

*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*

January 7, 2010

To: Hamilton County Drainage Board

Re: County-McMahon Drain, Martin Meadows Arm

Attached is a petition and plans for the proposed relocation of the County-McMahon Drain, Martin Meadows Arm. The relocation is being proposed by Gordon Martin. The proposal is to relocate the drain across parcel 10-07-19-00-00-033.003, owned by Gordon C. & Kathy J. Martin and State Road 19 right-of-way owned by INDOT as part of the Martin Meadows project per plans by Miller Surveying., Job No. 31600, submitted on November 6, 2008.

Per the plans, existing tile installed in 1928 as Arm 2 of the County-McMahon Drain will be replaced with new pipe across the frontage of the 2-lot subdivision. In addition, SSD will be extended to the lots along the south property line via new easement. The County-McMahon Drain Arm 2 was established in 1928 per Viewers Report dated September 28, 1928.

This line will consist of the following:

105' of 12" RCP  
769' of 6" HPDE SSD

The total length of the new pipe shall be 874 feet. The 105 feet of original drain between Sta. 13+74 and 14+79 shall be reconstructed in place. This proposal will add 769 feet to the drain's total length.

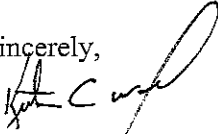
The cost of the relocation is to be paid by Gordon Martin. The developer has provided the Performance Bond as follows:

Name of Bonding Co.: Western Surety Company  
Bond #: 70772435  
Bond Date: August 7, 2009; Rider Date: August 25, 2009  
Bond Amount: \$12,000.00

Attached is a Non-enforcement Request. The easement for the drain will be the drainage easements and right-of-way as shown on the secondary plat for Martin Meadows subdivision as recorded in the Hamilton County Recorders Office. I recommend approval of the Non-enforcement by the Board.

The project falls under the requirements as set out in IC 36-9-27-52.0. Therefore, a hearing is required for the petition. I recommend that the Board set a hearing date for February 22, 2010.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenton C. Ward", written over a diagonal line that extends from the signature down towards the typed name below.

Kenton C. Ward  
Hamilton County Surveyor

KCW/pll

Hamilton County Drainage Board  
Court House  
Noblesville, Indiana

IN RE:

Hamilton County, Indiana

PETITION FOR RELOCATION AND RECONSTRUCTION

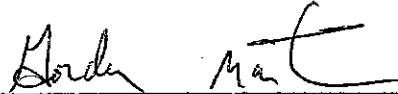
GORDON MARTIN

(hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the COUNTY-McMAHAN Drain, and in support of said petition advises the Board that:

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

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



Signed

GORDON MARTIN  
Printed Name

FILED

JUL 21 2003

OFFICE OF HAMILTON COUNTY SURVEYOR

STATE OF INDIANA )  
 )  
COUNTY OF HAMILTON )

TO: HAMILTON COUNTY DRAINAGE BOARD  
% Hamilton County Surveyor, Courthouse, Noblesville, IN 46060

In the matter of MARTIN MEADOWS Subdivision,  
Section 1 Drain Petition.

Petitioner is the owner of all lots in the land affected by the proposed new regulated drain. The drainage will affect various lots in MARTIN MEADOWS, a subdivision in Hamilton County, Indiana. The general route of such drainage shall be in existing easements and along public roads as shown in the plans on file in the Surveyor's Office.

Petitioner believes that the cost, damages and expenses of the proposed improvement will be less than the benefits which will result to the owners of the land likely to be benefited thereby. Petitioner believes the proposed improvements will:

- (a) improve public health
- (b) benefit a public street
- (c) be of public utility

Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

The Petitioner also agrees to the following:

1. To provide the Drainage Board a Performance Bond for the portion of the drainage system which will be made a regulated drain. The bond will be in the amount of 100% of the Engineers estimate. The bond will be in effect until construction of 100% of the system is completed and so certified by the Engineer.
2. The Petitioner shall retain an Engineer throughout the construction phase. At completion of the project the Petitioner's Engineer shall certify that the drainage system which is to be maintained as a regulated drain has been constructed as per construction plans.

3. The Petitioner agrees to request in writing to the County Surveyor any changes from the approved plan and must receive written authorization from the County Surveyor prior to implementation of the change. All changes shall be documented and given to the Surveyor to be placed in the Drain File.
4. The Petitioner shall instruct his Engineer to provide a reproducible print on a 24" x 36" mylar of the final design of the Drainage System. This shall be submitted to the County Surveyor prior to the release of the Performance Bond.
5. The Petitioner shall comply with the Erosion Control Plan as as specified on the construction plans. Failure to comply with the Erosion Control Plan shall be determined by the Board as being an obstruction to the drainage system. The County Surveyor shall immediately install or repair the needed measures at Petitioners cost as per IC 36-9-27-46.

The Petitioner further requests that the Drain be classified as an Urban Drain.

**FILED**

**JUL 21 2003**

OFFICE OF HAMILTON COUNTY SURVEYOR

*Gordon Martin*  
Signed

Gordon Martin  
Printed Name

*Kathy J. Martin*  
Signed

Kathy J. Martin  
Printed Name

RECORDED OWNER(S) OF LAND INVOLVED

DATE 6/19/03

# Estimate

March 30, 2009

---

Martin Construction

2610 Cicero Road

Noblesville, IN 46060

317.773.4149

317.938.0923

Project: Martin Meadows - Subsurface Drains

We hereby furnish materials, labor and equipment for:

This estimate is based upon preliminary plans by Miller Surveying, Inc.

### **Scope of Work**

|   |                  |
|---|------------------|
| 1. Backhoe and Damage waiver (one month)                                    | \$1000.00        |
| 2. 12 tri-axle loads of #4 stone (12 x \$364 per load)                      | \$4368.00        |
| 3. 12" class IV RCP (90 LF x \$7.86 per LF)                                 | \$ 707.40        |
| 4. 6" double wall (smooth core HDPE perforated)<br>(800 LF x \$2.35 per LF) | \$1880.00        |
| 5. 6" tee with riser and bar guard (3 x \$25.00 each)                       | \$ 75.00         |
| 6. 48" manhole with R-1772 casting  | \$ 600.00        |
| 7. 72' manhole with R-1772 casting  | <u>\$ 900.00</u> |
| <b><u>Total Estimate</u></b>  | <b>\$9530.40</b> |

HCDB-2009-00012

COPY - Original returned to Gordon Martin



Replaced by new bond # 78772435

April 6th, 2009

# Western Surety Company

## LICENSE AND PERMIT BOND

KNOW ALL PERSONS BY THESE PRESENTS:

Bond No. 15281467

That we, Gordon Martin

of the Town of Noblesville, State of Indiana, as Principal, and WESTERN SURETY COMPANY, a corporation duly licensed to do surety business in the State of Indiana, as Surety, are held and firmly bound unto the

County of Hamilton Commissioners, State of Indiana, as Oblige, in the penal

sum of Twelve Thousand and 00/100 DOLLARS ( \$12,000.00 ), lawful money of the United States, to be paid to the Oblige, for which payment well and truly to be made, we bind ourselves and our legal representatives, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That licensed Excavation

*Gordon Martin to send rider stating "... for the reconstruction of the County McMahon Drain in Martin Meadows Subdivision."*

NOW THEREFORE, if the Principal shall faithfully perform the with the laws and ordinances, including all amendments thereto, pe applied for, then this obligation to be void, otherwise to remain April 6th, 2010, unless renewed by Continus

This bond may be terminated at any time by the Surety upon sendin U.S. Mail, to the Oblige and to the Principal at the address last known to of thirty-five (35) days from the mailing of said notice, this bond shall ip shall thereupon be relieved from any liability for any acts or omissions o date. Regardless of the number of years this bond shall continue in fo against this bond, and the number of premiums which shall be payable liability shall not be cumulative from year to year or period to period, and liability for all claims exceed the amount set forth above. Any revision of the bond amount shall not be cumulative.

Dated this 6th day of April, 2009

Gordon Martin Principal

Principal

Countersigned (where required)  
By [Signature]  
Resident Agent

WESTERN SURETY COMPANY  
By [Signature]  
Paul T. Bruflat, Senior Vice President

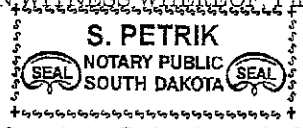
Form 532-2-2006

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

ACKNOWLEDGMENT OF SURETY  
(Corporate Officer)

On this 6th day of April, 2009, before me, the undersigned officer, personally appeared Paul T. Bruflat, who acknowledged himself to be the aforesaid officer of WESTERN SURETY COMPANY, a corporation, and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



My Commission Expires August 11, 2010

*S. Petrik*  
\_\_\_\_\_  
Notary Public - South Dakota

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss

ACKNOWLEDGMENT OF PRINCIPAL  
(Individual or Partners)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally appeared \_\_\_\_\_ known to me to be the individual \_\_\_\_\_ described in and who executed the foregoing instrument and acknowledged to me that \_\_\_\_\_ he \_\_\_\_\_ executed the same.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss

ACKNOWLEDGMENT OF PRINCIPAL  
(Corporate Officer)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me personally appeared \_\_\_\_\_ who acknowledged himself/herself to be the \_\_\_\_\_ of \_\_\_\_\_, a corporation, and that he/she as such officer being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as such officer.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public



License or Permit No. \_\_\_\_\_  
LICENSE AND PERMIT  
BOND  
As  
of \_\_\_\_\_  
State of \_\_\_\_\_  
Name of Applicant \_\_\_\_\_  
Address \_\_\_\_\_  
Filed \_\_\_\_\_  
Approved this \_\_\_\_\_  
day of \_\_\_\_\_



# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,  
State of South Dakota, its regularly elected Senior Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One L & P Bond, Signed - Excavation

bond with bond number 15281467

for Gordon Martin

as Principal in the penalty amount not to exceed: \$ 12,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

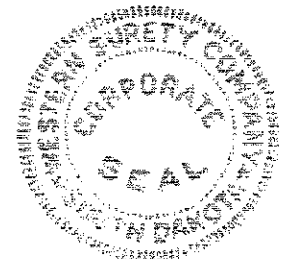
Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Senior Vice President with the corporate seal affixed this 6th day of April, 2009.

ATTEST

L. Nelson  
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY  
By Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President



STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 6th day of April, 2009, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

D. KRELL  
NOTARY PUBLIC  
SOUTH DAKOTA

My Commission Expires November 30, 2012

D. Krell  
Notary Public



COPY

HCDB-2009-00017

# Western Surety Company

## SITE IMPROVEMENT Performance Bond

Bond # 70772435

KNOW ALL PERSONS BY THESE PRESENTS: That we \_\_\_\_\_

Gordon Martin  
Principal, and WESTERN SURETY COMPANY, a corporation authorized to do surety business in the  
State of Indiana as Surety, are held and firmly bound unto  
County of Hamilton

as Obligees, in the sum of Twelve Thousand and 00/100  
Dollars (\$ \$12,000.00 ) lawful money of the United States of America, for which  
payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors,  
and assigns firmly by these presents.

WHEREAS, the Principal has entered into an agreement with the Obligee, guaranteeing only that the  
Principal will complete site improvements as per estimate prepared by: \_\_\_\_\_

\_\_\_\_\_ attached to and made a part hereof at certain land known as  
2610 Cicero Rd., Noblesville, IN 46060 Reconstruction of The County Drain in  
Martin Meadows Subdivision all of which improvements shall be completed on or before the date  
set forth in the agreement or any extension thereof, and the Principal provides this bond as security for  
such agreement.

NOW, THEREFORE, the condition of this obligation is such, that if the Principal shall carry out all the  
terms of said agreement relating to the site improvements only and perform all such work as set forth  
in the attached agreement, then this obligation shall be null and void; otherwise, to remain in full force  
and effect.

No party other than the Obligee shall have any rights hereunder as against the Surety.  
The aggregate liability of the Surety on this bond obligation shall not exceed the sum stated above for  
any reason whatsoever.

SIGNED, SEALED AND DATED THIS 7th DAY OF August, 2009.

PRINCIPAL:

Gordon Martin

By: \_\_\_\_\_

SURETY:

WESTERN SURETY COMPAN

By: Sandy A Morris  
SANDY A MORRIS, Attorney-in-Fact

# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,  
State of South Dakota, its regularly elected Senior Vice President,  
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One reconstruction of the McMahon county drain in Martin Meadows subdivision

bond with bond number 70772435

for GORDON MARTIN

as Principal in the penalty amount not to exceed: \$ 12,000.00.

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

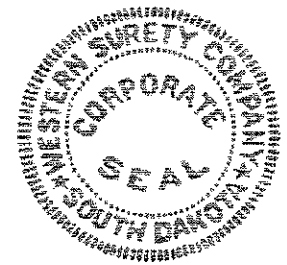
Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Senior Vice President with the corporate seal affixed this 25th day of August, 2009.

ATTEST

L. Nelson  
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY  
By Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President



STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 25th day of August, 2009, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

D. KRELL  
NOTARY PUBLIC  
SOUTH DAKOTA

My Commission Expires November 30, 2012

D. Krell  
Notary Public



# Western Surety Company

## POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 70772435

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint SANDY A. MORRIS

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Gordon Martin

Obligee: County of Hamilton

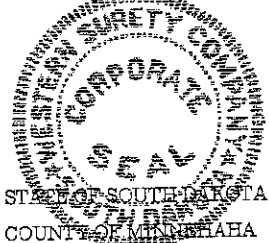
Amount: \$500,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

All authority hereby conferred shall expire and terminate, without notice, unless used before midnight of August 7, 2010, but until such time shall be irrevocable and in full force and effect.

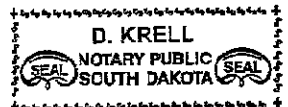
In Witness Whereof, Western Surety Company has caused these presents to be signed by its Senior Vice President, Paul T. Bruflat, and its corporate seal to be affixed this 7th day of August, 2009.



WESTERN SURETY COMPANY  
Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } ss

On this 7th day of August, in the year 2009, before me, a notary public, personally appeared Paul T. Bruflat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



D. Krell  
Notary Public - South Dakota

My Commission Expires November 30, 2012

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 7th day of August, 2009.

WESTERN SURETY COMPANY  
Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President

**ACKNOWLEDGMENT OF SURETY  
(Attorney-in-Fact)**

STATE OF Indiana }  
COUNTY OF Marion } ss

Bond No. 70772435

On this \_\_\_\_\_ day of \_\_\_\_\_, before me, a notary public in and for said County, personally appeared SANDY A MORRIS to me personally known and being by me duly sworn, did say, that he is the Attorney-in-Fact of WESTERN SURETY COMPANY, a corporation of Sioux Falls, South Dakota, created, organized and existing under and by virtue of the laws of the State of South Dakota, that the said instrument was executed on behalf of the said corporation by authority of its Board of Directors and that the said SANDY A MORRIS acknowledges said instrument to be the free act and deed of said corporation and that he has authority to sign said instrument without affixing the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Indianapolis, Indiana, the day and year last above written.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public



# Western Surety Company

## RIDER

It is hereby mutually agreed and understood by and between the Principal and Western Surety Company, that instead of as originally written:

The description has been changed to read: reconstruction of the McMahan county drain in Martin Meadows subdivision

No further changes other than above.

Nothing herein contained shall be held to vary, alter, waive or extend any of the terms, limits or conditions of the Bond \_\_\_\_\_, except as hereinabove set forth.

This Rider becomes effective on the 25th day of August, 2009, at twelve and one minute o'clock a.m., standard time.

Attached to and forming part of Bond \_\_\_\_\_ No. 70772435  
issued by WESTERN SURETY COMPANY of Sioux Falls, South Dakota,  
to GORDON MARTIN

Signed this 25th day of August, 2009.

WESTERN SURETY COMPANY  
By Paul T. Bruflat  
Paul T. Bruflat, Senior Vice President



**County-McMahon Drain #60**

Reconstruction & Extension for Martin Meadows

Vacate 105' of Arm 2 between Sta 13+74 to 14+79.

New pipe across frontage of 2-lot subdivision = 874'.

SUBNE-2003-00034=For Martin Meadows Plat

Hearing: 02/22/10

\*Reconstruction to be paid by Gordon Martin. No change in current maintenance rate.

| Parcel                 | Owner                           | Address          | City                  | Description         | Benefit | MntAsmt | Percent | Reconstruction |
|------------------------|---------------------------------|------------------|-----------------------|---------------------|---------|---------|---------|----------------|
| 10-07-19-00-00-033.003 | Martin, Gordon C. & Kathy J.    | 2610 Cicero Rd   | Noblesville, IN 46060 | S19 T19 R5 19.00 Ac | *       | *       | *       | *              |
| 99-99-99-99-99-999.002 | Indiana Dept. of Transportation | 32 Broadway St S | Greenfield, IN 46140  | S19 T19 R5 SR 19    | *       | *       | *       | *              |

STATE OF INDIANA     )  
                          ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**County-McMahon Drain, Martin Meadows Arm**

**FINDINGS AND ORDER FOR RECONSTRUCTION**

The matter of the proposed Reconstruction of the **County-McMahon Drain, Martin Meadows Arm** came before the Hamilton County Drainage Board for hearing **on February 22, 2010**, 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.

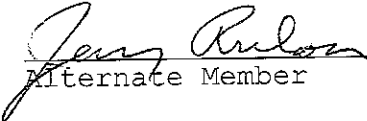
Wherefore, it is ORDERED, that the proposed Reconstruction of the **County-McMahon Drain, Martin Meadows Arm** be and is hereby declared established.

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

  
\_\_\_\_\_  
Alternate Member

ATTEST:

  
Executive Secretary



BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

*County McMahon Drain, Martin Meadows Arm*

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 **County McMahon Drain, Martin Meadows Arm** on **February 22, 2010**, 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

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF THE

*County-McMahon Drain, Martin Meadows Arm*

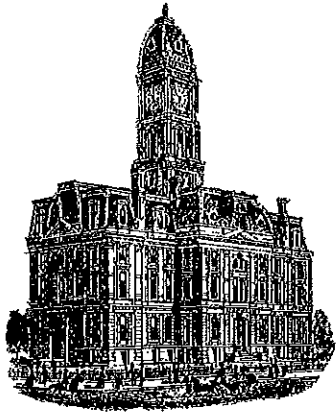
NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **February 22, 2010** has issued an order adopting the Schedule of Assessments, filed the same and made public announcement thereof at the hearing and ordered publication. If judicial review of the findings and order of the Board is not requested pursuant to Article Eight of this code 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



*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**

**Re: County-McMahon Drain – Martin Meadows Arm**

Attached are as-built, certificate of completion & compliance, and other information for Martin Meadows Arm. 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 were made to the drain, which will alter the plans submitted with my report for this drain-dated January 7, 2010. The report was approved by the Board at the hearing held February 22, 2010. (See Drainage Board Minutes Book 12, Pages 409-412)

The changes are as follows:

The 12" RCP was shortened from 105 feet to 96 feet. The 6" HDPE SSD was shortened from 769 feet to 740 feet. The length of the drain due to the changes described above is now **836 feet**. It should be noted that this project removed 104 feet of existing 12" tile. This was on Arm 2 between Sta. 13+72 to Sta. 14+76.

The non-enforcement was approved by the Board at its meeting on February 22, 2010 and recorded under instrument #2010057725. The following sureties were guaranteed by Western Surety Company and released by the Board on its October 12, 2015 meeting.

Bond-LC No: 70772435  
Amount: \$12,000.00  
For: Storm Sewers & SSD  
Issue Date: August 25, 2009

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

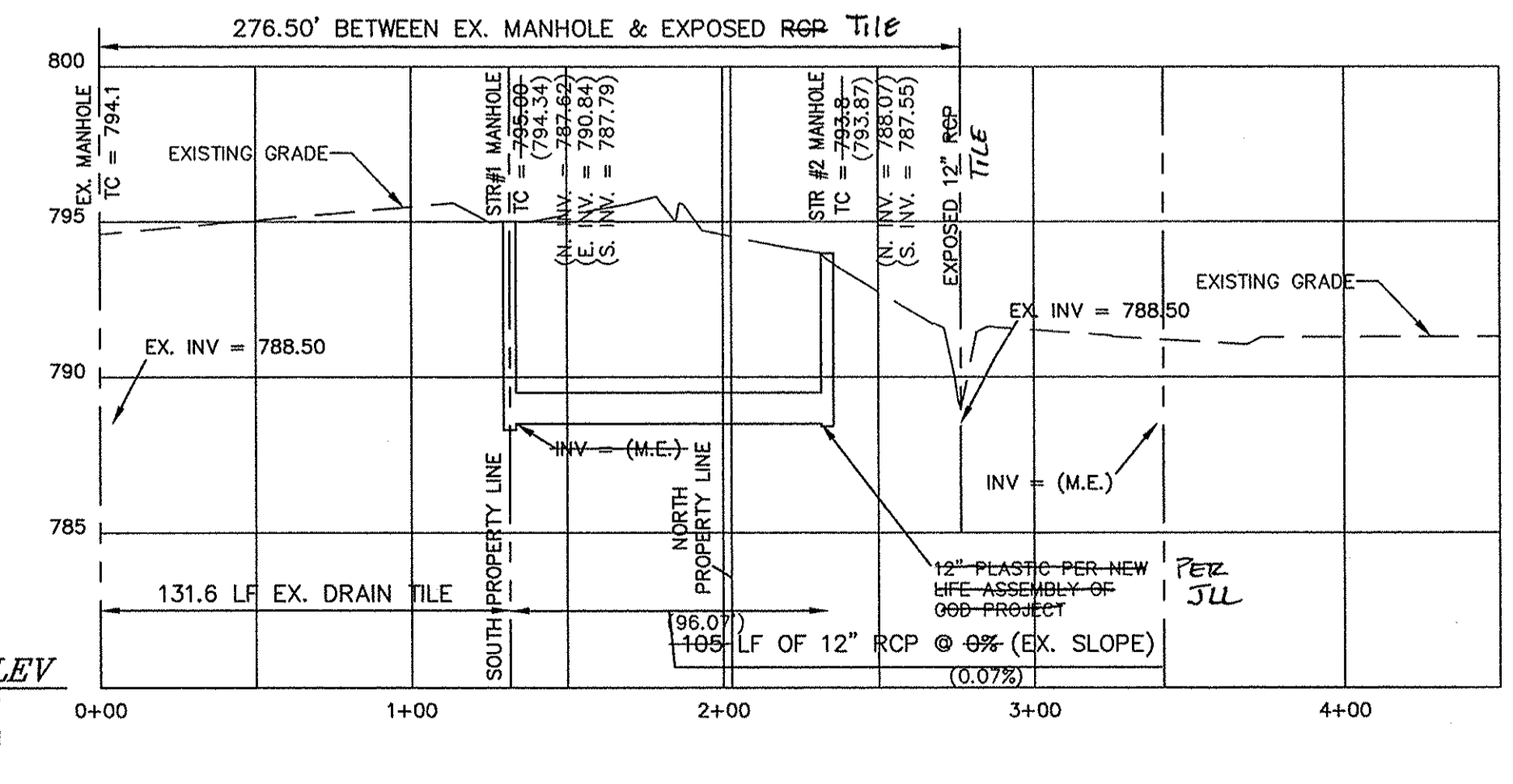
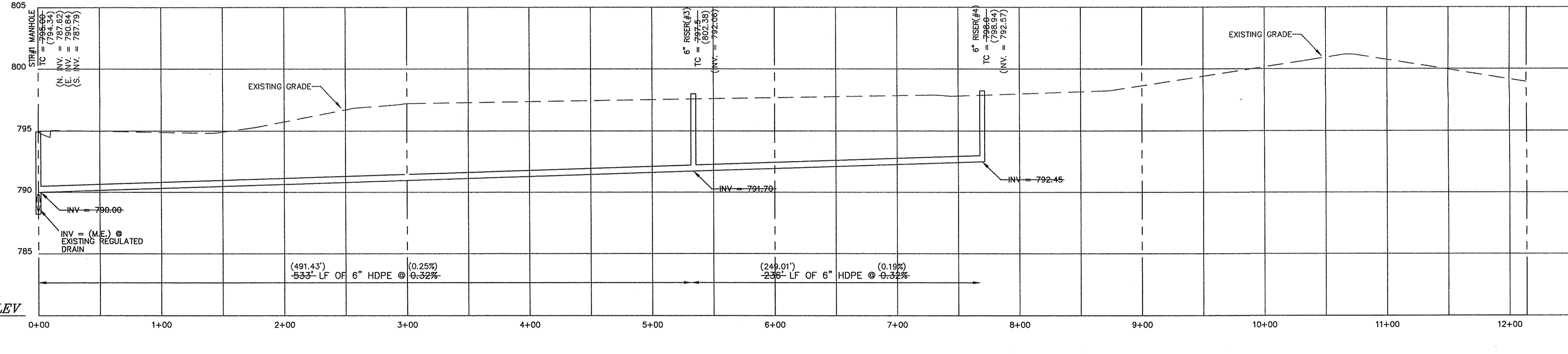
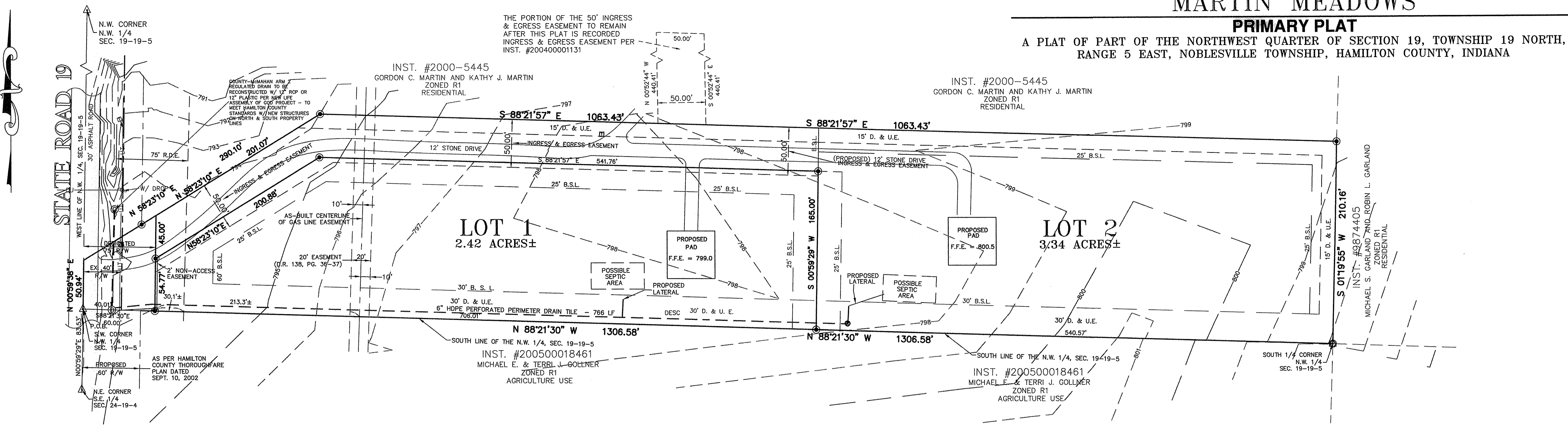
Sincerely,

  
Kenton C. Ward, CFM  
Hamilton County Surveyor

# MARTIN MEADOWS

## PRIMARY PLAT

A PLAT OF PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 5 EAST, NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA



CERTIFICATION BY SURVEYOR  
The attached ASBUILT DRAWINGS to the best of my knowledge and belief a true and correct representation of the STORM SEWER SYSTEM installation.  
*Nathan Althouse*  
Nathan Althouse #LS20400007  
Miller Surveying, Inc.  
948 Conner Street  
Noblesville, IN 46060  
(317) 773-2644  
PROJECT No.: B35583  
000.00 = DESIGN VALUE  
(000.00) = AS-BUILT VALUE  
1/15/2015  
Date

This information was gathered for input into the Hamilton County Geographic Information System (GIS). This document is considered an official record of the GIS.  
Entry Date: October 2015  
Entered By: SLM

**SOURCE OF TITLE**  
INST. #2000-5445  
GORDON C. MARTIN AND KATHY J. MARTIN

**OWNER**  
GORDON C. MARTIN  
KATHY J. MARTIN  
2610 STATE ROAD 19 NORTH  
CICERO, INDIANA

**SURVEYOR**  
MILLER SURVEYING, INC.  
948 CONNER STREET  
NOBLESVILLE, INDIANA  
PH: 773-2644  
EMAIL: NALHOUSE@MSINC.US

**ZONING**  
CLASSIFICATION: R1  
MIN. LOT AREA: 2 ACRE (15,000 SQ.FT. IF SERVED BY SANITARY SEWER)  
MIN. LOT WIDTH: 100'  
MAX. BUILDING HT: 35'  
MIN FRONT SETBACK: 40'  
MIN REAR SETBACK: 20' PRIMARY STRUCTURE, 5' ACCESSORY STRUCTURE  
MIN SIDE SETBACK: 20% OF MINIMUM LOT WIDTH TOTAL  
(BUT WITH A MINIMUM ON EITHER SIDE OF STRUCTURE OF 9')

| REVISONS  |             |
|-----------|-------------|
| REV. DATE | DESCRIPTION |
|           |             |
|           |             |
|           |             |
|           |             |

GRAPHIC SCALE  
0 25 50 100  
SCALE: 1" = 50'

LS20400007 DATE: \_\_\_\_\_

**MILLER SURVEYING INC.**  
948 CONNER STREET  
NOBLESVILLE INDIANA 46060  
PH. # (317) 773-2644 FAX 773-2694

|  |                |                |
|--|----------------|----------------|
| LOCATION: PART OF THE NORTHWEST QUARTER, SECTION 19, T19N, R5E<br>WHITE RIVER TWP., HAMILTON COUNTY, INDIANA | DRAWN BY: LMC  | CHK'D BY: KNA  |
| FIELD WORK COMPLETED: 03/XX/07   | DATE: 03/19/07 | PAGE:          |
| CLIENT: GORDON C. MARTIN   | JOB NUMBER     | SURVEY 4 FILE: |
| DESCRIPTION: PRIMARY PLAT  | B31600         | 83 GOINGS      |