

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*

February 28, 2013

To: Hamilton County Drainage Board

Re: Anna Kendall Drain, U.S. 31 Reconstruction

Attached are petition, plans, and other information for the proposed reconstruction of the Anna Kendall Drain, for the U.S. 31 Road Project. The reconstruction was petitioned by the Indiana Department of Transportation. During the road reconstruction, the Anna Kendall Drain will be affected and those changes are as follows:

**Anna Kendall Drain**

The project will reconstruct a portion of Anna Kendall Drain, with the placement of a new box culvert under US 31. The reconstruction will intercept the original open ditch channel at Sta. 137+86, per the original 1882 legal description, then run in a new channel through the new US 31 box culvert and intercept back at the original channel at Sta. 141+67. The new channel length will be 355 feet of open ditch. This is as shown on sheets 42 and 44 of the U.S. 31 Construction plans having project number 1296427, contract number IR-34750, and dated August 10, 2012.

The total length of new drain shall be 355 feet. The 381 feet of original drain between Sta. 137+86 and Sta. 141+67 shall be vacated. This proposal will remove 26 feet from the Anna Kendall overall total length.

The cost of the reconstruction is to be paid by the Indiana Department of Transportation.

Since the petitioner is the Indiana Department of Transportation and is being performed under public bid process, no bond is required for the relocation/reconstruction work.

The easement for this drain shall remain the existing statutory 75' from the centerline of the tile or the top of bank of the open ditch, as per IC 36-9-27-33. This reconstruction of the regulated drain will move the easement and work will be completed in the easement of the following parcels:

Parcel	Owner
09-09-01-00-00-016.000	Westfield LLC
U.S. 31 ROW	Indiana Department of Transportation

I recommend the Board set a hearing for this proposed drain reconstruction for May 28, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Ward', written over the word 'Sincerely,'.

Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

**Gasb 34 Asset Price &  
Drain Length Log**

Drain-Improvement: US 31 Reconstruction of Anna Kendall

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
open	-	355	355	∅	\$19.55/ft	\$6940.25
<b>Sum:</b>		<u>355</u>	<u>355</u>	<u>∅</u>		<u>\$6940.25</u>

Final Report: \_\_\_\_\_

Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

FILED

AUG 8 2012

OFFICE OF HAMILTON COUNTY SURVEYOR


IN RE: US 31 Reconstruction )  
Hamilton County, Indiana )

PETITION FOR RELOCATION AND RECONSTRUCTION

Indiana Department of Transportation (hereinafter "Petitioner"),  
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a  
section of the Anna Kendall Drain, and in support of  
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Anna Kendall Drain runs.
2. Petitioner plans to develop its real estate with roads, buildings, utilities, storm drains, sanitary sewers and other structures.
3. Petitioner's proposed development of its real estate will require relocation and reconstruction of a portion of the Anna Kendall Drain, as specifically shown on engineering plans and specifications filed with the Hamilton County Surveyor.
4. The work necessary for the proposed relocation and reconstruction will be undertaken at the sole expense of the Petitioner and such work will result in substantial improvement to the Anna Kendall Drain, without cost to other property owners on the watershed of the Anna Kendall Drain.
5. Proposed relocation and reconstruction will not adversely affect other land owners within the drainage shed.
6. Petitioner requests approval of the proposed relocation and reconstruction under IC 36-9-27-52.5.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County Drainage Board authorizing relocation and reconstruction of the Anna Kendall Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

  
Signed 8-8-12  
Printed Gary Penke INDOT Proj. Mgmt

STATE OF INDIANA     )  
                              ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**Anna Kendall Drain, U.S. 31 Reconstruction**

**FINDINGS AND ORDER FOR RECONSTRUCTION**

The matter of the proposed Reconstruction of the **Anna Kendall Drain, U.S. 31 Reconstruction** came before the Hamilton County Drainage Board for hearing **on May 28, 2013**, on the Reconstruction Report consisting of the report and the Schedule of Damages and Assessments. The Board also received and considered the written objection of an owner of certain lands affected by the proposed Reconstruction, said owner being:

Evidence was heard on the Reconstruction Report and on the aforementioned objections.

The Board, having considered the evidence and objections, and, upon motion duly made, seconded and unanimously carried, did find and determine that the costs, damages and expenses of the proposed Reconstruction will be less than the benefits accruing to the owners of all land benefited by the Reconstruction.

The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included or omitted from the Schedule of Assessments.


The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the **Anna Kendall Drain, U.S. 31 Reconstruction** be and is hereby declared established.

Thereafter, the Board made inspection for the purpose of determining whether or not the lands of any owners had been erroneously included or excluded from the Schedule of Assessments. The Board finds on the basis of the reports and findings at this hearing as follows:


HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

ATTEST.

  
Executive Secretary

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

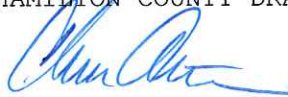
**Anna Kendall Drain, U.S. 31 Reconstruction**

**Station 137+86 to Station 141+67**

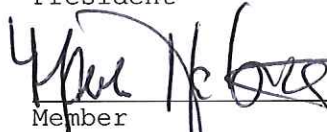
On this 10<sup>th</sup> day of June, 2013, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Anna Kendall Drain, U.S. 31 Reconstruction, Station 137+86 to Station 141+67.**

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 **Anna Kendall Drain, U.S. 31 Reconstruction, Station 137+86 to Station 141+67.**

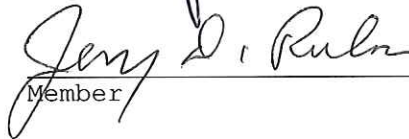
HAMILTON COUNTY DRAINAGE BOARD



\_\_\_\_\_  
President



\_\_\_\_\_  
Member



\_\_\_\_\_  
Member

Attest:



BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***Anna Kendall Drain, U.S. 31 Reconstruction***

NOTICE

To Whom It May Concern and: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **Anna Kendall Drain, U.S. 31 Reconstruction** on **May 28, 2013** at **9:05 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed by the Drainage Board have been filed and are available for public inspection in the office of the Hamilton County Surveyor.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

STATE OF INDIANA     )  
                          ) SS                   BEFORE THE HAMILTON  
                          )  
COUNTY OF HAMILTON )                   DRAINAGE BOARD

IN THE MATTER OF **Anna Kendall Drain, U.S. 31 Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **May 28, 2013** adopted the reconstruction report of the Surveyor and the Amended Schedule of damages and assessments including annual assessment for periodic maintenance, finding that the costs, damages and expense of the proposed improvement would be less than the benefits which will result to the owner of lands benefited thereby.

The Board issued an order declaring the proposed improvement established. Such findings and order were marked filed and are available for inspection in the Office of the Hamilton County Surveyor.

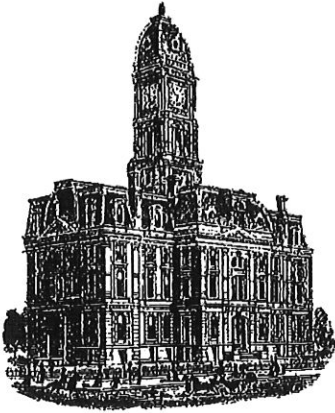
If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

HAMILTON COUNTY DRAINAGE BOARD

BY: Christine Altman  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY





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

To: Hamilton County Drainage Board

July 29, 2021

**Re: Anna Kendall Drain: US 31 Reconstruction**

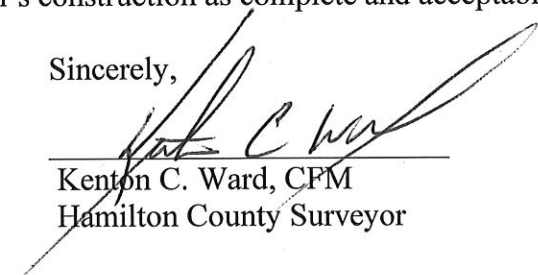
Attached are as-builts and other information for the US 31 Reconstruction. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes there were no significant changes made to the drainage plans submitted with my report for this drain dated February 28, 2013. The report was approved by the Board at the hearing held May 28, 2013. (See Drainage Board Minutes Book 15, Pages 6-7) Therefore, the length of the drain remains at **355 feet**. It should be noted that the project removed 381 feet of existing drain.

The project was constructed within the limits of existing regulated drain easement and road right of way. The cost of the project was paid for by the Indiana Department of Transportation.

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,



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Kenton C. Ward, CFM  
Hamilton County Surveyor

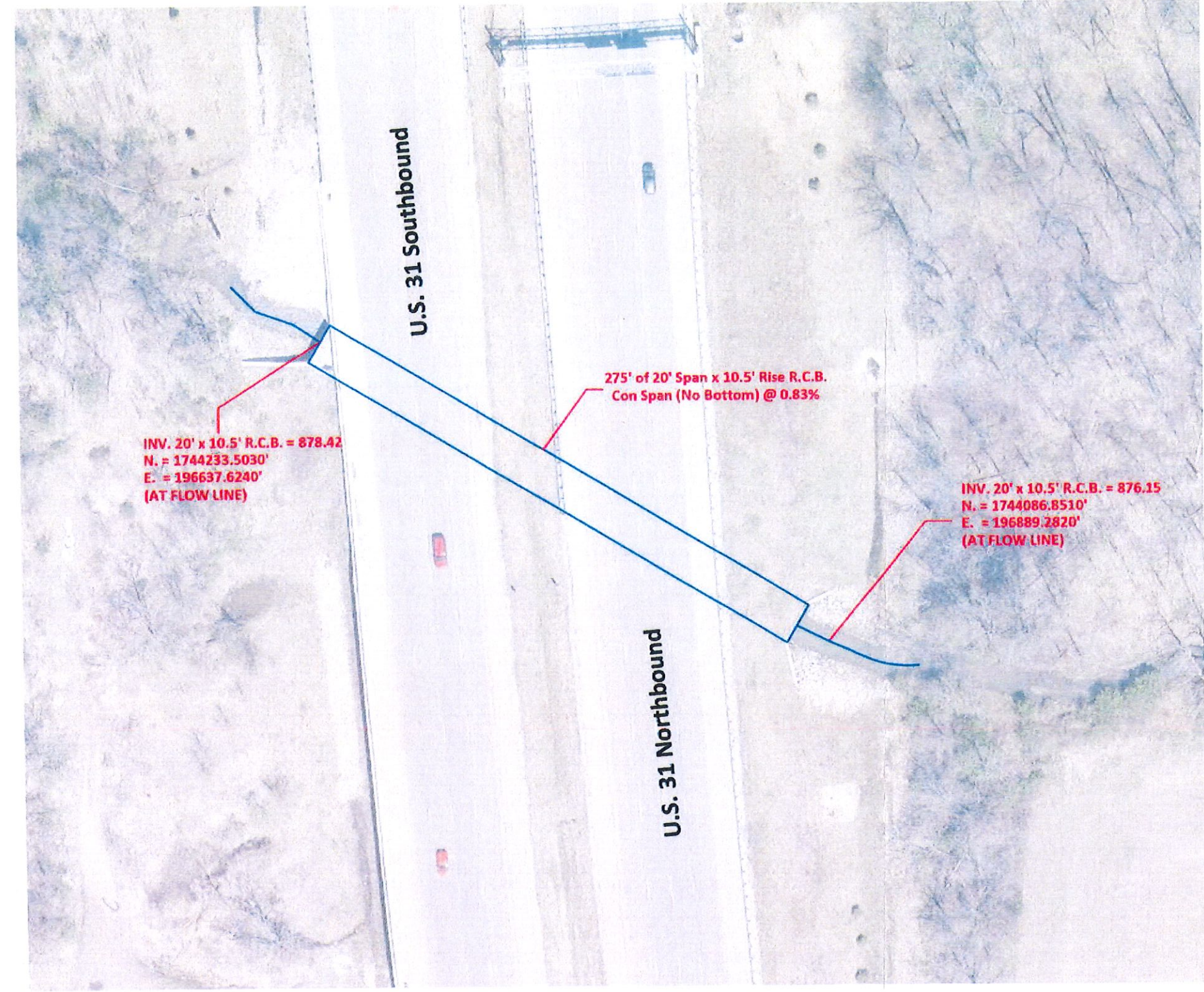
**HAMILTON COUNTY SURVEYOR'S OFFICE**  
**"AS-BUILT" RECORD DRAWING**  
**ANNA KENDALL REGULATED DRAIN**  
**(U.S. 31)**



Scale: 1" = 60'

Drawn By: Teresa Dudley  
 DATE: 7-28-2021

THE AS-BUILT SURVEY USED THE FOLLOWING DATUM:  
 HORIZONTAL DATUM: NAD 1983 (CONUS) INDIANA EAST 1301  
 VERTICAL DATUM: (NAVD 88) (GEOID 18)



**"AS-BUILT" CERTIFICATION**

"AS BUILT" INFORMATION COLLECTED BY HAMILTON COUNTY SURVEYOR'S OFFICE. I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, A TRUE AND CORRECT REPRESENTATION OF THE LOCATIONS AND ELEVATIONS OF THE "AS-BUILT" REGULATED DRAIN IMPROVEMENTS. INFORMATION OBTAINED BY FIELD SURVEY ON 7/22/2021.

CERTIFIED BY: B.K.R.  
 BRIAN K. RAYL, PS  
 PROFESSIONAL SURVEYOR  
 INDIANA LICENSE NO. 20100070  
 DATE: JULY 28, 2021



THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR SURVEYOR LOCATION REPORT



HAMILTON COUNTY, INDIANA  
 HAMILTON COUNTY SURVEYOR'S OFFICE  
 HAMILTON COUNTY GOVERNMENT AND JUDICIAL CENTER  
 ONE HAMILTON COUNTY SQUARE, SUITE 188  
 NOBLESVILLE, IN 46060  
 PHONE: (317) 776-8495  
 FAX: (317) 776-9628  
 SURVEYOR@HAMILTONCOUNTY.IN.GOV