

Drain: William Lehr Drain

Improvement-Arm: L N Joseph & Eli Brooks Arm partial vacation

Date Approved: January 28, 2008

Drain Input Checklist

- Create Regulated Drain Record in Posse _____
 - Drain Type
 - Outlet (Tab)
 - Outlet Attached
 - Location
 - Twp
 - Certification
 - Drain Number

- Enter Improvement Arm in Posse _____
(Construction Amount = Storm Drains, Erosion Control, Sub-surface drain & Earthwork)

- Scan Documents _____
 - Surveyor's Report
 - Engineer's Estimate
 - Bonds
 - Findings and Order
 - Petition

- Create Posse Inspection Job _____

- Enter into Watershed Summary Spreadsheet _____

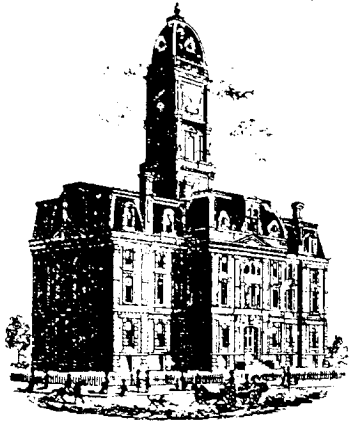
- Check for Vacation of Drain & Map Changes _____

- Check Drainage Easement Classification _____

- Sum drain length & Validate in GIS _____

- Enter New Watershed Length into Posse _____

- Create Boundary of Improvement in GIS _____



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

To: Hamilton County Drainage Board

October 16, 2007

Re: Wm Lehr Drain, LN Joseph & Eli Brooks - Partial Vacation

Attached is a petition and plans for the proposed partial vacation of the LN Joseph and Eli Brooks Arm between Sta. 0 and Sta. 0+38 of the Wm Lehr Drain at the Northeast Corner of the intersection at 146th Street and Promise Road.

The vacation is being done as part of the 146th Street project between State Road 37 and Boden Road per plans submitted by Indiana Department of Transportation, Dated October 24, 2003, Job Number STP-9929(040), Contract R-28718.

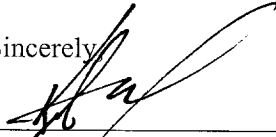
The vacation removes the 8" tile between Sta. 0 and Sta. 0+38 of the LN Joseph & Eli Brooks Drain. The Eli Brooks Drain was established in 1893 (See Reviewers Report, December 7, 1893) and combined with the William Lehr Drain, Booth-White and Joseph Drains in 1967. The drains are currently on a maintenance program which was approved at hearing on December 4, 1967 (See Minutes Book 1, Page 23).

The 146th Street Project removed 38' of 8" drain tile within the new Promise Road and 146th Street right-of-way. This was from Station 0 north to where a new 24" pipe structure was set on the existing 8" line at approximately Sta. 0+38 within the acquired right-of-way on Promise Road, adjacent to Parcel No. 10-11-16-00-00-023.003 (Spartz Farms LLC).

I believe that the requested partial vacation meets the requirements for vacation as set out in IC 36-9-27-34(d).

I recommend that the board set a hearing for this item for January 28, 2008.

Sincerely,


Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/ilm

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN RE: William-Lehr Drain)
Hamilton County, Indiana)

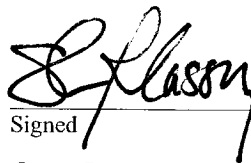
PETITION FOR RELOCATION AND RECONSTRUCTION

Hamilton County Highway Department (hereinafter "Petitioner"),
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a
section of the William-Lehr Drain, and in support of
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the William-Lehr 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 William-Lehr 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 William-Lehr Drain, without cost to other property owners on the watershed of the William-Lehr 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 William-Lehr Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

For and in behalf of
Hamilton County
Highway Department


Signed _____
Steven Passey, PE, United Consulting Engineers
Printed _____

FINDINGS AND ORDER

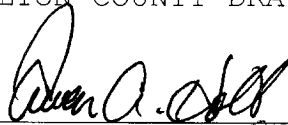
CONCERNING THE PARTIAL VACATION OF THE

**William Lehr Drain, L N Joseph & Eli Brooks Arm
Sta. 0 to Sta.0+30**

On this **28th day of January 2008**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **William Lehr Drain, L N Joseph & Eli Brooks Arm, Sta. 0 to Sta. 0+30**.

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 **William Lehr Drain, L N Joseph & Eli Brooks Arm**.

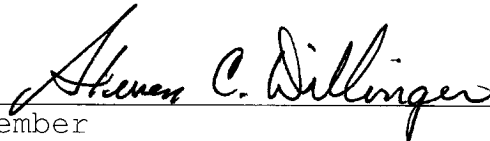
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest:

