

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

May 10, 2010

To: Hamilton County Drainage Board

Re: Little Eagle Creek Drain, State Road 32 Extension

Attached is a drain map for the Little Eagle Creek Drain, State Road 32 Extension. This proposed drain is located in Washington Township.

This extension was set out in my classification report to the Board dated April 22, 2010 and approved by the Board on May 10, 2010 at which time the Board referred the list to the surveyor for maintenance and reconstruction of drains as listed. This extension is a reconstruction of the Little Eagle Creek Drain and is necessary so as to properly drain the lands affected as per IC 36-9-27-34(b) (E). This report is being submitted per IC 36-9-27-49. This extension, which creates a new arm of the drain is authorized by subsection (b) (2) of Section 49. The drain is to be accepted in place without reconstruction costs or reconstruction assessment.

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 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 – 2,165 feet

The Little Eagle Creek Drain, State Road 32 Extension shall begin at the west right of way line of Eagletown Road, and run downstream within the existing Little Eagle Creek 2,165 feet to the south right of way of State Road 32. The beginning point is the current terminus of the Little Eagle Creek Drain, Eagletown Road Extension, per my report dated February 22, 2010 and approved by the Board at hearing on April 26, 2010. (See Hamilton County Drainage Board Minutes Book 12, Pages 489-490).

The nature of future maintenance work which may be required to adequately drain all affected land is as follows:

1. Bank erosion protection and/or seeding.

1. Bank erosion protection and/or seeding.
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 future maintenance work should be performed is annually as required by the condition of the drain.

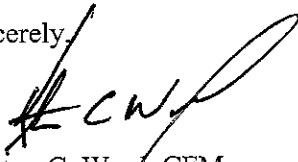
The easement for the drain on the remaining parcels should be set at 75' from the top of bank as set out in IC 36-9-27-33. According to the FEMA Flood Insurance Rate Map, Map Number 18057C0115F, the area for the Little Eagle Creek Open Ditch is covered by the floodplain for Little Eagle Creek. Therefore, I believe that no damages will result to landowners by the regulating of this drain.

Regulated Drain easement will be added to the following tracts:

<u>Parcel</u>	<u>Owner</u>
08-05-33-00-00-016.001	Felter Family Revocable Trust
08-05-33-00-00-016.003	Dwight, Jr. & Dawn E. Beaty
08-05-33-03-01-001.000	Eagle Creek Friends Cemetery
08-05-33-00-00-017.000	Melissa A. Saxton
08-05-33-03-04-003.000	Melissa A. Saxton
08-05-33-03-04-002.000	Melissa A. Saxton
08-05-33-03-04-001.000	Melissa A. Saxton
State Road 32	Indiana Department of Transportation

I recommend that the Board set a hearing for this extension for July 26, 2010.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

**Gasb 34 Asset Price &
Drain Length Log**

Drain-Improvement: Little Eagle Creek Drain: SR 32 Extension

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
open	-	2165	2165	Ø	\$19.55/ft	\$42,325.75

Sum: 2165 2165 Ø \$42,325.75

Final Report: N/A

Comments:

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, S. R. 32 Extension

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the ***Little Eagle Creek Drain, S. R. 32 Extension*** came before the Hamilton County Drainage Board for hearing ***on July 26, 2010***, 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.

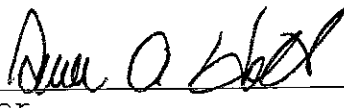
Wherefore, it is ORDERED, that the proposed Reconstruction of the ***Little Eagle Creek Drain, S. R. 32 Extension*** be and is hereby declared established.

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

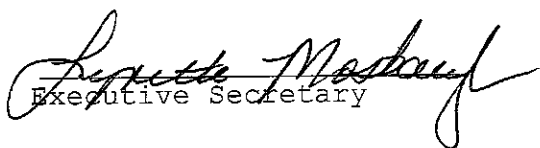


Member



Member

ATTEST:


Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Little Eagle Creek Drain, State Road 32 Extension

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 **Little Eagle Creek Drain, State Road 32 Extension** on **July 26, 2010**, 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 **Little Eagle Creek Drain, S R 32 Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **July 26, 2010** 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: Christine Altman
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY