

12/8

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

December 8, 2017

TO: Hamilton County Drainage Board

RE: William Lehr Drain, J.S. McCarty Arm

In January 2014 the Board approved my reconstruction report dated December 18, 2013 on the William Lehr Drain. In that report filter strips were added to the tracts of farm ground which were established row crop fields.

Recently the farm ground owned by Whitecroft Farms Inc. which has been pasture for a number of years has been tilled. In order to protect the drain from siltation I recommend that a twenty (20) foot filter strip be installed on both sides of the J.S. McCarty Open Ditch, an arm to the William Lehr Drain, on tract 12-11-03-00-00-006.000. The filter strips would run from State Road 38 to 166<sup>th</sup> Street.

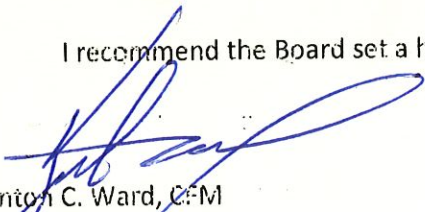
The cost of this project is as follows:

Seeding 0.15 Acres x \$1,200/ac      \$180.00

Upon review of the proposal I do not believe that any damages shall result to the landowners affected by the proposed project. Therefore, damages shall be set at \$0.00.

At this time the maintenance fund has a balance of \$526,194.97. I recommend the Board transfer the cost estimate amount above for this work to a reconstruction fund to cover the cost of the proposed reconstruction as per IC 36-9-27-45.5. Also, due to the low cost of the work should be performed by one of the Board's maintenance contractors.

I recommend the Board set a hearing for this for January 22, 2018.



Kenton C. Ward, CFM  
Hamilton County Surveyor  
KCW/pll

STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**William Lehr Drain, J. S. McCarty Arm**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **William Lehr Drain, J. S. McCarty Arm** came before the Hamilton County Drainage Board for hearing **on January 22, 2018**, 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.

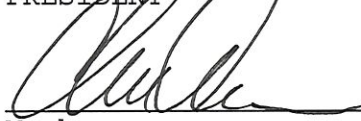
The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.


Wherefore, it is ORDERED, that the proposed Reconstruction of the **William Lehr Drain, J. S. McCarty 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

  
\_\_\_\_\_  
Member

ATTEST:

  
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

*William Lehr Drain, J.S. McCarty 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 **William Lehr Drain, J.S. McCarty Arm** on **January 22, 2018** at **9:10 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 William Lehr Drain, J. S. McCarty Arm

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **January 22, 2018** 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.

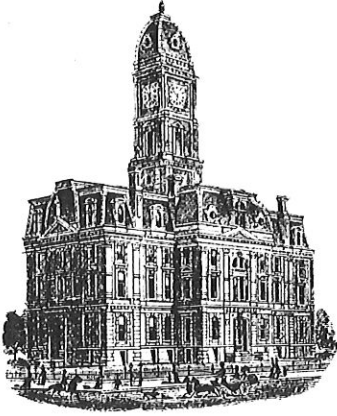
If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

HAMILTON COUNTY DRAINAGE BOARD

BY: Steven C. Dillinger  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY





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*Noblesville, Indiana 46060-2230*

January 29, 2019

TO: Hamilton County Drainage Board

**RE: William Lehr Drain, J.S. McCarty Arm - Final Report**

On January 22, 2018 the Hamilton County Drainage Board approved the reconstructions of the William Lehr Drain, J.S. McCarty Arm across the Whitecroft Farms tract 12-11-03-00-006.000. The reconstructions consisted of the placement of Twenty (20) foot filter strips on both sides of the open drains between State Road 38 and 166<sup>th</sup> Street (See HCDB Minutes Board 18, Pages 25-29).

The Engineers estimate to complete the filter strips on both sides of the drains was \$3,432.00 and included approximately 180 feet of existing regulated open drain for a total of 360 feet of filter strip across tract 12-11-03-00-00-006.000. The Engineers estimate included the Booth Zeis and Wm. Lehr Drains too.

The reconstruction work was to be paid by using maintenance funds from the William Lehr Drain fund and installed using a maintenance contractor as approved by the Hamilton County Drainage Board (See HCDB Minutes Board 18, Pages 25-29).

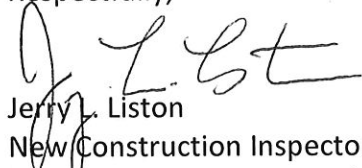
On January 31, 2018, Hamilton County Drainage Board maintenance contractor, Agricon, was issued Work Order 2018-00043 to install the filter strips on the J.S McCarty Arm. On April 4, 2018, the office received Invoice #651 from Agricon in the amount of \$256.00 for the placement of filter strip signs on the Wm. Lehr Drain, J.S. McCarty Arm. The invoice was paid on June 12, 2018 with Check # 2288407.

The reason for the lower cost from the original engineers estimate for the project was due to the fact there was already established pasture land on both sides of the open drain and Agricon had only to install filter strip markers across the tract.

As of the date of this report, I hereby attest to and agree that the reconstruction was completed according to the specified plans and have approved such work under IC-36-9-27-82(a). All inspections have been completed for the reconstruction. No as-built drawings were required for this project.

I recommend the Board approve the William Lehr Drain, J. S. McCarty reconstruction as complete and acceptable.

Respectfully,



Jerry L. Liston  
New Construction Inspector  
Hamilton County Surveyor's Office