

12/11/17

SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
Fax (317) 776-9628

Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

July 5, 2017

TO: Hamilton County Drainage Board

RE: Cool Creek Drain, J.M. Thompson Arm of Anna Kendall Arm -- Partial Vacation

Attached is a partial vacation request and location map submitted by Matthew and Teresa Skelton, property owners and developers of Junction North on Hoover Street in Westfield. This is for the arm of the J.M. Thompson Arm to the Anna Kendall Arm of the Cool Creek Drain on parcels 09-05-36-04-07-001.000, owned by petitioner, and 09-05-36-00-00-020.004, owned by the City of Westfield, in Washington Township.

The portion of the J.M. Thompson Arm to be vacated is the drain from Str. 1 of the Asa Bales Park Relocation to Str. 30, as described in the final report for the J.M. Thompson 1990 Reconstruction, dated April 16, 1992 and approved on April 20, 1992 (DB Book 3, pages 10 to 12). Also to be vacated is the drain from Str. 30 to 30B as described in the Hoover Street Extension report for the J.M. Thompson, dated February 18, 1992, with hearing on May 18, 1992 (DB Book 3, page 18).

The proposed vacation will remove 13 feet of 12" RCP and 100 feet of 36" RCP from the J.M. Thompson Arm of the Anna Kendall Arm of the Cool Creek Drain, for a total of 113 feet.

This parcel owned by the petitioner are being split and developed into North Junction, which will be 5 residential lots. The City of Westfield will continue to maintain the drainage from Hoover Street, as that is part of their system that discharges into the J.M. Thompson Arm.

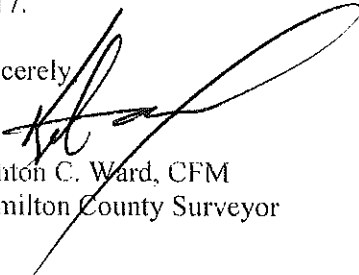
The main J.M. Thompson Arm will remain in place to continue to provide drainage for the overall watershed area and the upstream regulated drain tiles north of Hoover Street.

This will not change the current assessments for the Cool Creek Drainage Area on these parcels.

I believe that the requested partial vacation meets the requirements for vacation as set out in IC 36-9-27-34(d).

I recommend the Board set a hearing for this item as set out in IC 36-9-27-37 for August 28, 2017.

Sincerely



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

Cool Creek Drain, J.M. Thompson Arm of Anna Kendall Arm - Partial Vacation

(Structure 1 of the Asa Bales Park Relocation to Structure 30 and Structure 30 to Structure 30B of the Hoover Street Extension)

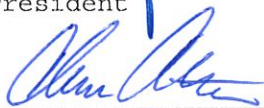
On this 28th day of August, 2017, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Cool Creek Drain, J.M. Thompson Arm of Anna Kendall Arm - Partial Vacation (Structure 1 of the Asa Bales Park Relocation to Structure 30 and Structure 30 to Structure 30B of the Hoover Street Extension).

Evidence has been heard. Objections were presented and considered. The Board then adopted an order of action. The Board now finds that the costs of continued maintenance to the portion of the above drain exceed the benefits to the real estate benefited by the portion of the drain to be abandoned and issues this order vacating the above section of the Cool Creek Drain, J.M. Thompson Arm of Anna Kendall Arm - Partial Vacation (Structure 1 of the Asa Bales Park Relocation to Structure 30 and Structure 30 to Structure 30B of the Hoover Street Extension).

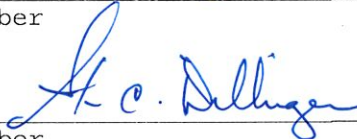
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest:



FILED

JUN 30 2017

OFFICE OF HAMILTON COUNTY SURVEYOR

MATTHEW S. AND TERESA O. SKELTON
547 N. Union Street
Westfield, IN 46074

June 28, 2017

Cell: (317) 762-8810

Email: watertowne.24.7@gmail.com

Hamilton County Drainage Board
c/o Mr. Greg Hoyes
One Hamilton County Square, Suite 188
Noblesville, IN 46060

Re: Request for Vacation of a portion of the J.M. Thompson Legal Drain

Mr. Hoyes:

Per our previous discussions, please accept this letter as our request to the Hamilton County Drainage Board to vacate a small portion of the J.M. Thompson Drain located on property we own at 149 W. Hoover Street in Westfield, Indiana.

As you know, in October of 2016, we obtained approval of a zoning proposal that permits the development of our property, identified in Exhibit A, into five (5) single-family residential lots. We are now in the process of subdividing the property.

The westernmost lot planned on the property is significantly encumbered by existing storm water infrastructure, identified in Exhibit B. We would like to remove the existing storm pipes and reconstruct them in a manner that would permit the construction of a new home on the lot (as illustrated in Exhibit C).

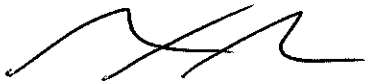
The existing storm pipes have been installed and modified over the years as part of more than one construction project. Some of the infrastructure was installed by the County as part of its regulated drain system and some of the infrastructure was installed and/or modified by the City of Westfield. These projects have resulted in an oddly designed network of drainage pipes.

Some of the storm pipes are part of the County's regulated drain system, even though now, as modified over the years, they only convey storm water from two storm inlets on Hoover Street. We propose to rebuild and relocate storm pipes that would continue to convey storm water from these inlets to the J.M. Thompson Drain. The City of Westfield has indicated that it supports the construction of the new storm pipes and that it will, if properly vacated by the County Drainage Board, be willing to accept and maintain the new storm pipes as part of the City's storm drainage system. A letter to this effect is attached hereto as Exhibit D.

Hopeful that this request will be accepted by the Hamilton County Drainage Board, we have discussed this matter at length with the City of Westfield to coordinate design of the relocated storm infrastructure. We have agreed that in advance of rerouting and installing the new storm infrastructure, our contractor would prepare a temporary pump-around from the roadway inlets to the downstream structure that is part of the County's regulated drain. Once the pump is in place, the old pipe at the downstream structure would be removed and the opening would be modified, as necessary, to accommodate the new infrastructure. We have already submitted an application for an Outlet Permit contemplating this work. All new pipe would be installed per City of Westfield and Hamilton County standards and the old existing infrastructure would be removed or temporarily capped until additional site development is performed.

Thank you for your consideration of this legal drain vacation request. Please let us know if you have any questions or if you need any additional information.

Sincerely,



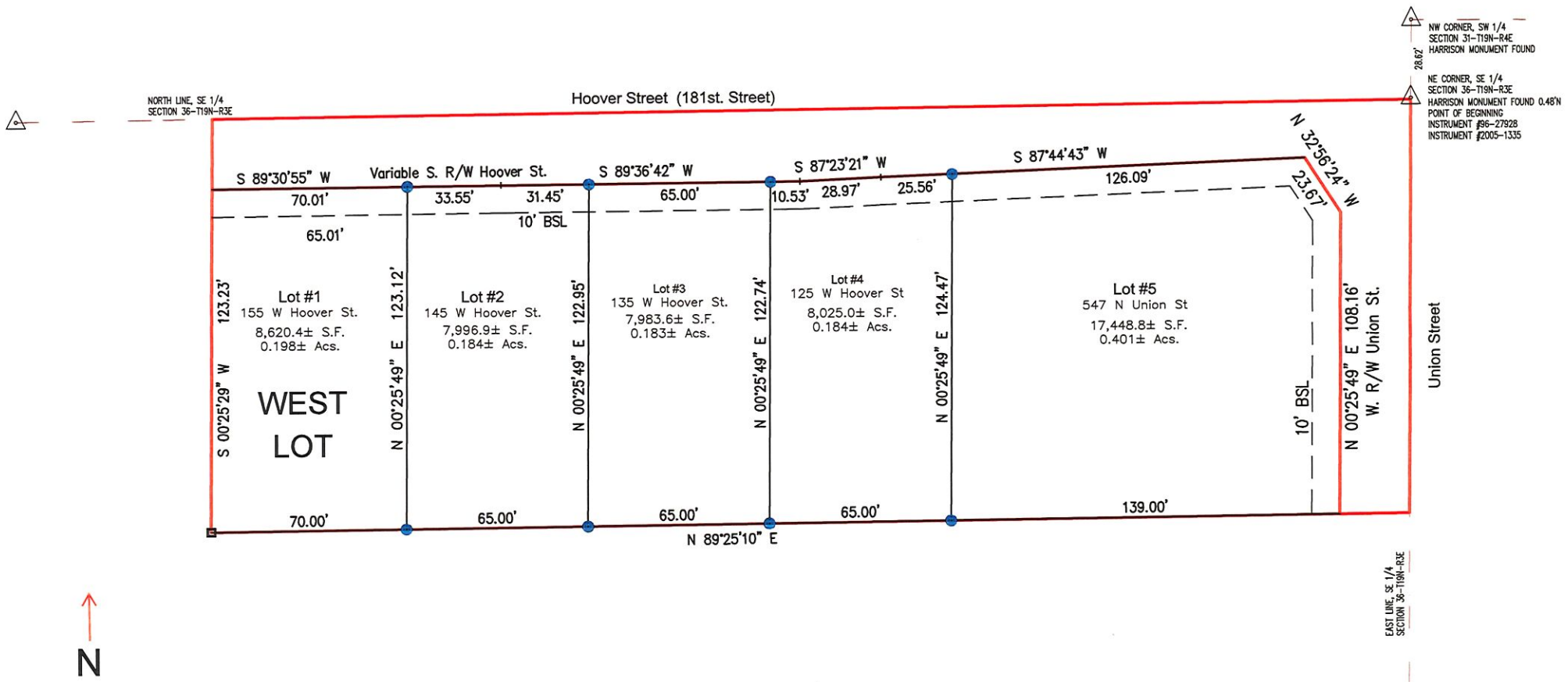
Matthew S. Skelton

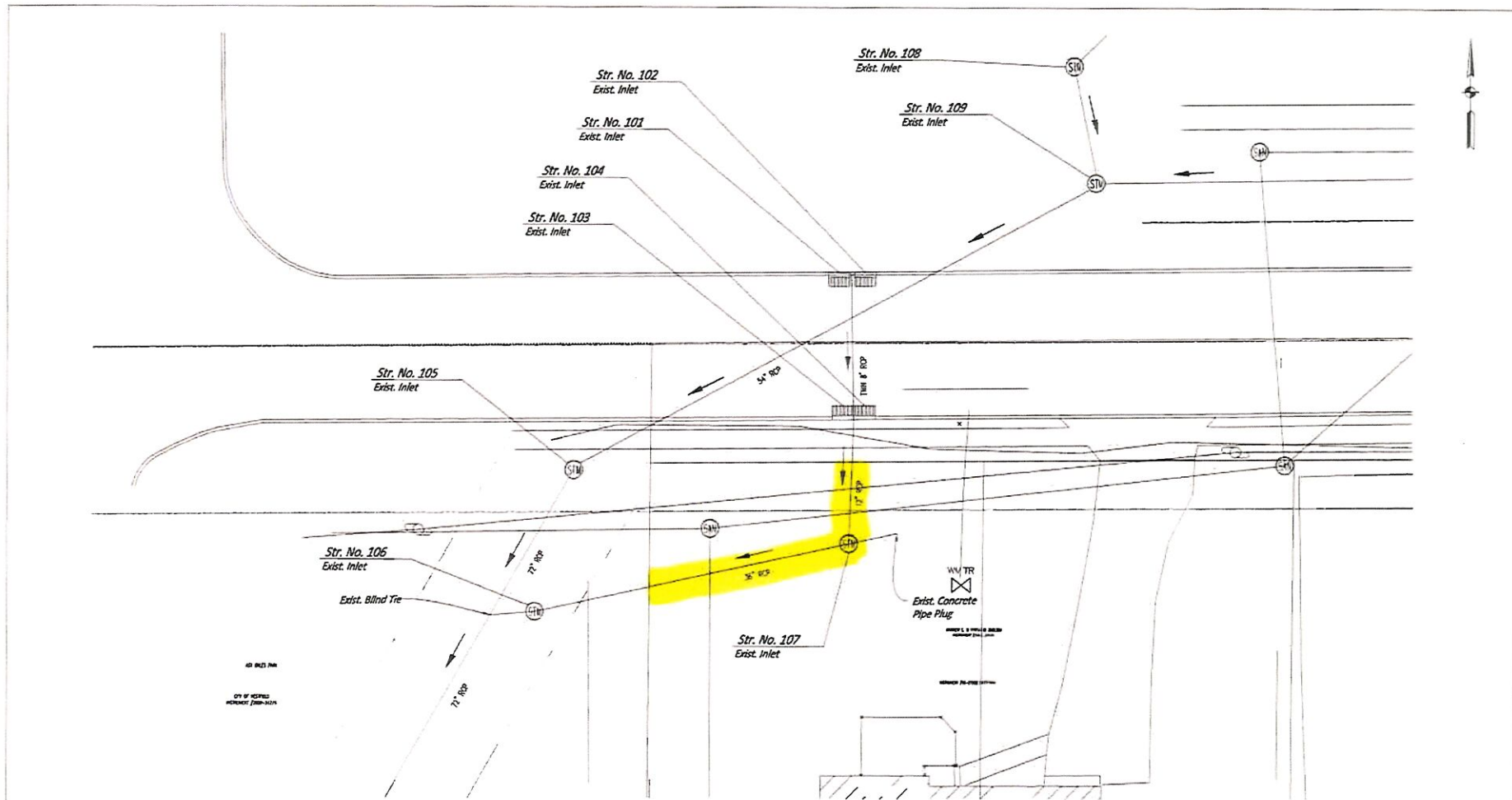


Teresa O. Skelton

cc: Jeremy Lollar, Director, Department of Public Works, City of Westfield

EXHIBIT A





NOTES:
 Topo Data Provided From SEA Group

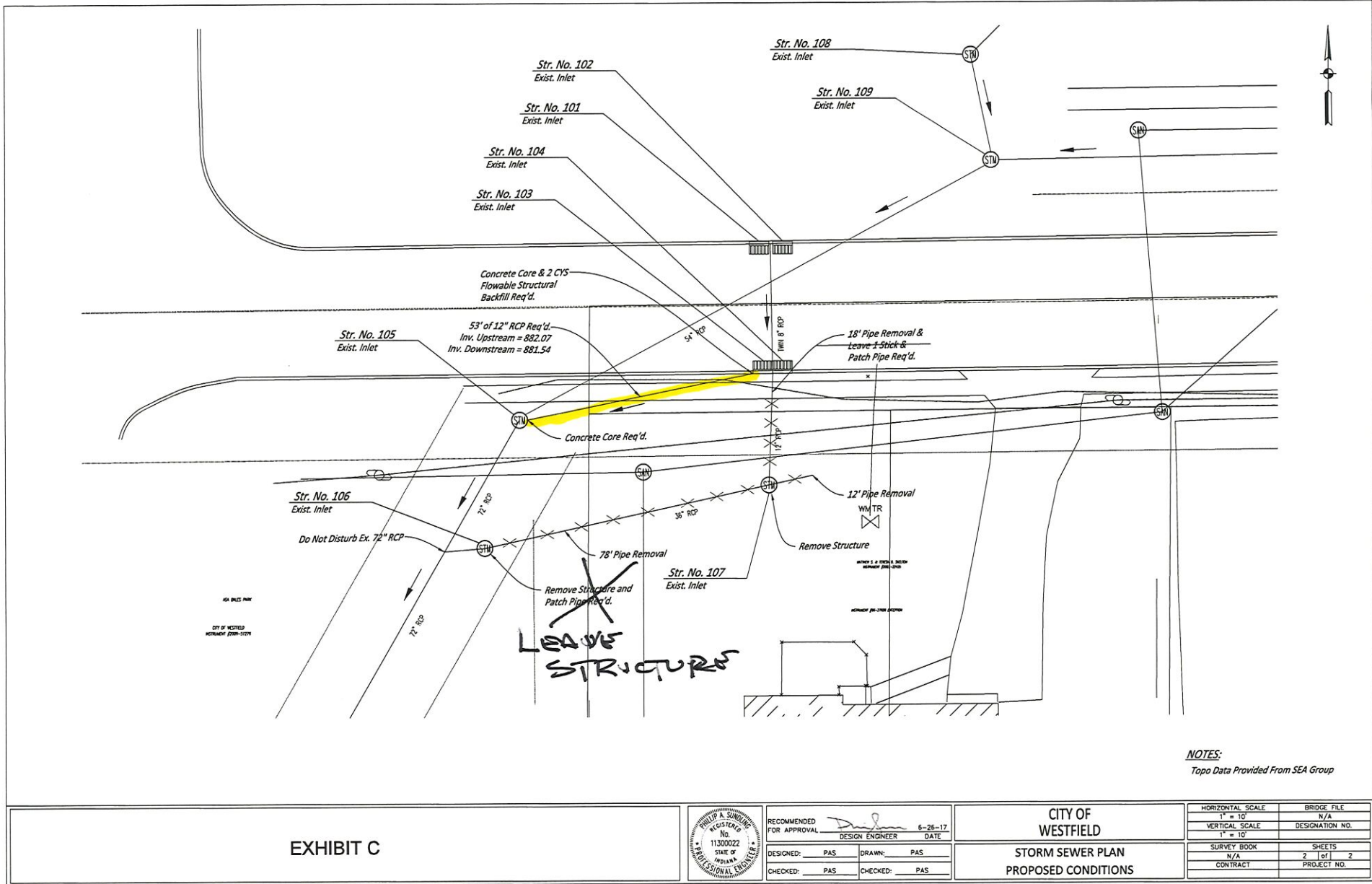
EXHIBIT B



RECOMMENDED FOR APPROVAL
 DESIGN ENGINEER
 DATE 6-26-17
 DESIGNED: PAS DRAWN: PAS
 CHECKED: PAS

CITY OF WESTFIELD
STORM SEWER PLAN
EXISTING CONDITIONS

HORIZONTAL SCALE	BRIDGE FILE
1" = 10'	N/A
VERTICAL SCALE	DESIGNATION NO.
1" = 10'	
SURVEY BOOK	SHEETS
N/A	1 of 2
CONTRACT	PROJECT NO.



NOTES:
 Topo Data Provided From SEA Group

EXHIBIT C



RECOMMENDED FOR APPROVAL
 DESIGN ENGINEER
 DATE: 6-26-17
 DESIGNED: PAS DRAWN: PAS
 CHECKED: PAS CHECKED: PAS

CITY OF WESTFIELD
 STORM SEWER PLAN
 PROPOSED CONDITIONS

HORIZONTAL SCALE	BRIDGE FILE
1" = 10'	N/A
VERTICAL SCALE	DESIGNATION NO.
1" = 10'	
SURVEY BOOK	SHEETS
N/A	2 of 2
CONTRACT	PROJECT NO.



