

Gasb 34 Footages for Historical Cost
Drain Length Log

Drain-Improvement: W H FORNER - FORNER ? SINCLAIR RECONSTRUCTION

Drain Type:	Size:	Length ()	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
TILE	2X 15"	125'	125'			
OPEN DITCH	1—	130'	130'			
DREDGING ?						
CLEARING 4100'	—	0'				
BANK WORK 2400'	—	0'				

Sum: 255' 255' \$59,896.59

Final Report: _____

Comments:



SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor

Suite 146

776-8495

One Hamilton County Square

Noblesville, Indiana 46060-2230

July 18, 1995

To: Hamilton County Drainage Board

Re: W.W. Forkner Drainage Area

Attached is a drain map, reconstruction plans, drainage shed boundary map and schedule of assessments for the W.W. Forkner Drainage Area. This drain is listed as number seven (7) for reconstruction on the 1995 Classification List. The Forkner Drain was requested for classification in July 1967 by James E. Faulkner and again in July 1974 by D.G. Overdorf. The J.B. Sinclair Drain was requested for classification in July 1967 by James E. Faulkner. In May of 1994 a petition was filed representing 7.2% of the Hamilton County portion of the drain.

The attached plans cover the entire open drainage system in both Hamilton & Tipton Counties. On July 11, 1994, a request to form a Joint Board with Tipton County was made and denied by the Board. The Board at that time expressed their desire not to form a Joint Board for this project but to reconstruct the portion within and assess landowners only within Hamilton County. The following report reflects only the portion of the regulated drainage system within Hamilton County. The plans have been discussed with the Tipton County Surveyor, Brad Rayl. Mr. Rayl believes that the portion on work proposed for Hamilton County will be done so as to enable Tipton County to reconstruct it's section at a later date.

The proposed W.W. Forkner Drainage Area will consist of four (4) drains. Those drains are W.W. Forkner, J.B. Sinclair, Jacob Ehman #2 and the Eddie Brunson Drain.

The W.W. Forkner Drain was constructed in 1893 through the Hamilton County Commissioners. This ditch begins in Tipton County and enters Little Cicero Creek in Hamilton County. It consists of 12,500 feet of which 4,000 feet is tile. The portion of ditch in Hamilton County is between Sta. 58 and 125 for a total of 6,700 feet of open ditch. The drain was cleaned out in 1904 and 1923. Un-successful attempts were made to clean the drain in 1957, 1969 and 1972.

The J.B. Sinclair was constructed in 1896 through the Hamilton County Commissioners Court. This drain consists of 1,778 feet of tile drain. This drain was repaired in 1929.

The Jacob Ehman #2 Drain was constructed in 1896 through the Hamilton County Commissioners. This drain consists of 2,875 feet of tile drain. This drain joined the J.B. Sinclair Drain at Sta. 1+50 of the Sinclair.

The Eddie Brunson Drain was constructed through the Hamilton County Circuit Court. This drain consists of 4,350 feet of tile drain. This ditch empties into the J.B. Sinclair Drain at Sta. 0+00 of the Sinclair.

The total length of the existing drainage system within Hamilton County is 15,703 feet of tile and open ditch.

At this time I recommend to the Board that the open ditch be reconstructed from 296th Street (Hamilton-Tipton line) to Little Cicero Creek. This shall also include repair to the J.B. Sinclair tile at its outlet into the Forkner Drain. This will include creating an open ditch from Sta. 17+78 to 16+48 and replacing with new tile 125 feet of the existing tile between Sta. 16+48 and 15+23 with new 15" tile. Plans for the proposed reconstruction are to be considered part of this report. The cost estimate for this work is as follows:

Dredging	4100 feet	at \$ 3.50/ft	\$14,350.00
Clearing	6 acres	at \$4,000/acre	\$24,000.00
Bank Work	2400 feet	at \$ 2.50/ft	\$ 6,000.00
Seeding	9 acres	at \$1,000/acre	\$ 9,000.00
Riprap Corners	50 tons	at \$ 25/ton	\$ 1,250.00
Riprap Bank	20 tons	at \$ 50/ton	\$ 1,000.00
Str #2-Wood Drop Str	1	at \$5,000	\$ 5,000.00
Repair J.B. Sinclair			
15" tile	250 feet	at \$ 10/ft	\$ 2,500.00
Regrade swale	50 feet	at \$ 2/ft	\$ 100.00
20'-18" CMP w/animal guard	2	at \$ 500/ea	\$ 1,000.00
Clean out open ditch	120 feet	at \$ 3.50/ft	\$ 420.00
Str #1-Wood Drop Str	1	at \$5,000/ea	\$ 5,000.00
Surface Pipes			
Sta. 51+00	12"-30'		\$ 750.00
Sta. 40+75	12"-30'		\$ 750.00
Sta. 29+30	12"-30'		\$ 750.00
Silt Traps	3	at \$ 300/ea	\$ 900.00
		Sub Total	\$72,770.00
		10% Contingency	\$ 7,277.00
		Total	\$80,047.00

Not shown on the plans, but shall be considered as part of the reconstruction plans is the placement of twenty (20') foot filter strips along both sides of the drain. These shall be installed by the Contractor as part of the leveling and seeding of the spoil. These shall be maintained annually as part of the maintenance program as per IC6-1.1-6.7.

The drainage shed within Hamilton County consists of 890.74 acres. I have reviewed the drainage shed and upon considering each parcel individually, I believe that each parcel within Hamilton County will have equal benefits as provided by the drain. Therefore, I recommend each tract be assessed on the same basis equally. I also believe that no damages will result to landowners by the reconstruction of this drain. I recommend a reconstruction assessment of \$89.86 per acre with a minimum assessment of \$89.86.

The length of the drains comprising this drainage area will remain as noted previously within this report. There will not be additional lengths nor arms to these drains per this report. Therefore, obtaining additional easement will not be required.

At this time the Hamilton County Highway has developed plans for the replacement of bridge no. 83, Cumberland Road over the Forkner open ditch. Per the plan for the new structure, the open ditch is to be re-routed so that the portion of the open ditch running parallel to the road will be located on the west side rather than the east side of Cumberland Road. This work will be done by the Highway as part of the contract for the bridge. Construction of the bridge will be separate of the drain reconstruction proposed in this report. The overall length of the drain will be un-affected. The Board, however, should approve this re-routing of the drain at this time.

I recommend that the Board place this drain on maintenance at this time. The nature of the work required is as follows:

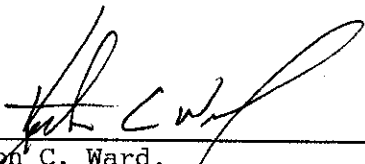
- A. Clearing of trees and brush on the existing open ditch;
- B. Creation and re-excavation of silt basin;
- C. Re-excavation of open ditch to original grade line;
- D. Surface water structure as might be required;
- E. Bank erosion protection and/or seeding as might be required;
- F. Repair of private tile outlet ends as might be required;
- G. Repair of regulated drain tile outlets;
- H. Repair of broken tile on regulated drains;
- I. Removal of debris and/or blockage from regulated tile and open drain;
- J. Installation of breather pipes as might be required;
- K. Cleaning and/or repair of existing catch basins as might be required;
- L. Any other repairs deemed to be applicable and necessary by the Surveyor to restore the drain to it's original intended use and condition.

The frequency with which maintenance work should be performed is annually as required by the condition of the drain.

I estimate the amount of the annual cost for periodic maintenance of this drain will be \$1854.56 and attached hereto is the name and address of each owner, the legal description as shown by the tax duplicate or record of transfers by the county wherein the land is situated, which lands, in my opinion, will be affected by the proposed improvement and the public roads or highways owned by the county by name or number.

I have reviewed the drainage shed and upon considering each parcel individually, I believe that each parcel will have equal benefits as provided by the drain. Therefore, I recommend a maintenance assessment of \$2.00 per acre with a minimum annual assessment of \$10.00. With this assessment, the total annual assessment for the drain will be \$1,854.56.

I request a hearing for this proposal be set for August 1995.



Kenton C. Ward,
Hamilton County Surveyor

KCW/jh

To: Hamilton County Drainage Board

Re: In the matter of the Folkner-Sinclair Drain Petition

Comes now the undersigned individuals, who petition the Hamilton County Drainage Board, per IC 36-9-27-54, for a new regulated drain. The undersigned believe the following:

1. They are owners of ten percent (10%) in acreage; or twenty five percent (25%) or more of the assessed valuation of the land that is outside the corporate boundaries of a municipality and is alleged by the petition to be affected by the proposed drain.
2. That as property owners within the drainage shed, they are qualified petitioners.
3. That they now desire that a regulated drain be established in _____ Township, which involves the following public roads; _____ and various areas surrounding these roads in the drainage shed.
4. The names and address of each owner affected by the proposed public drainage are attached hereto, made a part hereof, and marked Exhibit "A", which area of land involved in the proposed drainage area is located in section _____, township _____ north, range _____ east, Hamilton County, Indiana.
5. No other public lands or owners are located in the area which would affect improvement.
6. That the general route of the proposed drain is shown in the attached plan which is marked Exhibit "B" and made a part hereof.
7. That in the opinion of the Petitioner, the costs, damages, and expenses of the proposed improvement will be less than the benefits which will result to the owners of the land to be benefited thereby.
8. That in the opinion of Petitioner, the proposed improvement will improve the public health; benefit a public highway; and be of public utility.
9. That the name of the attorney representing petitioner in the drainage petition is _____, who has an office at _____, phone _____.
10. That Petitioners shall pay the cost of notice and all legal costs if the petition is dismissed.
11. Petitioner shall post a bond, if required, to pay the cost of notice and all legal costs in the case the improvement is not established.

Signature	Printed Name	Printed Address
<u>Rodger Rulow</u>	RODGER RULOW	27999 STARSMAN RD ARCADE IN 46030
<u>Robert Nichtenheller</u>	ROBERT NICHTEHNER	28450 Stanton RD Noblesville Ind 46051
<u>Paul Lively</u>	Paul Lively - Mac	PR2 Box 18A Atlanta, IN 46031
<u>Kaye Faulkner</u>	Kaye Faulkner	9411 E 296th Atlanta In 46031
<u>G.A. Crawford</u>	G.A. Crawford	29411 Whisper Rd 46031
<u>Jerry Kelley</u>	Jerry Kelley	28415 Whister Rd Atlanta, Ind.
<u>Lester Meister</u>	LESTER Meister	R#2 BOX 400 ATLANTA, INP.
<u>Allen Conway</u>	ALLEN Conway	R394 RR 2
<u>Carl Sloan</u>	CARL Sloan	R#1 Box 234
<u>Phyllis J. Ranney</u>	Phyllis J. Ranney	9590 E. 281 St

Signature

Printed Name

Printed Address

T
T

Dennis Henderson

Dennis Henderson

Rt 1 Box 226 Athens

Robert Powell

Robert Powell

Rt 4 Box 501

2000
1/20/01

PETITIONERS

TIPTON 523.015 AC

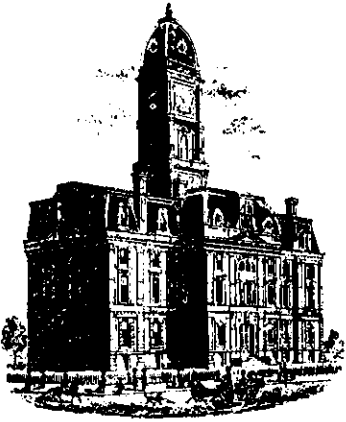
HAMILTON 62.0 AC

TOTAL HAMILTON
LAND AREA 858.75 AC

% HAMILTON
PETITIONERS 7.21%

Signature

Printed Name



SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor

Phone (317) 776-8495

Fax (317) 776-9628

Suite 146

One Hamilton County Square

Noblesville, Indiana 46060-2230

March 20, 1997

TO: Hamilton County Drainage Board

RE: W. W. Forkner Drain

At this time the reconstruction of the W. W. Forkner Drain has been completed by Hoosier Pride Excavating, Inc. This work was done through a contract dated October 9, 1995.

The estimated per my reconstruction report dated July 18, 1995 was \$80,047.00. The contract price was \$59,296.59. During the course of the project four (4) change orders were issued. These were as follows with the estimated cost:

Change Order #1 Dated 2/23/96 Approved by Board 6/10/96

Structure #1 outlet to the J.B. Sinclair Drain

Delete 2 18"x20" CMP @ \$725.80 each	\$ 1,451.60
Delete 250' of 15" tile @ \$10.82 per foot	2,705.00
<u>TOTAL DELETED</u>	<u>\$ 4,156.60</u>

Add concrete box and stub in structure	\$ 1,750.00
Add 125' of 15" @ \$21.89 per foot	2,736.25
<u>TOTAL ADDED</u>	<u>\$ 4,486.25</u>

Change Order #2 Dated 3/11/96 Approved by Board 6/10/96
Additional slope work and rip rap not to exceed \$5,000 over the original bid price.

Amount actually used was \$1,986.71.

Change Order #3 Dated 6/5/96 Approved by Board 7/8/96

Outlet pipes and tile

6 8"x20' CMP outlet pipes (120 LF) @ \$19.15 per ft.	\$ 2,298.00
5 10"x20' CMP outlet pipes (100 LF) @ \$20.00 per ft.	2,000.00
1 12"x20' CMP outlet pipe (20 LF) @ \$21.00 per ft.	420.00
6" plastic tile @ \$7.65 per ft (15' LF)	114.75
8" plastic tile @ \$8.17 per ft (65 LF)	531.05
<u>TOTAL ADDED</u>	<u>\$ 5,363.80</u>

Change Order #4 Dated 7/8/96

Approved by Board 7/8/96

Tile for blowhole repairs

15" tile @ \$10.82 per ft installed (34 LF)	\$ 367.88
24" tile @ \$21.89 per ft installed (72 LF)	1,576.08
TOTAL ADDED	\$ 1,943.96

