



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*

February 24, 2011

To: Hamilton County Drainage Board  
Re: Clara Gintert Drain Reconstruction

Attached is a petition, plans, drain map, drainage shed map and schedule of assessments for the reconstruction of the Clara Gintert drain.

The Clara Gintert Drain was petitioned for reconstruction on September 22, 2008 by eleven (11) property owners representing 1,137.51 acres out of the 1,874.70 acre watershed. This petition is signed by 60.68 % of the watershed.

The Clara Gintert watershed consists of the Joseph Bright, the Clara Gintert, the Anna Buscher, the J.C. Webb No.1, the William Dresher and the John Heisser Drains and is located primarily in White River Township. A small portion of the drainage shed is in Jackson Township. The Clara Gintert drain flows to Sugar Run which ultimately drains to the White River.

The Clara Gintert drain was constructed by order of the Commissioners Court per the viewers report dated November 2, 1900. The Joseph Bright drain was constructed in 1907. The Anna Buscher drain was constructed by order of the Commissioners Court per the viewers report dated October 26, 1894. The William Dresher drain was constructed by order of the Commissioners Court per viewers report dated October 19, 1889. The John Heisser Drain was constructed by order of the Commissioners Court per viewers report dated August 9, 1939.

The total drainage area within the Clara Gintert shed covers portions of Jackson Township, Hamilton County, Township 20 N, Sections 19, and 30, Range 5 E, and White River Township, Hamilton County, Township 20 N, Sections 16,17, 20, 21, 28, 29, 32, 33, Range 5 E. The drainage area including the Clara Gintert extension has a total of 1,961.47 acres.

Known Problems:

The Clara Gintert drain was last dredged in August of 1978. It has been 33 years since the dredging of the Clara Gintert drain.

The open ditch has filled in with sediment, beaver dams and other debris. Removal of this sediment will improve agricultural drainage and reduce flood hazards to residential property and the overtopping of roads.

The profile of the existing Clara Gintert drain has high spots that impede flow. Some areas of the channel are not defined resulting in the drainage being spread out over a wider area. The water backs up to the regulated tiles. The pressure on the tile causes blowouts and continuous repairs of the existing tiles.

The following complaints are on file with the Hamilton County Surveyor's office:

<u>Landowner</u>	<u>Date</u>	<u>Complaint</u>
Mike Kakasuleff	October 29, 1973	Broken tile / blowholes
Everett Roudebush	October 29, 1973	Blow holes
Mike Kakasuleff	February 21, 1974	Broken tile / blowholes
Howard Hunter	April 18, 1974	Broken tile
Max Hunter	March 10, 1976	Broken tiles
Everett Roudebush	July 9, 1976	Broken tiles
Charles Burkhardt	September 3, 1976	Broken tile
Gerald Kakasuleff	April 4, 1977	Broken tile / junction box repair
Chas Burkhardt	November 2, 1977	Structure washing out
Raymond Blackford	June 9, 1978	Open channel needs cleaned out
Nighenhelser	April 10, 1978	Broken tile or tree roots
Charles Burkhardt	April 20, 1978	Holes in tile
B.Roudebush	June 16, 1980	Ditch is backed up
Leland Carson	September 18, 1980	Reconstruction is needed
Max Hunter	October 17, 1980	Blow hole
Bill Roudebush	November 3, 1980	Broken tile
Charles Burkhardt	November 5, 1980	Holes in tile
Raymond Blackford	April 16, 1981	One large hole
Nighenhelser	November 5, 1981	Water standing
Gerald Kakasuleff	March 19, 1982	One sink area & 3 blow holes
Raymond Blackford	April 16, 1982	6 blow holes
Max Hunter	October 14, 1982	Install french drain
Raymond Blackford	July 8, 1983	Very large hole

<u>Landowner</u>	<u>Date</u>	<u>Complaint</u>
Everit Roudebush	November 3, 1983	Broken tiles
James Blackford	May 5, 1985	Blow hole
Max Hunter	November 10, 1985	Blow hole
Raymond Blackford	March 31, 1986	Blow holes
Gerald Kakasuleff	April 22, 1988	Broken tile
Mike Kakasuleff	November 7, 1989	Large hole
Gerald Kakasuleff	May 25, 1990	Broken tile
Max Hunter	November 10, 1990	Broken tile and blow hole
Gerald Kakasuleff	March 3, 1990	3 blow holes
Jerry Rulon	December 13, 1990	Repair tiles, dredge channel
Max Hunter	May 12, 1992	More holes
Leonard & Miller	May 29, 1992	Install breather
Gerald Kakasuleff	January 21, 1993	5 holes
Max Hunter	March 21, 1994	Blow holes
Marie Blackford	October 31, 1994	Move breather
Doug Sturdevant	May 3, 1995	2 holes
Gerald Kakasuleff	June 3, 1996	Bank erosion
Gerald Kakasuleff	March 11, 1997	Repair hole
Gerald Kakasuleff	October 29, 1998	Blow holes
Doug Sturdevant	June 29, 1999	Blow holes
Jerry Rulon	March 10, 2000	Blow holes
Jerry Rulon	March 15, 2000	Blow holes
Leonard James	February 14, 2001	Broken tile
Mike Kakasuleff	March 30, 2001	Sink hole
Doug Sturdevant	April 17, 2001	Broken tile
Ken Rulon	March 11, 2002	Tile blockage
Robert Versprille	April 29, 2002	Broken outlet
Gerald Kakasuleff	November 27, 2002	Broken outlet
Jared Kakasuleff	April 4, 2003	Blow holes
Jared Kakasuleff	September 17, 2003	Blow holes
Jerry Rulon	October 6, 2003	Hole in tile
Jerry Rulon	March 11, 2004	Sink holes/restricted flow@headwall
Gerald Kakasuleff	July 30, 2004	Blocked tile
Gerald Kakasuleff	March 9, 2005	Blow holes
Jerry Rulon	March 15, 2005	Blow holes
Jerry Rulon	March 17, 2005	Broken tiles
Gerald Kakasuleff	March 28, 2005	Sink hole
Rulon & Kakasuleff	April 20, 2005	Tile obstruction
Gerald Kakasuleff	September 22, 2005	4 sink holes
Gerald Kakasuleff	March 17, 2006	Blow / sink hole
James Crays	October 18, 2006	Possible blockage downstream
Jared Kakasuleff	March 21, 2007	Sink hole

<u>Landowner</u>	<u>Date</u>	<u>Complaint</u>
Jared Kakasuleff	March 21, 2007	4-5 sink holes
Charlie Burkhardt	April 23, 2007	Catch basin at Fall Rd. washed out
Jared Kakasuleff	April 10, 2008	Sink hole
Nancy Achenbach	May 19, 2008	Hole
Jared Kakasuleff	March 2, 2009	4 sink holes
Jared Kakasuleff	April 23, 2009	Large sink hole
Jared Kakasuleff	March 19, 2010	Hole

### Reconstruction Project

The proposed reconstruction will dredge the existing open channel of 14,400 linear feet, approximately 2 feet in depth. The existing top of bank on each side of the channel will remain the same. The base of the channel will be four feet wide and the side slopes will be graded at 2 to 1 to match the existing channel banks.

The reconstruction of the Clara Gintert drain will not include any widening of the drain. There are four locations where the channel will be relocated or straightened to allow improved channel hydraulics. The clearing of trees will take place along the drain to facilitate an operation side for the equipment needed for the dredging of the channel. After the reconstruction, the operational side will be sprayed each year as part of the drains maintenance to prevent the emergent trees from re- growth. This will create a side for future maintenance access and will generally be the north and west banks of the ditch as shown on the attached plans. This access side will vary per plans.

Per the proposed construction plans, the project will begin South of 241<sup>st</sup> Street, and west of Rulon road at Station 143+88, on the Clara Gintert drain, and go north at a slope of 0.24 %. The fall of the proposed channel remains constant at 0.24% going north until it reached the existing culvert on the south side of 256<sup>st</sup> Street, Station 35+25. The slope changes to 0.205% on the north side of 256<sup>th</sup> Street, Station 34+72. This slope continues until the terminus of the project at the existing 18 inch CMP tile, Station 0+00, on the Clara Gintert open drain. Several tributary drains will be dredged with this project. The Drescher-Heisser Arm 2 will be dredged from the confluence of the Clara Gintert open channel to the west side of Fall Rd. The slope will be 0.31% to the western side of the existing culvert under Fall Road. The J. C. Webb open drain will be dredged from the confluence with the Clara Gintert open channel to the existing 15 in CMP. The slope will be 0.33 %. The Clara Gintert Arm 1 will be dredged from the confluence of the Clara Gintert open drain to the existing 24" CMP. The slope will be 0.125 %. All channels will have a 4 feet wide bottom and will be dredged an average of 2 feet in depth.

Per the proposed construction plans a sediment basin will be placed at the northern end of the Clara Gintert open channel, Station 0+00, and at Station 56+50 to collect debris during the construction process. A sediment basin is also planned at Station 0 +50 on the J. C. Webb drain. Several rock chutes will be installed to provide erosion control at the locations of large side swales that enter the open channel. Rip rap

will be added as bend protection at locations where the open channel changes direction sharply.

The existing culvert at 256<sup>th</sup> Street requires replacement with the reconstruction of the Clara Gintert Drain. A 108 in. x 67 in corrugated metal pipe arch (CMPA) will be installed to replace the existing 72 in x 60 in. CMPA. The repair of 256<sup>th</sup> Street will be per the Hamilton County Highway Department Standard Plan U1, Cut Road Patching.

Shown on the plans is the placement of a twenty foot (20') filter strip along the operational side of the drain in the agricultural land uses. This shall be considered as part of the reconstruction of the drain. The filter strip is required for the IDEM approval of this project. The filter strip shall affect the following properties:

<u>Current Owner</u>	<u>Parcel</u>
Alice Carol Rulon	07-03-20-00-00-007.000
James F. Leonard	07-03-20-00-00-013.000
Lee E & MaryAnne Standeford	07-03-20-00-00-015.000
James G. & Lora L Crays	07-03-20-00-00-014.001
Virginia R. Frye	07-03-20-00-00-014.000
Gerald A. & Nancy O. Kakasuleff	07-03-29-00-00-003.000
Karla Moore Smith	07-03-29-00-00-006.001
Robert L. Versprille	07-03-29-00-00-007.001
Robert L. Versprille	07-03-29-00-00-009.000
Chinita N. Hancock & Bryan Higgins Jt/Rs	07-03-29-00-00-010.001
Jeffrey Lee Eller	07-03-29-00-00-010.000
Landi M. & Warren J. Lockwood	07-03-32-00-00-004.003
Landi M. & Warren J. Lockwood	07-03-32-00-00-004.104
Gerald A & Nancy O. Kakasuleff ½ int. & Jared A. Kakasuleff ½ int.	07-03-32-00-00-004.000
Gerald A. & Nancy O. Kakasuleff 1/3 int & Jared A. & Kristina A. Kakasuleff 1/3 int & Carly Kakasuleff 1/3 int. TC	07-03-32-00-00-011.000
Dennis E & Cherri L. Underwood	07-03-32-00-00-013.000

There is an extension of the Clara Gintert drain that will become regulated and placed on maintenance as part of this reconstruction. The extension begins at the terminus of the Clara Gintert open drain and extends approximately 2785 feet south-east. There are 7.79 areas to be added to the Clara Gintert watershed because of the extension.

Hydrology, Design and Environmental Permits

A hydrology analysis was performed on the Clara Gintert drainage shed. From this analysis, the following information was obtained.

<u>Location</u>	<u>Q10</u>
At 256 <sup>th</sup> Street	100.22 cfs
At 246 <sup>th</sup> Street	478.83 cfs
At 241 <sup>st</sup> Street	859.69 cfs
Drescher Heisser Arm at Clara Gintert	159.82 cfs

The proposed Clara Gintert drain, after dredging, will convey the ten year storm event within the banks at all locations.

The project shall include excavation of 17,050 cubic yards of sediment from the channel, extensions of 8 existing farm outlets, 3 sediment basins, 1 rock lined chute from side channel swale, and one drive crossing that was originally permitted through the county. Rip rap bend protection and surface water pipe will be installed as needed.

The drain is being reconstructed in place and the existing 75 foot easement from the top of bank per IC 36-9-27-33 will be maintained. There is a section of drain that is not regulated south of 241<sup>st</sup> Street. Approximately 2785 linear feet of open drain will become regulated and placed on maintenance. The easement for the drain will be the statutory seventy-five (75) foot easement from the top of bank of the drain.

The benefit of having this drain maintained by the Hamilton County Drainage Board outweighs the damages associated with the drainage easement. Damages for all parcels shall be set at \$0.00. The following list of parcels will be affected by the new easement.

<u>Parcel No.</u>	<u>Owners</u>
07-03-32-00-00-004.104	Landi M and Warren J. Lockwood
07-03-32-00-00-004.004	Kakasuleff, Gerald & Nancy O. ½ int.& Jared A. Kakasuleff ½ int.
07-03-32-00-00-006.000	Edward E. and Rebecca A. Moore
07-03-32-00-00-013.000	Kakasuleff, Gerald A & Nancy O. 1/3 int.& Jared A. & Kristina A. Kakasuleff 1/3 int. & George & Carly Kakasuleff 1/3 int.
07-03-32-00-00-011.000	Dennis E. and Cherri L. Underwood

The following regulatory approval has been obtained:

- U.S. Army Corp of Engineers Regional General Permit  
LRL-2010-200-sjm, May 6, 2010 (Valid for 1 year)
- IDEM – Section 401 Water Quality Certification  
No. 2010-235-29-BCB-A, September 15, 2010 (Valid for 2 years)
- Soil and Water Conservation District – SWPPP approval 2/4/11

Quantities & Cost Estimate

Item Description	Quantity	Unit	Unit Cost	Total Cost
Channel Excavation	16,700.00	per ft	7.00	\$116,900.00
Clearing	4.50	per ac	8,000.00	\$36,000.00
Fill in old channel alignment	4.00	each	500.00	\$2,000.00
<b>Outlet Pipes Extended</b>				
6"x 20'CMP w/animal guard	4.00	each	400.00	\$1,600.00
8"x 20'CMP w/animal guard	2.00	each	500.00	\$1,000.00
10"x 20'CMP w/animal guard	1.00	each	750.00	\$750.00
10"x 70' CMP w/animal guard	1.00	each	3,000.00	\$3,000.00
72" x40' CMP drive crossing	40.00	LF	725.00	\$29,000.00
Sediment Basins	3.00	each	1,000.00	\$3,000.00
Surface Water Pipes installed	33.00	each	1,000.00	\$33,000.00
7 to 9 in Rip Rap-installed	852.00	ton	46.00	\$39,192.00
<b>Seeding</b>				
Channel slopes	9.50	ac	2,000.00	\$19,000.00
Filter Strip Seeding	5.00	ac	1,200.00	\$6,000.00
Rock Lined chute	1.00	LS	4,000.00	\$4,000.00
<b>SUB-TOTAL</b>				<b>\$294,442.00</b>
15%Contingency				\$44,166.30
<b>SUB-TOTAL</b>				<b>\$338,608.30</b>

**\*Highway Department Costs**

108"x67" CMPA - 256th St	50.00	LF	760.00	\$38,000.00
Road patch, installed	1.00	LS	5,000.00	\$5,000.00
7 to 9 in Rip Rap-installed	196	ton	46.00	\$9,016.00
<b>SUB-TOTAL</b>				<b>\$52,016.00</b>
15%Contingency				\$7,802.40
Sub-Total HWY				\$59,818.40
<b>TOTAL</b>				<b>\$398,426.70</b>

\* The cost of the new structure at 256<sup>th</sup> Street includes excavation under the existing culvert, installation of the new culvert and materials, rip rap and road cut patching. The cost shall be assessed to the Hamilton County Highway Department per IC 36-9-27-71. This assessment for the new culvert to the Hamilton County Highway Department shall be \$ 59,818.40.

### Reconstruction Assessment

I have reviewed the drainage shed for the Clara Gintert drain and considered various factors for benefits and damages as set out in IC 36-9-27-112. Upon considering each parcel individually, I believe that each parcel within the drainage shed 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. The benefit of having this drain maintained by the Hamilton County Drainage Board outweighs the damages associated with the drainage easement. Therefore, damages will be set at \$0.00.

I recommend a reconstruction assessment of \$ 172.23 per acre with a minimum of \$175.00.

Total Reconstruction Assessment= \$ 338,608.30

### Maintenance Assessment

I recommend the Clara Gintert extension, not already on maintenance, consisting of 7.79 acres be placed on a maintenance program as set out in I.C. 36-9-27-38. This is an expansion of the area currently being assessed.

The nature of the maintenance work, which may be required, is as follows:

- A. Removal and/or prevention of brush within the drainage easement by hand, mechanical or spray methods.
- B. Re-excavating of open ditch to original grade line.
- C. Installation and/or repair of surface water structure as might be required.
- D. Bank erosion protection and/or seeding as might be required.
- E. Repair of private tile outlet ends as might be required.
- F. Repair of regulated tile outlet at drain end.
- G. Replacement of broken tile outlet ends as might be required.
- H. Cleaning and/or repair of existing catch basins as might be required.
- I. Installation of catch basins or inlets as may be required
- J. Removal of debris and/or blockage from the existing tile drains including jetting or video work.
- K. Installation and/or repair of breather pipes.
- L. Removal of debris and/or blockage from the existing open drain.
- M. Maintain grass filter strips.
- N. Any other repairs necessary to restore the drain to its original intended condition.



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

The Clara Gintert drain was placed on maintenance on November 4, 1968, Drainage Board Minutes, book 1 page 34. The drainage shed has 1,874.7 acres and zero lots. The rates for the drain were revised by the board on June 26<sup>th</sup>, 2006, Drainage Board Minutes Book 9, page 289. The current rates are as follows:

1. Maintenance assessment for roads and streets will be set at \$10.00 per acre.
2. Maintenance assessment for agricultural tracts be set at \$2.00 per acre with a \$15.00 minimum.
3. Maintenance assessment for non-platted residential tracts be set at \$2.00 per acre and increase the \$10.00 minimum to \$15.00 minimum.
4. Maintenance assessment for commercial, institutional and multi-family residential tracts will be set at \$10.00 per acre with a \$75.00 minimum.
5. Maintenance assessment for platted lots in subdivisions whose drainage systems will not be part of the regulated drain shall be set at \$35.00 per lot/minimum. Common areas within non-regulated drain subdivisions shall be assessed at \$5.00 per acre with a \$35.00 minimum.
6. Maintenance assessment for platted lots within subdivisions whose drainage system will be part of the regulated drain shall be set at \$65.00 per lot/minimum. Common areas within the regulated drain subdivisions shall be set at \$10.00 per acre with a \$65.00 minimum.

These rates collect \$ 4,321.14 annually and the fund currently has \$29,321.25 in the maintenance fund.

I have reviewed the plans and drainage shed and believe that the drain will benefit each tract equally as per land use for the proposed maintenance. Therefore I recommend that the rates for maintenance be increased as follows:

1. Maintenance assessment for agricultural tracts be set at \$3.00 per acre with a \$25.00 minimum.
2. Maintenance assessment for non-platted residential tracts be set at \$3.00 per acre and increase the \$10.00 minimum to \$25.00 minimum.

The annual maintenance collection will be \$7,198.06.

I further recommend that the period of collections be extended from the four (4) years to eight (8) years as per IC 36-9-27-43. This will provide for adequate maintenance funds in the future along with the future funds for dipping (dredging) under maintenance in the future.

I recommend the Board set a hearing for this proposed reconstruction and maintenance for March 28, 2011.

Sincerely,

A handwritten signature in cursive script that reads "Christie Kallio".

Christie Kallio, P.E.  
Hamilton County Surveyors Office

KLW

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SEP 22 2008

OFFICE OF HAMILTON COUNTY SURVEYOR

To: Hamilton County Drainage Board

Re: In the matter of the Clara GINTERT Drain Petition

Comes now the undersigned individuals, who petition the Hamilton County Drainage Board, per IC 36-9-27, for the reconstruction of the above referenced regulated drain. The undersigned believe the following:

1. They are owners of ten percent (10%) in acreage or more of land area alleged by the petition to be affected by the drain.
2. That as property owners within the drainage shed, they are qualified petitioners.
3. That they now desire the regulated drain be reconstructed in White River Township.
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. That the proposed reconstruction consist of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
6. 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.
7. That in the opinion of Petitioner, the proposed improvement will improve the public health; benefit a public highway; and be of public utility.
8. That Petitioners shall pay the cost of notice and all legal costs including engineering expenses if the petition is dismissed.
9. 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

Jerry Rulon      Jerry Rulon      9990 E 256th Cicero, IN, 46034

A. Carol Rulon      A. Carol Rulon      9990 E 256 St. Cicero IN 46034

Rosemary Miller      Rosemary Miller      14596 E. 281st, Atlanta, IN #6031

Karla Smith      Karla Smith      577 Littleton St, Marion, OH 43302

Lee Standeford      Lee Standeford      3529 East 296<sup>th</sup> Street Atlanta, IN. 46031

Gerald Kakasuleff      GERALD KAKASULEFF      9711 East 246<sup>th</sup> St Cicero, IN 46034

Mike Kakasuleff      Mike Kakasuleff      9881 E. 246<sup>th</sup> St. Cicero, IN 46034

Charles R Burkhardt      Charles Burkhardt      10925 E 246<sup>th</sup> Cicero, IN 46034

Elizabeth Burkhardt      Elizabeth Burkhardt      10925 E 246<sup>th</sup> Cicero, IN 46034

Fred Knapp      Fred Knapp      26940 Rulon Rd Arcadia, IN

Leonard Miller      Leonard S. Miller      26475 Rulon Rd Arcadia, IN

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

Drain-Improvement: Clara Gintert Extension

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
Open		2785	2785	0	\$19.55 lf	\$54,446.75
<b>Sum:</b>		<u>2785</u>	<u>2785</u>	<u>0</u>		<u>\$54,446.75</u>

Final Report: n/a

Comments:

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**FINDINGS AND ORDER**  
**CONCERNING THE MAINTENANCE OF THE**  
**Clara Gintert Drain**


On this **28th day of March, 2011**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Clara Gintert Drain**.


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. 

STATE OF INDIANA        )  
                                  ) ss:  
COUNTY OF HAMILTON    )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
*Clara Gintert Drain Reconstruction*

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Clara Gintert Drain Reconstruction* came before the Hamilton County Drainage Board for hearing **on March 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.

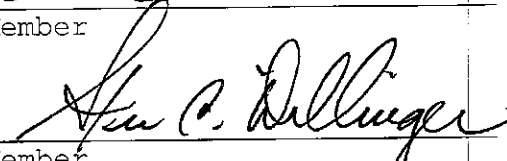
Wherefore, it is ORDERED, that the proposed Reconstruction of the **Clara Gintert Drain Reconstruction** be and is hereby declared established.

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

***Clara Gintert Drain Reconstruction***

NOTICE

To Whom It May Concern and:

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Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **Clara Gintert Drain Reconstruction** on **March 28, 2011**, at **9:30 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 **Clara Gintert Drain**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **March 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.

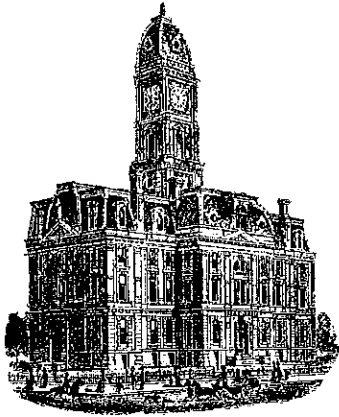
If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

HAMILTON COUNTY DRAINAGE BOARD

BY: Steven A. Holt  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY





SURVEYOR'S OFFICE

# Hamilton County

*Kenton C. Ward, CFM*  
Surveyor of Hamilton County  
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Suite 188  
One Hamilton County Square  
Noblesville, Indiana 46060-2230

TO: Hamilton County Drainage Board

Date: June 16, 2011

RE: Clara Gintert Regulated Drain Clearing

### Final Inspection Report

Please regard this letter as the inspector's final report on the Clara Gintert regulated Drain Clearing, located in Sections 20, 29, and 32, Township 20 North, Range 5 East in White River Township of Hamilton County Indiana.

The clearing portion of the Clara Gintert Regulated Drain was separated out of the overall Clara Gintert Reconstruction project due to Fish & Wildlife requirements concerning the Indiana bat, per these requirements tree clearing must be completed between September 30<sup>th</sup> and April 1<sup>st</sup>.

The contract consisted of clearing and debris removal from Sta. 144 + 00 South of 241<sup>st</sup> Street, North along the main drain to Sta. 0 + 00 North of 256<sup>th</sup> Street at the tile outlet, also included were the portions of open drains known as the J C Webb, Clara Gintert Arm, and the Dresher Heisher Arm.

The request for clearing was approved by the Drainage Board September 27, 2010 (Drainage Minute Book # 13, page 147). Bid opening December 13, 2010 (Drainage Minute Book # 13, pages 215-217) Bids received are as follows.

Wells Excavating	\$ 42,426.00
Asplundh	\$ 31,000.00
Millennium Contractor's	\$ 29,250.00
Harvey Construction	\$ 24,850.00

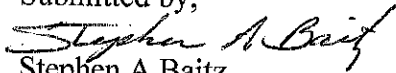
The contract was awarded to Harvey Construction January 24, 2011 (Drainage Minute Book # 13, page 257). Contract signed by the Drainage Board February 14, 2011 (Drainage Minute Book # 13, page 262).

Clearing began on March 11, 2011; trees were cut and on the ground by the April 1<sup>st</sup> deadline and final clean up completed by April 18, 2011. Property owners requesting cleared material provided signed letters to the contractor and those were submitted and are on file.

Partial pay claim #1 paid 4/26/2011, check # 2172113, amount \$ 15,841.87  
Final pay claim #2 paid 5/24/2011, check # 2173151, amount \$ 9,008.13  
Total = \$ 24,850.00

The Surveyor's Office recommends the Drainage Board accept this letter as conformation that the work was complete and acceptable.

Submitted by,



Stephen A Baitz  
Drainage Inspector