave		PO Box
City/Town Kingsville		Province Ontario		Postal Code N9Y 2W2
Telephone Number [REDACTED]	Cell Phone Number (Optional)		Email Address (Optional) [REDACTED]	

To be completed by recipient municipality:

Notice filed this 21 day of MARCH 20 18

Name of Clerk (Last Name, First Name) <u>ASTROLOGO, JENNIFER</u>	Signature of Clerk 
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Detail of Appeal

Re: Esseltine Drain – Schedule of Assessment dated March 2, 2018

1775 Cottonwood Ave, Plan M- 41, Lot 9, Gosfield South

With reference to the above Schedule, we wish to appeal the calculated assessment as documented on line Entry No. 383 on page S-13 OF S-17.

As shown in the attached copy of the survey of Lot 9, Plan M-41, the total area of the subject Lot #9 is approximately 1.1 acres. (108' x 440'). The current assessment indicates that 0.5 acres of the property is affected by the proposed Esseltine Drain Project. In fact, the majority of our property (in excess of 80%) is graded in a southerly direction toward Lake Erie. This is in fact substantiated on the Town of Kingsville Interactive maps.

The front portion of the property is graded toward Cottonwood Avenue. That being said, the Lot 9 Cottonwood frontage is sloped from East to West. Therefore, the flow of water on this section of Cottonwood is from East to West. This is in the opposite direction of the Esseltine Drain Project. Furthermore, there is a Storm Sewer located at the end of the driveway immediately West of our property on Lot #13. (Storm Sewer location is marked on the attached lot survey.)

The water flowing from the front of our property flows into this identified Storm Sewer and flows Westward and ties into the Redwood Avenue storm sewer system leading to the Lake. We have attached two photos showing water flowing downhill, westward in the direction of the identified Storm Sewer.

Photo # 1 – Standing on the NE corner of the Lot #9 property , showing water running down the driveway and flowing West along Cottonwood Ave toward the Storm Sewer at lot #13.

Photo # 2 – The Storm Sewer located at the end of the driveway on Lot # 13, immediately west of our property.

In view of the above there should be no assessment relating to the Esseltine Drain Project toward Lot #9, Plan M-41, Gosfield South.

Thank you in advance for your consideration.

PLAN SHOWING HOUSE LOCATION
ON
LOT 9 , PLAN M - 41
IN THE
TOWNSHIP OF GOSFIELD SOUTH
IN THE
COUNTY OF ESSEX , ONTARIO
SCALE: 1 inch = 50 feet

W. J. Settington
ONTARIO LAND SURVEYOR

WILLIAM J. SETTERINGTON LTD.
CONSULTING ENGINEERS & LAND SURVEYORS
LEAMINGTON , ONTARIO
JUNE 17, 1977

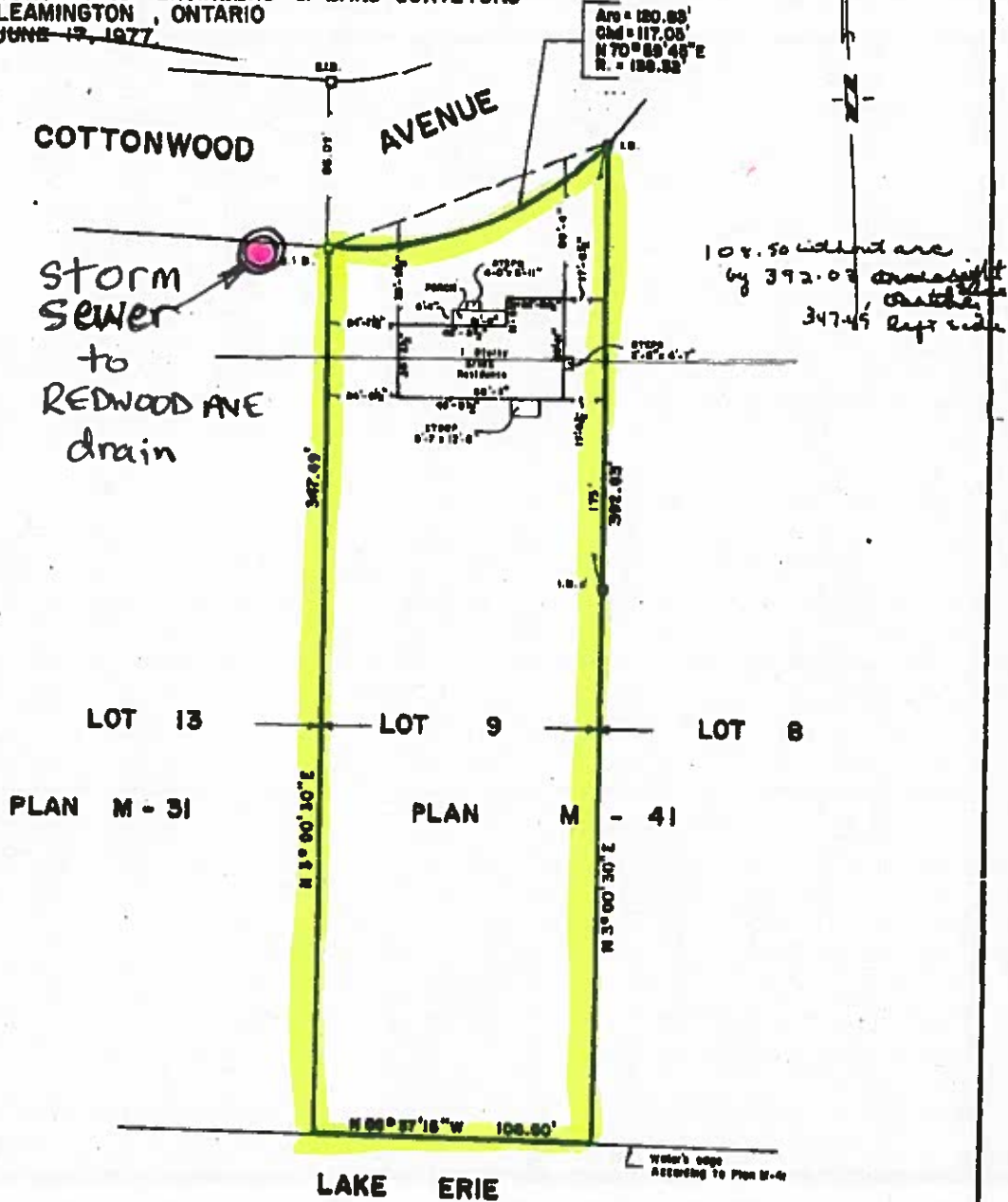


PHOTO #1



STORM
SEWER

(LEWISWOOD
PVC LINE)



E

PHOTO # 2