The total amount of the project

Contract	\$59,296.59
Change Order #1	329.65
Change Order #2	1,986.71
Change Order #3	5,363.80
Change Order #4	1,943.96
TOTAL	\$68,920.01

The claims paid are as follows:

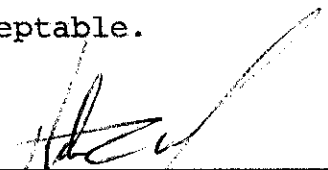
Claim #1	paid 2/2/96	\$15,300.00	
Claim #2	paid 4/4/96	7,225.00	
Claim #3	Paid 5/3/96	8,109.00	
Claim #4	Paid 6/7/96	10,658.99	
Claim #5	Paid 8/27/96	10,734.23	
Claim #6	Paid 8/27/96	4,468.25	
Claim #7	Paid 8/27/96	1,652.38	
Claim #8	Paid 9/23/96	9,181.23	Retainage
Claim #9	Paid 12/10/96	1,300.00	
Claim #10	Paid 12/10/96	291.58	Retainage
TOTAL		\$68,920.71	

At this time all claims have been paid for this drain. The contractor has submitted his statement that all expenses incurred on this project have been paid.

The difference between the estimate and the final cost of the work is \$11,126.29.

Although the first years assessments were paid in 1996, the Board may want to consider reducing the assessment from \$89.86 per acre, \$89.86 minimum to a lesser amount.

At this time the Board should determine this project complete and acceptable.



 Kenton C. Ward
 Hamilton County Surveyor
 KCW/no

CONTRACTOR'S BOND FOR CONSTRUCTION #3069 54 07

KNOW ALL MEN BY THESE PRESENTS, That Hoosier Pride Excavating, Inc.
of Springport, Indiana as principal and
Fidelity and Deposit Company of Maryland

as surety, are firmly bound unto Hamilton County Drainage Board
in the penal sum of (\$ 59,896.59)
Fifty Nine Thousand Eight Hundred Ninety Six and 59/100 Dollars,
for the payment of which, well and truly to be made, we bind ourselves, jointly and severally, and our joint and
several heirs, executors, administrators and assigns, firmly by these presents, this 23rd day of
October 19 95

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH, That, Whereas

Hamilton County Drainage Board
has entered into a certain written contract dated October 16, 1995
with the principal as named herein for the erection, construction and completion of Reconstruction of
WW Forkner Drain situated in
Hamilton County, Indiana, in accordance with the plans and
specifications approved and adopted by said Hoosier Pride Excavating, Inc.
which are made a part of this bond.

NOW THEREFORE, if the said Hoosier Pride Excavating, Inc.
shall well and faithfully do and perform the same in
all respects according to the plans and specifications adopted by the said
Hamilton County Drainage Board and according to the
time, terms and conditions specified in said contract and in accordance with all requirements of law, and shall
promptly pay all debts incurred by him or any subcontractor in the prosecution of said work, including labor, serv-
ice and materials furnished, then this obligation shall be void; otherwise to remain in full force, virtue and effect.

IN WITNESS WHEREOF, we hereunto set our hands and seals this 23rd
day of October 19 95

HOOSIER PRIDE EXCAVATING, INC. (Seal)

BY: [Signature] (Seal)
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: [Signature]
William E. Frick, Jr. - Attorney-in-fact

Approved this _____ day of _____ 19____

Attest: _____

Official or Board.

(Note: See Burns Section 5-16-5-2 [53-202])

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR., Vice-President, and C. W. ROBBINS, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **William E. Frick, Jr., Steven E. Wolf, Anthony E. Ortman, Andrew M. Hatheway, Eric A. Schieferstein and Kevin W. Birch, all of Indianapolis, Indiana, EACH**..... its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. **This power of attorney revokes that issued on behalf of William E. Frick, Jr., etal, dated January 4, 1994.**

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 27th day of June, A.D. 1995



FIDELITY AND DEPOSIT COMPANY OF MARYLAND

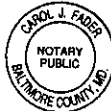
C. M. Pecot, Jr.
Assistant Secretary

By *C. W. Robbins*
Vice-President

STATE OF MARYLAND }
COUNTY OF BALTIMORE } SS:

On this 27th day of June, A.D. 1995, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came C. M. PECOT, JR., Vice-President and C. W. ROBBINS, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Carol J. Fader
CAROL J. FADER Notary Public
My Commission Expires August 1, 1996

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 23rd day of October, 1995.

Gregory Hamilton
Assistant Secretary

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages, . . . and to affix the seal of the Company thereto.”