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May 19, 2021

To: Hamilton County Drainage Board

**Re: Cool Creek Drain, E. M. Osborn Arm - Spring Mill Centre Reconstruction**

Attached is a petition and plans for the proposed reconstruction of the E. M. Osborn Drain located in the Cool Creek Watershed in Westfield, IN. The reconstruction is being proposed by Haehl Group LLC. The reconstruction is per plans by American Structurepoint, having Job No. 2019.00721 and dated 1/18/2021 (see Sheets C410 to C421).

The entirety of the existing regulated drain on this property, which consists of the E. M. Osborn Arm, the E. M. Osborn Arms 1 and 2 as well as the Fabcon Reconstruction Arm of the Anna Kendall Regulated Drain will be replaced. The footage of the E. M. Osborn Arm to be replaced runs from Station 0+0 to Station 7+90 per the drain's 1924 description. The footage of E. M. Osborn Arm 1 to be replaced runs from Station 0+0 to Station 3+25 per the drain's 1924 description. The footage of E. M. Osborn Arm 2 to be replaced runs from Station 0+0 to Station 12+10 per the drain's 1924 description. The footage of the Fabcon Reconstruction Arm to be replaced runs from Station 0+0 to Station 18+36 per the drain's 1995 description.

The drain relocation starts at a property owned by Haehl Group LLC, approximately 598 feet south of the northwest corner of the southwest quarter of Section 35-19-3. This is also the approximate northwest corner of parcel #08-05-35-00-00-032.101 and more accurately described as the parcel in a Quick Claim Deed recorded at the Hamilton County Recorder's Office under Instrument #201904491.

The relocation, as shown on the plans prepared by American Structurepoint, Inc. for Spring Mill Centre, Project Number 2019-00721, dated January 18, 2021, begins as a ditch at the northwest corner of the property limits and runs east for 880 feet before flowing into Structure 300. The drain then runs for 59 feet with 36" RCP before outletting into the northeast wet pond at Structure 301. The wet pond runs east for 170 feet before turning south and running for 600 feet and outletting into Structure 302. To the west of the northeast wet pond, an additional arm of the E. M. Osborn Drain will be reconstructed. The reconstruction will begin at Structure 200 located at East Station 0+00 E. M. Osborn Arm 1, 1924 description and runs for 33 feet with 15" RCP before stopping at Structure 201. The drain then runs for 55 feet with 15" RCP before outletting into an open ditch at Structure 202. The ditch then runs for 1,055 feet before emptying into northeast wet pond. Continuing along the eastern limits of the property and beginning at Structure 302, the drain runs south for 178 feet with 24" RCP before outletting into southeast

wet pond at Structure 303. From southeast wet pond it then runs south for 345 feet before outletting to Structure 500. The drain continues to run south for 348 feet with 30" RCP before stopping at Structure 505. The drain then turns west and runs for 201 feet with 36" RCP before outletting at Structure 506 into the existing end section Structure 140 of the SR 32 Arm of the Anna Kendall Drain per its 2011 description.

The reconstructed drain will consist of the following:

Open Ditch	3,050 feet
15" RCP	88 feet
24" RCP	178 feet
30" RCP	348 feet
36" RCP	260 feet

The total length of the reconstructed drain will be 3,924 feet. The proposal will reduce the length of regulated drain by 237 feet.

The northeast and southeast wet ponds per the plans are to be considered part of the regulated drain as detention ponds. Maintenance of the area assumed by the Drainage Board shall include the inlets and outlets of the reconstructed drain and ensuring that the flow of water is maintained as well as the storage volume, thus allowing no encroachments. The maintenance of the ponds such as sediment removal, erosion control along the banks, mowing and aquatic vegetation maintenance and control will be the responsibility of the developers or property owner. The overall cost of reconstruction will be paid by Haehl Group LLC.

Because the project is to be paid by the petitioner and is within the boundaries of the petitioner's property, the project falls under the requirements as set out in IC 36-9-27-52.5. Therefore, a noticed hearing is not required for the petitioner.

In accordance with IC 36-7-4-709, the petitioner did not submit surety for the proposed drain prior to construction commencing. If the petitioner/developer wants to submit final secondary plat for recording prior to the final inspection and approved as-built drawings, a bond will be required at that time.

I recommend approval of the relocation by the Board at this time.



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN RE: Spring Mill Centre )  
Hamilton County, Indiana )

PETITION FOR RELOCATION AND RECONSTRUCTION

Haehl Group, LLC (hereinafter "Petitioner"),  
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a  
section of the Anna Kendall / E.M. Osborn Drain, and in support of  
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Anna Kendall / E.M. Osborn 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 / E.M. Osborn 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 / E.M. Osborn Drain, without cost to other property owners on the watershed of the Anna Kendall / E.M. Osborn 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 / E.M. Osborn Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

Randy Zentz  
Signed  
Randy Zentz  
Printed

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

FILED

APR 21 2021

OFFICE OF HAMILTON COUNTY SURVEYOR

IN RE: \_\_\_\_\_ )  
Hamilton County, Indiana )

PETITION FOR RELOCATION AND RECONSTRUCTION

\_\_\_\_\_ Haehl Group, LLC \_\_\_\_\_ (hereinafter Petitioner”),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the \_\_\_\_\_ Anna Kendall / E.M. Osborn \_\_\_\_\_ Drain, and in support of said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the \_\_\_\_\_ Anna Kendall / E.M. Osborn \_\_\_\_\_ 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 / E.M. Osborn \_\_\_\_\_ 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 / E.M. Osborn \_\_\_\_\_ Drain, without cost to other property owners on the watershed of the \_\_\_\_\_ Anna Kendall / E.M. Osborn \_\_\_\_\_ 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 / E.M. Osborn \_\_\_\_\_ Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

Randy Zentz  
Signed \_\_\_\_\_

Randy Zentz  
Printed \_\_\_\_\_

STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**Cool Creek Drain, E. M. Osborn Arm, Spring Mill Centre Reconstruction**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Cool Creek Drain, E. M. Osborn Arm, Spring Mill Centre Reconstruction** came before the Hamilton County Drainage Board for hearing **on June 14, 2021**, 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.

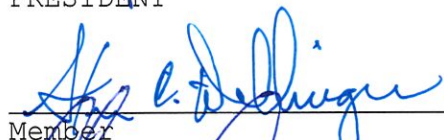
The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the **Cool Creek Drain, E. M. Osborn Arm, Spring Mill Centre 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