

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

July 5, 2011

To: Hamilton County Drainage Board

Re: Anna Kendall Drain

Attached is a petition and plans for the proposed relocation of the Anna Kendall Drain. The relocation is being proposed by the City of Westfield. The proposal is to reconstruct the portion of the drain that falls within the Westfield Grand Park area to provide an outlet for the Anna Kendall watershed area of Grand Park.

The line will consist of the following as shown on sheet LD600 of the plans for Grand Park by American Structurepoint, dated 6-28-11, and having job number 201100689:

101 feet of 36" RCP from Str. 20 to Str. 21

The total length of new drain shall be 101 feet. The 1615 feet of original drain between Sta. 0+00 and Sta. 16+15, per the original 1882 legal description shall be vacated. This proposal will remove 1514 feet from the total length of the Anna Kendall Drain.

The retention pond (lake) located upstream of Str. 20 is not to be considered part of the regulated drain. Only the outlet will be maintained as part of the regulated drain. The maintenance of the pond (lake) will be the responsibility of the City of Westfield. The Board will however retain jurisdiction for ensuring the storage volume for which the pond (lake) was designed will be retained. Thereby, allowing no fill or easement encroachments.

The cost of the relocation is to be paid by the City of Westfield.

Since this is a project by a municipal entity, City of Westfield, no bonds are required by the Drainage Board.

The parcels that will be affected by this relocation are:

Parcel
08-05-26-00-00-009.000

Owner
James Craig Wood and Sandra Malott Wood

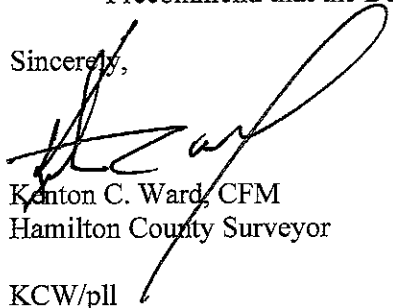
08-05-26-00-00-011.000

James Craig Wood

The easement for the new drain will be 25 feet per half from the centerline of the new drain. The City of Westfield will provide written easement dedication and descriptions in the near future.

I recommend that the Board set a hearing for this drain for August 22, 2011.

Sincerely,



Kanton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

Engineer's Opinion of Probable Cost of Construction

Project: Grand Park - Legal Drain Improvements
Project No: 2011.00689
Client: City of Westfield
Date: November 28, 2011
Prepared by: American Structurepoint, Inc.

Little Eagle Creek Arm Construction

Storm Sewer	Quantity	Unit	Unit Price	Extended Cost
36" RCP	2,387	LF	\$115.00	\$ 274,505.00
TYPE "J" MANHOLE	9	EA	\$2,600.00	\$ 23,400.00
CONCRETE END SECTION	1	EA	\$640.00	\$ 640.00
OUTLET CONTROL STRUCTURE	1	EA	\$5,000.00	\$ 5,000.00
Subtotal:				\$ 303,545.00

Anna Kendall Legal Drain Reconstruction

Storm Sewer	Quantity	Unit	Unit Price	Extended Cost
48" RCP	164	LF	\$125.00	\$ 20,500.00
CONCRETE ANCHOR	2	EA	\$1,000.00	\$ 2,000.00
Subtotal:				\$ 22,500.00

George Seybold Legal Drain Reconstruction

Storm Sewer	Quantity	Unit	Unit Price	Extended Cost
24" RCP	10	LF	\$56.50	\$ 565.00
48" RCP	1,780	LF	\$125.00	\$ 222,500.00
72" RCP	530	LF	\$250.00	\$ 132,500.00
TYPE "K" MANHOLE	12	EA	\$3,000.00	\$ 36,000.00
TYPE "M" MANHOLE	2	EA	\$5,500.00	\$ 11,000.00
CONCRETE ANCHOR	7	EA	\$1,000.00	\$ 7,000.00
CONCRETE END SECTION	1	EA	\$640.00	\$ 640.00
OUTLET CONTROL STRUCTURE	2	EA	\$5,000.00	\$ 10,000.00
Subtotal:				\$ 420,205.00

Contingency (5%)	37,312.50
Total:	783,562.50

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

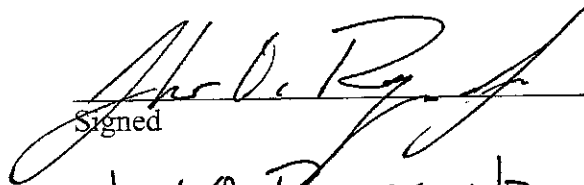
IN RE: Anna Kendall Drain)
Hamilton County, Indiana)

PETITION FOR RELOCATION AND RECONSTRUCTION

City of Westfield (hereinafter "Petitioner"),
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a
section of the Anna Kendall Drain, and in support of
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Anna Kendall 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 Anna Kendall 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 Anna Kendall Drain, without cost to other property owners on the watershed of the Anna Kendall Drain.
5. Proposed relocation and reconstruction will not adversely affect other land owners within the drainage shed.
6. Petitioner requests approval of the proposed relocation and reconstruction under IC 36-9-27-52.5.

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


Signed
JOHN O. ROGERS, JR
Printed

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

Anna Kendall Drain

Station 0+00 to Station 16+15

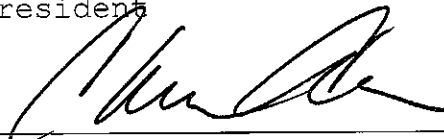
On this **12th day of September, 2011**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Cool Creek Drain, George Seybold Arm, Station 0+00 to Station 16+15**.

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 **Cool Creek Drain, George Seybold Arm, Station 0+00 to Station 16+15**.

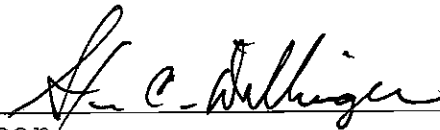
HAMILTON COUNTY DRAINAGE BOARD



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
Anna Kendall Drain

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Anna Kendall Drain** came before the Hamilton County Drainage Board for hearing on **September 12, 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.

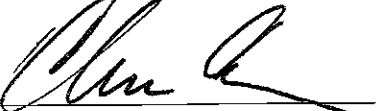
Wherefore, it is ORDERED, that the proposed Reconstruction of the **Anna Kendall Drain** be and is hereby declared established.

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:

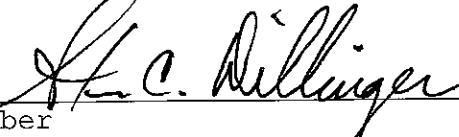
HAMILTON COUNTY DRAINAGE BOARD



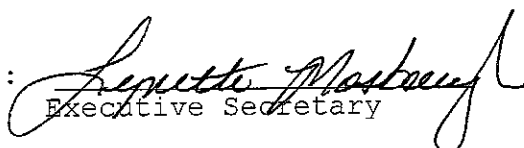
PRESIDENT



Member



Member

ATTEST: 
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Anna Kendall Drain

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 **Anna Kendall Drain** on **August 22, 2011**, at **9:15 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed by the Drainage Board have been filed and are available for public inspection in the office of the Hamilton County Surveyor.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

STATE OF INDIANA)
) SS BEFORE THE HAMILTON
)
COUNTY OF HAMILTON) DRAINAGE BOARD

IN THE MATTER OF **Anna Kendall Drain**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **September 12, 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