



SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, Surveyor

Phone (317) 776-8495

Fax (317) 776-9628

Suite 188

One Hamilton County Square

Noblesville, Indiana 46060-2230

September 1, 2005

To: Hamilton County Drainage Board

RE: W.R. Fertig Drain, J.W. Hawkins Arm

Attached is a request for partial vacation of the W.R. Fertig Drain, J.W. Hawkins Arm. The partial vacation is being proposed by the City of Carmel. The request is for that portion of the W.R. Fertig Drain, J.W. Hawkins Arm that will be within the limits of the City of Carmel City Center Project on parcels 16-09-36-00-00-005.000 and 16-09-36-00-00-008.000.

The portion of the W.R. Fertig Drain, J.W. Hawkins to be vacated is that portion from Sta. 0+00 to Sta. 8+25. A total of 825 feet is to be vacated. Sta. 8+25 will become the new beginning location of the open ditch.

The vacation is being proposed due to the construction of the underground detention system being installed for the City Center project. This underground detention system is being installed to meet the required release rate for the W.R. Fertig Regulated Drain. The maintenance of the underground detention system will be the responsibility of the City of Carmel. The Drainage Board will only be responsible for the open channel the detention system discharges into.

I recommend the Board set a hearing for this item for January 9, 2006.

Kenton C Ward
Hamilton County Surveyor

KCW/grh

FINDINGS AND ORDER

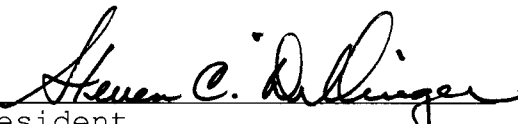
CONCERNING THE PARTIAL VACATION OF THE

W. R. Fertig Drain, J. W. Hawkins Arm, Sta. 0+00 to Sta. 8+25

On this **9th day of January 2006**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **W. R. Fertig Drain, J. W. Hawkins Arm, Sta. 0+00 to Sta. 8+25**.

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 **W. R. Fertig Drain, J. W. Hawkins Arm**.

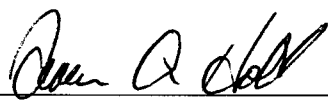
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF
W. R. Fertig Drain, J. W. Hawkins Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **W. R. Fertig Drain, J. W. Hawkins Arm** on **January 9, 2006** at **12:15 P.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana, and which construction and maintenance reports of the Surveyor and the Schedule of Assessments made 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

W. R. Fertig Drain, J. W. Hawkins Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **January 9, 2006** 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



CITY OF CARMEL

JAMES BRAINARD, MAYOR

June 22, 2005

Mr. Kenton C. Ward
County Surveyor
One Hamilton County Square, Suite 146
Noblesville, IN 46060

RE: Hawkins Legal Drain
Abandonment Request

Dear Mr. Ward:

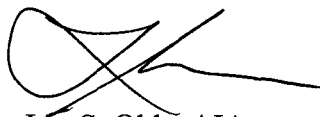
The purpose of this letter is to request abandonment of a portion of the Hawkins legal drain within the City of Carmel. The attached exhibit shows the area in consideration.

As part of the Carmel City Center Expansion Project, the northernmost 800 linear feet of the Hawkins ditch will be enclosed in a reinforced concrete drainage pipe designed to accommodate the 10-year discharge. The City of Carmel will dedicate a drainage easement over the new pipe and assume maintenance responsibility for it. The City owns or controls all of the property upon which the legal drain will be abandoned. Please proceed with abandoning the hatched portion of the legal drain as shown on the attached exhibit.

If you need additional information in order to process this request, please do not hesitate to contact me at 571-2492. You may also contact Rusty Spiars with Woolpert, Inc., at 299-7500.

Thank you for your assistance.

Respectfully yours,



Les S. Olds, AIA
Director of Redevelopment
Carmel Redevelopment Commission

cc: Mayor Brainard, Ron Carter, Bob Olson, Rusty Spiars