



SURVEYOR'S OFFICE
Hamilton **C**ounty

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

August 7, 2022

To: Hamilton County Drainage Board

Re: Little Eagle Creek Drain, George Coverdale Arm, Atwater Section 2

Attached is a request to vacate a portion of the Little Eagle Creek Drain, George Coverdale Arm filed by Olthof Homes Inc. The proposal is to vacate a portion of the existing drain on parcel 08-05-22-00-00-020.003 owned by Lake Acquisitions Inc.

The portion of the George Coverdale Arm of the Little Eagle Creek Drain to be vacated will begin at the northern limits of the parcel at Sta. 14+09 per the drains 1914 description. The drain then runs south for 567 feet before stopping at Sta. 19+76 per the drains 1914 description.

The request will remove 567 feet of 14-inch tile.

There are no upstream drains in this portion of the arm because the drain at Sta. 14+09 was capped and rerouted by the relocated bypass ditch that was approved with Atwater Section 1 (Drainage Board Minutes Book 20, page 167). The drainage that the existing tile serves will be accommodated by the proposed infrastructure for Atwater Section 2 which is not to be county regulated. The maintenance of this infrastructure will be the responsibility of the City of Westfield or the Atwater HOA.

Upon review of the request, I believe the above portion of the drain meets the requirements for vacation as set out in IC-36-9-27-34(d). In my opinion, the vacation will not adversely affect other property owners within the drainage shed.

I recommend the Board set a hearing date for October 24, 2022.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/stc

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

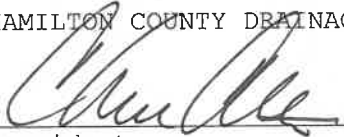
**Little Eagle Creek Drain, George Coverdale Arm
Atwater Section 2**

Station 14+09 to Station 19+76

On this **24th day of October, 2022**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Little Eagle Creek Drain, George Coverdale Arm, Atwater Section 2 (Station 14+09 to Station 19+76)**.

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 **Little Eagle Creek Drain, George Coverdale Arm, Atwater Section 2 (Station 14+09 to Station 19+76)**.

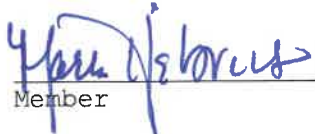
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

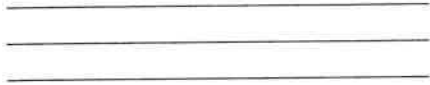
Attest:



BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD IN THE MATTER OF THE

**Little Eagle Creek Drain, George Coverdale Arm
Atwater Section 2**

Station 14+09 to Station 19+76



NOTICE is hereby given that a petition to vacate has been received by the Hamilton County Surveyor for the **Little Eagle Creek Drain, George Coverdale Arm, Atwater Section 2** across **Parcel 08-05-22-00-00-020.003** owned by **Lake Acquisitions, Inc.** (**Station 14+09 to Station 19+76**) and that a hearing is scheduled for **October 24, 2022 at 9:30 A.M.** on that request.

Objections to the VACATION of the drain must be filed in writing not less than five (5) days before the date of the hearing.

The Board will consider whether the drain performs the function for which it was designed and constructed; whether the expense of maintenance outweighs the benefits to be derived therefrom, and whether the abandonment thereof will not be detrimental to the public welfare.

HAMILTON COUNTY DRAINAGE BOARD

ATTEST: Lynette Mosbaugh
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

**Little Eagle Creek Drain, George Coverdale Arm
Atwater Section 2**

NOTICE

Notice is hereby given pursuant to Indiana Code 36-9-27-63 (before codification in 1981) that this Board, prior to final adjournment on **October 24, 2022** issued an order adopting the partial vacation, filed the same and made public announcement thereof at the hearing and ordered publication. Copies of the schedule of assessments and order are on file in the office of the Hamilton County Surveyor. If judicial review of the findings and order of the Board is not requested pursuant to Indiana Code 36-9-27-65(f) within twenty (20) days from the date of this publication, the order shall be conclusive.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY