

SURVEYOR'S OFFICE
Hamilton County

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One Hamilton County Square
Noblesville, Indiana 46060-2230

February 6, 2007

To: Hamilton County Drainage Board

Re: Little Eagle Creek Drain, Eagletown Two Extension

Attached is a drain map, drainage shed map and schedule of assessments for the extension of the Little Eagle Creek Drain. This proposed drain is located in Washington Township.

I have made a personal inspection of the land described below. Upon doing so, I believe that the drain is practicable, will improve the public health, benefit a public highway and be of public utility and that the costs, damages and expenses of the proposed drain will probably be less than the benefits accruing to the owners of land likely to be benefited. The drain will consist of the following:

Open Ditch 1,520 ft.

The total length of the drain will be 1,520 feet.

The extension will begin at Station 77+00 of the Cove Horney Drain, which point is the terminus of the Horney Drain. The extension will follow the existing open ditch downstream to the west property line of tract 08-05-27-00-00-007.000.

The current rates for the Little Eagle Creek Drain are \$5.00 per acre with a \$15.00 minimum for agricultural and unplatted residential. However, a proposal is currently before the Board to reduce the rate of assessment to \$2.00 per acre for these land uses. The annual maintenance collection for this extension will be \$96.00 if the proposal to reduce the acreage rate is approved.

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, this drain shall be designated as an Urban Drain.

The nature of maintenance work required is as follows:

1. Bank erosion protection and/or seeding as might be required;
2. Removal of debris and/or blockages from existing open drain;
3. Removal of beaver dams;
4. Any other repairs necessary to restore proper flow to the open ditch.

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

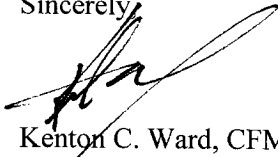
The easements for the drain should be set at 75' from top of bank as set out in IC 36-9-27-33. Additional drainage easement will be added to the following tracts:

Parcel
08-05-27-00-00-007.000

Owner
Eagletown Two, LLC

I recommend that the Board set a hearing for this proposal for March 26, 2007.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/llm

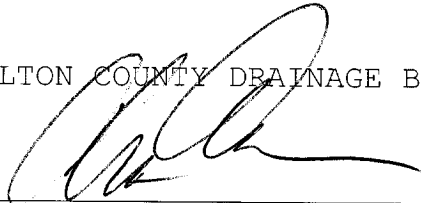
FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE
Little Eagle Creek Drain, Eagletown Two Extension

On this **26th day of March 2007**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Little Eagle Creek Drain, Eagletown Two Extension**.

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
Little Eagle Creek Drain, Eagletown Two Extension

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Little Eagle Creek Drain, Eagletown Two Extension* came before the Hamilton County Drainage Board for hearing *on March 26, 2007*, 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 *Little Eagle Creek Drain, Eagletown Two Extension* 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