EXHIBIT D

June 26, 2017

Matthew S. and Teresa O. Skelton
547 N. Union Street
Westfield, IN 46074

Public Works

Jeremy Lollar, Director
Angie Smitherman, Asst. Director
Phil Sundling, City Engineer
Travis Stetnish, Streets Supt.
Chris McConnell, City Landscape

Re: Westfield's Assumption of Reconstructed Storm Drain

Mr. and Mrs. Skelton:

The Department of Public Works is aware of your intention to request that the Hamilton County Drainage Board vacate a portion of the J.M. Thompson Drain located on your property located at 149 W. Hoover Street in Westfield, Indiana. We have reviewed and approve of your plans to remove the existing storm water pipes on the property and reconstruct them in a manner that would permit the construction of a new home on the property.

As we discussed, the reconstructed storm pipes will need to continue to convey storm water from two storm inlets on Hoover Street to the J.M. Thompson Drain. All new pipes must be installed in compliance with City of Westfield and Hamilton County standards and the old existing infrastructure will need to be removed or temporarily capped until additional site development is performed.

The City is willing to accept and maintain the reconstructed storm pipes as part of the City's storm drainage system if the existing arm of the J.M. Thompson Drain, running across the 149 W. Hoover Street parcel, is properly vacated by the County Drainage Board. My Department is happy to attend any meetings or hearings related to this matter in order to represent the Department's position in person to the Drainage Board. Please keep us informed of any meeting dates related to this matter.

Please let us know if you have any questions as you move through the process.

Sincerely

A handwritten signature in black ink, appearing to read "Jeremy Lollar", is written over a horizontal line.

Jeremy Lollar
Director of Public Works

Public Works Department

(317) 804-3100 office
(317) 804-3190 fax

2706 East 171st Street
Westfield, IN 46074
westfield.in.gov

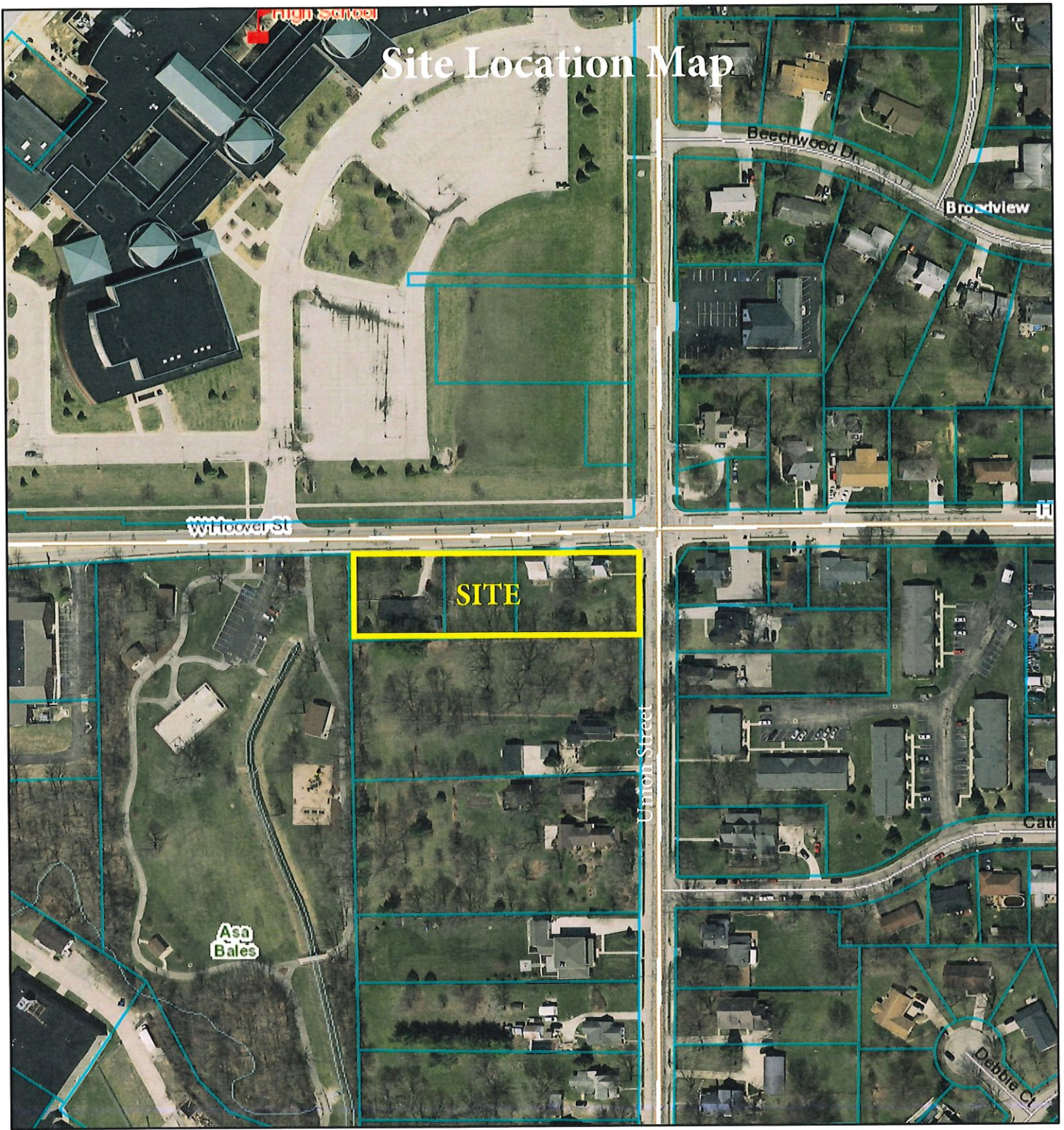


This map was compiled by the Hamilton County Surveyor's Office. Although strict accuracy standards have been employed in the compilation of this map, Hamilton County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.

Anna Kendall
JM Thompson Arm

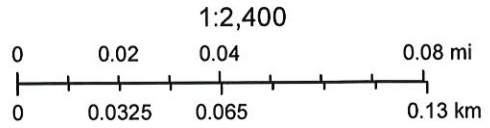
Printing Date: 07/05/2017
 Prepared By: Suzanne Mills, GISP
 Hamilton County Surveyor's Office
 One Hamilton County Square, Ste 188
 Noblesville, IN 46060
 317-776-8495





Site Location Map

 Parcels



BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD IN THE MATTER OF THE
Cool Creek Drain, J. M. Thompson Arm of Anna Kendall Arm
Partial Vacation

NOTICE is hereby given that a request by the Hamilton County Surveyor for the Partial Vacation of the J. M. Thompson Arm of Anna Kendall Arm of the Cool Creek Drain across Matthew and Teresa Skelton (Parcel 09-05-36-04-07-001.000) and City of Westfield (Parcel 09-05-36-00-00-020.004) due to the Junction North Project on Hoover Street (Str. 1 of the Asa Bales Park Relocation to Str. 30 and from Str. 30 to 30B for the Hoover Street Extension) has been filed and that a hearing is scheduled for August 28, 2017 at 9:15 A.M. on that request.

Objections to the VACATION of the drain must be filed in writing not less than five (5) days before the date of the hearing.

The Board will consider whether the drain performs the function for which it was designed and constructed; whether the expense of maintenance outweighs the benefits to be derived therefrom, and whether the abandonment thereof will not be detrimental to the public welfare.

HAMILTON COUNTY DRAINAGE BOARD

ATTEST: Lynette Mosbaugh
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

Cool Creek Drain, J. M. Thompson of Anna Kendall Arm,
Partial Vacation

NOTICE

Notice is hereby given pursuant to Indiana Code 36-9-27-63 (before codification in 1981) that this Board, prior to final adjournment on **August 28, 2017** issued an order adopting the partial vacation, filed the same and made public announcement thereof at the hearing and ordered publication. Copies of the schedule of assessments and order are on file in the office of the Hamilton County Surveyor. If judicial review of the findings and order of the Board is not requested pursuant to Indiana Code 36-9-27-65(f) within twenty (20) days from the date of this publication, the order shall be conclusive.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY