



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*

October 13, 2011

To: Hamilton County Drainage Board

Re: Overman Harvey Drain, Village of Mount Carmel Section 10 Reconstruction

Attached is a petition and plans for the proposed reconstruction of the Overman Harvey Drain, Village of Mount Carmel Section 10 Arm. The reconstruction is being proposed by the City of Carmel. The proposal is to reconstruct the drain to provide drainage for part Village of Mount Carmel Section 1 and Section 2. The reconstruction is as shown per plans by Cripe Architects + Engineers, having Job No. 0090388-20100, and dated August 16, 2010, sheets C202, C203, and C204, and as shown on Exhibit 1 dated October 26, 2010.

The reconstruction will remove 40 feet of 18" RCP from the Village of Mount Carmel Section 10 Arm, starting at Structure 32 and running east. New Structure 714 will be set at this location and 40 feet of 24" RCP will replace the pipe that was removed. Then to improve drainage in Village of Mount Carmel Section 1 and 2, the storm sewers as shown of C202, C203, and C204 of the plans were installed.

The new drain installed for Village of Mount Carmel drainage will consist of the following:

12" RCP	975 ft.	24" RCP	1013 ft.
15" RCP	150 ft.	6" SSD	532 ft.
18" RCP	25 ft.	8" SSD	294 ft.

The total length of new drain shall be 2,989 feet. The 40 feet of the Overman Harvey Drain, Village of Mount Carmel Section 10 Arm, from Str. 32 to new Str. 714 shall be vacated. This proposal will add 2,949 feet to the drain's total length. The new storm sewer shall be approved as installed.

The cost of the reconstruction was paid by the City of Carmel.

Since the parcels listed below now benefit from the Overman Harvey Drain, I recommend each lot be assessed equally to the Overman Harvey maintenance assessment. The maintenance assessment rates are \$3.00 per acres, with a \$30.00 minimum, \$3.00 per acre for roadways. With this assessment the total annual assessment for this section of the drain will be \$906.80.

<u>Parcel</u>	<u>Owner</u>	<u>New Assessment Amount</u>
17-09-23-00-00-004.002	Jeffrey & Beth Weisgerber	No Change
17-09-23-02-12-001.000	O'Connor House, Inc.	No Change
17-09-23-02-01-021.000	Roman Catholic Diocese of Lafayette	\$30.00
17-09-23-02-01-022.000	John & Sharon Perkon	\$30.00
17-09-23-02-01-018.000	Roman Catholic Diocese of Lafayette	\$30.00
17-09-23-02-01-017.000	Roman Catholic Diocese of Lafayette	\$30.00
17-09-23-02-01-016.000	Carl & Jami Zenor	\$30.00
17-09-23-02-01-015.000	Michael Wilson	\$30.00
17-09-23-02-05-001.000	Paul & Cheryl Ayers	\$30.00
17-09-23-02-02-029.000	Raymond & Robin Helou	\$30.00
17-09-23-02-02-028.000	Jayne & Arthur Enlow Jr.	\$30.00
17-09-23-02-02-027.000	Franklin & Jennifer Grimm	\$30.00
17-09-23-02-02-026.000	Roy Holmes	\$30.00
17-09-23-02-02-025.000	David Speer	\$30.00
17-09-23-02-02-024.000	Jessica Miller	\$30.00
17-09-23-02-02-023.000	Sun Kings LLC	\$30.00
17-09-23-02-02-015.000	Timothy & Susan Mahoney	\$30.00
17-09-23-02-02-014.000	Sammy Chun Yau & Elizabeth Yick Yau	\$30.00
17-09-23-02-02-013.000	Donald & Elizabeth Nester	\$30.00
17-09-23-02-02-012.000	George & Jill Diehl	\$30.00
17-09-23-02-02-011.000	Carrie & Jesse Jack	\$30.00
17-09-23-02-02-010.000	Christopher & Andrea Cruzan	\$30.00
17-09-23-02-02-009.000	Matthew & Anna Powers	\$30.00
17-09-23-02-02-008.000	Donald & Joanne Burfeind	\$30.00
17-09-23-02-02-007.000	Caroline Bennett	\$30.00
17-09-23-02-02-006.000	Donald & Carolyn Weidner	\$30.00
17-09-23-02-02-005.000	Christa Smith	\$30.00
17-09-23-02-02-004.000	Robert & Theresa Anderson	\$30.00
17-09-23-02-02-003.000	Nora Brugh	\$30.00
17-09-23-02-02-002.000	Christopher & Terry Whitesel	\$30.00
17-09-23-02-02-001.000	Robert & Heather Warhurst	\$30.00
City of Carmel	Village Drive East, Bennett Road	\$32.58
	Village Drive North, Amalfi Drive	
Hamilton County Highway	146 <sup>th</sup> Street	\$4.22

The City of Carmel was not required to provide surety.

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, this drain shall be designated as an Urban Drain.

The easement for this drain will be the existing right of way of Village Park North Drive, Village Park East Drive, Bennett Road, and Amalfi Drive, all owned by the City of Carmel.

I recommend the Board set a hearing for this proposed drain for November 28, 2011.

A handwritten signature in black ink, appearing to read 'K. Ward', written over a horizontal line.

Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

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

**Drain-Improvement:** Springmill Run: 106th & Ditch Rd RAB Reconstruction

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
RCP	12	975	975	0	\$7.25 lf	7068.75
RCP	15	150	150	0	\$9.50 lf	1425
RCP	18	25	25	0	\$10.50 lf	262.5
RCP	24	1013	1013	0	\$18.00 lf	18234
SSD	6	532	532	0	\$2.00 lf	1064
SSD	8	294	294	0	\$3.00 LF	882

**Sum:**                      2989                      \$28,936.25

Final Report: 2989

Comments:

---



---



---



---



---

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA


IN RE: Overman-Harvey Drain )  
Hamilton County, Indiana )

PETITION FOR RELOCATION AND RECONSTRUCTION

City of Carmel, Indiana (hereinafter "Petitioner"),  
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a  
section of the Overman-Harvey Drain, and in support of  
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Overman-Harvey  
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 Overman-Harvey 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 Overman-Harvey Drain, without cost to other property owners  
on the watershed of the Overman-Harvey Drain.

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

  
Signed \_\_\_\_\_

Michael T. McBride, PE

Printed \_\_\_\_\_

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA


IN RE: Overman-Harvey Drain )  
Hamilton County, Indiana )

PETITION FOR RELOCATION AND RECONSTRUCTION

City of Carmel, Indiana (hereinafter "Petitioner"),  
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a  
section of the Overman-Harvey Drain, and in support of  
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Overman-Harvey  
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 Overman-Harvey 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 Overman-Harvey Drain, without cost to other property owners  
on the watershed of the Overman-Harvey Drain.

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

  
\_\_\_\_\_  
Signed  
Michael T. McBride, PE  
\_\_\_\_\_  
Printed



FINDINGS AND ORDER

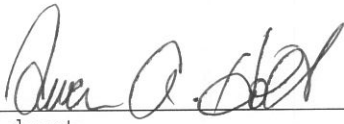
CONCERNING THE MAINTENANCE OF THE

Overman-Harvey Drain,  
Village of Mount Carmel Section 10 Reconstruction

On this 28<sup>th</sup> day of November, 2011, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Overman-Harvey Drain, Village of Mount Carmel Section 10 Reconstruction*.

Evidence has been heard. Objections were presented and considered. The Board then adopted the original/amended Schedule of Assessments. The Board now finds that the annual maintenance assessment will be less than the benefits to the landowners and issues this order declaring that this Maintenance Fund be established.

HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

Attest: 

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

**Overman-Harvey Drain,  
Village of Mount Carmel Section 10 Reconstruction**

**Structure 32 to New Structure 714**

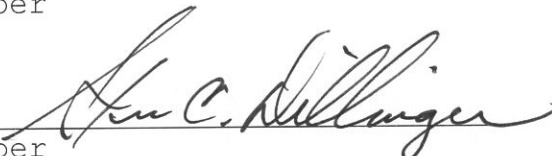
On this **28<sup>th</sup> day of November, 2011**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Overman-Harvey Drain, Village of Mount Carmel Section 10 Reconstruction (Structure 32 to New Structure 714)**.

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 **Overman-Harvey Drain, Village of Mount Carmel Section 10 Reconstruction (Structure 32 to New Structure 714)**.

HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

Attest: 



STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**Overman-Harvey Drain, Village of Mount Carmel Section 10  
Reconstruction**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Overman-Harvey Drain, Village of Mount Carmel Section 10 Reconstruction** came before the Hamilton County Drainage Board for hearing **on November 28, 2011**, 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 **Overman-Harvey Drain, Village of Mount Carmel Section 10 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

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***Overman-Harvey Drain,  
Village of Mount Carmel Section 10 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 **Overman-Harvey Drain, Village of Mount Carmel Section 10 Reconstruction** on **November 28, 2011, at 9:15 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 Overman-Harvey Drain, Village of Mount  
Carmel Section 10 Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **November 28, 2011** 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: Steven A. Holt  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY