

Drain: EO MICHAELS Drain #: 54
Improvement/Arm: _____
Operator: J. LIVINGSTON Date: 4-13-04
Drain Classification: Urban/Rural Year Installed: 1937

GIS Drain Input Checklist

- Pull Source Documents for Scanning
- Digitize & Attribute Tile Drains
- Digitize & Attribute Storm Drains
- Digitize & Attribute SSD
- Digitize & Attribute Open Ditch
- Stamp Plans
- Sum drain lengths & Validate
- Enter Improvements into Posse
- Enter Drain Age into Posse
- Sum drain length for Watershed in Posse
- Check Database entries for errors

JWG
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JWG
JWG

Gasb 34 Footages for Historical Cost
Drain Length Log

Drain-Improvement: EO MICHAELS

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	Price:	Cost:
TILE	6"		1775'		1 ⁰⁰ = /lf	1,775. ⁰⁰
	10"		5037'		3 ⁰⁰ = /lf	15,111. ⁰⁰
	12'		2648'		4 ⁰⁰ = /lf	10,592. ⁰⁰
OPEN DITCH		9075'	9075'		19. ⁵⁵ /lf	177,416. ²⁵
TILE - ARM 1	8"		1997'		2 ⁰⁰ = /lf	3,994. ⁰⁰
* TILE - ARM 2	—	—	—	—	—	—

Sum: 20512' \$208,888.²⁵

Final Report: _____

Comments:

ALL TILE LENGTHS MEASURED IN GIS, ALL TILE LOCATION ACCOMPLISHED USING SOIL LAVER & DIGITAL ORTHO PHOTOS IN GIS. TILE SIZE FROM W.O.
* ARM 2 APPEARS ON DRAIN MAPS BEGINNING IN 1975. NO LEGAL DESCRIPTION OR ANY OTHER RECORD EXISTS FOR THIS ARM. IN 1988, MAINTENANCE CONTRACTOR WAS UNABLE TO LOCATE ARM 2 (SEE W0-88-065)

FILED

FEB 18 1937

Chasley & Balderick
Clerk Hamilton Circuit Court

FILED

MAR 27 1937 March 27, 1937

Charles E. Caldwell
Clerk of Hamilton Circuit Court

IN THE MATTER OF THE)
PETITION OF)
ETHEL OGLE MICHAELS,)
ET AL, FOR A DRAIN. }

No. A-1732

Come now the petitioners by Cloc, Campbell & Cloc, their attorneys, and comes also R. D. Horney, County Surveyor, and files affidavit in proof of the mailing of notices to interested parties, which affidavit and a copy of the notices so mailed is in the words and figures following, (H.I.).

And more than thirty days having elapsed since the filing of the report of said Surveyor and Viewers, and no appeal or remonstrance having been filed, the court now finds that due notice of the hearing of said report has been given to all interested parties and that said report should be approved and confirmed and the assessments made thereby should be approved and the proposed drain established.

It is, therefore, ordered, adjudged and decreed by the court that said report of said surveyor and viewers be and the same is hereby approved and confirmed; that the several assessments made therein be and the same are hereby approved and the same are hereby made liens upon the real estate described in said report; and that said ditch and drain therein described be and the same is hereby established and ordered constructed.

It is further ordered, adjudged and decreed by the court that the construction of said ditch and drain and all of the work in connection therewith, or necessary to the construction thereof as provided in said report, be and the same is hereby assigned to said Roy D. Horney, Surveyor and Engineer of said Hamilton County, and that the costs herein shall be paid by the said Surveyor out of the ditch fund.

It is further ordered that the list of names of parties interested and the several assessments against their respective tracts of land, as set forth in said report, be spread of record in the Order Book of this Court, which said list is in the words and figures following, to-wit, (Copy in Full).

It is further ordered, adjudged and decreed by the court that said surveyor make application to the engineer in charge of CCC Camp No. D-6 located at Frankton, Indiana, for the labor required to construct said drain, and said surveyor is hereby authorized and directed to enter into a contract with said engineer in charge of said Camp and execute such instruments in writing as may be necessary to secure the labor from said Camp in the construction of said ditch.

All of which is ordered and decreed by the court.

State of Indiana)
Hamilton County) S. S.

IN HAMILTON CIRCUIT COURT
CAUSE # A 1732

In the Matter of the PETITION
OF ETHEL COLE MICHAELS
ETAL FOR DRAIN.

SUPPLEMENTAL REPORT OF VIEWERS AND ENGINEERS ON THE ETHEL COLE MICHAELS & ETAL DRAIN.

To the Honorable Judge of the Hamilton Circuit Court;
Said report was ordered re-considered by the Court November 19th, 1936.
We the Viewers and Engineer, after careful consideration, investigation, and consul-
tation of parties interested do recommend that the tile ditches now in existence--as
further described as:-

ORIGINAL REPORT OF DRAINAGE COMMISSIONERS.

To The Honorable Judge of the Hamilton Circuit Court;
We the viewers and Engineer to whom the above entitled petition for drainage of cer-
tain lands in Wayne Township, Hamilton County, Indiana was referred; would respectfully
report, that we met on the line of the proposed drain on the 20th day of November,
1936. Qualified and proceeded to view said Drain and lands affected there by.

After a careful investigation of the premises of said Drain we are of the opin-
ion that said Drain should be constructed, and done in the manner set out below, in
the report, and that the same when completed will improve the public health, and will
reclaim certain lands and will be a public utility, and will benefit several Highways;
also that the cost of construction, damages and expenses of effecting said drain will
be less than the benefits to the lands affected by said drainage.

That we have definitely determined the best and cheapest method of affecting the
drainage of such lands. We have fixed the route, location and character of said pro-
posed work; That we have fixed the same by notes and bounds, Courses, distances,
descriptions and guides, and bench Marks so as to provide for a complete outlet for
the drainage of said lands affected by the proposed work; That we have divided the
Ditch into sections of not more than 100 feet in length by setting stakes at each
100 feet.

Location

The location of said drain is as follows:

Begin 47° 0' North; and 32° 0' East of the south west corner of the East half
of the South East quarter of section 25, Township 19 north, Range 5 east, run thence
South 82 degrees 30' East 210 feet thence Right 45 degrees 30' 930 feet, thence left
thirty-five degrees 30' 450 feet, thence right 18 degrees 30' 455 feet, thence left
26 degrees 30' 345 feet, thence Right 75 degrees 15' 648 feet, thence Left 43 degrees
0' 892 feet, thence Right 11 degrees 30' 300 feet, thence Right 11 degrees 0' 530 feet,
thence Right 38 degrees 30' 280 feet, Thence left 58 degrees 58' 390 feet, thence left
27 degrees 430 feet, thence Right 28 degrees 30' 400 feet, Thence left 48 degrees 12'
430 feet, thence left 0 degrees 11' 550 feet, Thence left 12 degrees 30' 350 feet,
Thence left 3 degrees 0' 300 feet, Thence left 23 degrees 30' 375 feet, Thence Right
47 degrees 0' 285 feet, Thence Right 41 degrees 30' 111 feet, Thence left 55 degrees
30' 170 feet, Thence Right 9 degrees 0' 230 feet, Terminating in the Leak Dredge Drain
about 530 feet South and 250 feet West of the North East corner section 25, township 19
North, Range 5 east.

Notice Mailed 3:00 pm Oct 22-37

Recommendation

The Tile ditch beginning on the East line of Road on the East line of $25\frac{1}{2}$ and approximately 40 rods North of SE Corner of Section 21, Township 19 North, Range 6 East, running thence in a Northwesterly course across the lands now owned by Angus Layton, Houston Craig, Albert Michal & Wife, Fort and Lester McDonald, Pearl Boden Zoller, Indiana Central Railroad, Indiana State Highway # 12, and Marion Horelock, be made a part of this petition and be examined and repaired in a first class condition throughout.

We would recommend the 8 inch tile now in existence draining a part of the Garland, Houston Craig, and Michal land, more particularly described as - Begin on the East line of Section 21, Township 19, Range 6 near the Center of the $N\frac{1}{2}$ of the $25\frac{1}{2}$ of said Section. Run North and Northwesterly through the lands now owned by Houston Craig and Albert Michal and terminating in Main tile ditch on the land of Albert Michal in the NW $25\frac{1}{2}$ of Section 21, Township 19, Range 6, to be made a part of the report and be examined and repaired in a first class manner.

We would also recommend the tile on the F. W. Zimmerman land beginning at the open part of this drain and running in an Easterly direction to approximately 40 Rods East of the East line of the $25\frac{1}{2}$ of Section 21, Township 19, Range 6, be made a part of this report and be examined and repaired in first class condition.

We would recommend the two ditches terminating at the mouth of said open ditch be brought in to one Headwall.

We recommend the Ditch be constructed extending, existing 10" tile 32' to the property line between F. W. Zimmerman and Alma Anderson, on this line construct a Concrete Head Wall to suit the conditions, thence Dredge a Ditch 2 feet wide in bottom $\frac{1}{2}$ to 1 Slopes, from Station 2 - 22 to Station 40, from Station 40 to Station 50 - 52 or terminate 2 feet wide and bottom. Dirt to be leveled with Bulldozer before Job be accepted.

The Property Owners to pay for use of the Machines, Pay Gasoline and Oil for Bulldozer for spreading Spoil Bank. Pay for all other materials which may be required. The property owners through which the ditches run should furnish tile and material for all lateral connections.

We also recommend the Surveyor make application with the Franklin Camp D6 for the Labor.

The Estimate of Costs are made with the understanding the Labor is to be furnished by the CCC Camp.

Where any tile drain goes, all Shrubs, Trees, Vines, and Foliage to be grubbed for 33 feet on each side of tile.

Right Of Way:

The Right of way shall be twenty (20) feet from center lines of ditch on each side and all trees and brush upon the right of way must be removed by the land owner or if removed by the Contractor they are to become his property and shall be disposed of as he wishes. All stumps within six (6) feet of the slopes of the ditch that are over twenty inches in diameter shall be removed by either blasting or grubbing as the drainage commissioner may order.

MAINTAINING SLOPES:

The slopes shall be 1 perpendicular to 1 horizontal as near as practicable, and must be maintained throughout the ditch as elsewhere designated in these plans. Any excessive depths and bottom widths that are cut by the Contractor shall have the corresponding slope required for the width and cut so made. The Engineer and Drainage Commissioner shall be the Judge of all slopes and the same must be cut to their satisfaction.

When said drain is in old channel, the present banks not to be disturbed, unless so directed by the superintendent.

The ditch shall be maintained throughout its entire length by the Contractor and no portion will be accepted as complete until the total is accepted.

Leveling Dirt:

All excavated dirt shall be placed evenly on each side of the ditch. On new cuts wherever practicable, the dirt shall be used in filling the old channel and all excess dirt shall be placed where ever ordered by the Drainage Commissioner. Unless otherwise ordered by the Drainage Commissioner, all excavated material shall be leveled to three feet or less on all channel cuts. The Contractor will be required to fill the old channel at all places where the new construction varies from the line of the old.

CONNECTION OF DRAINS:

All lateral drains established by any Court of jurisdiction which have their outlet into this drain shall be properly taken care of by the Contractor, where said drain is affected in any way by the Construction of this drain and where by the relocation they have been left without outlet they shall be extended into this ditch, the dimensions of said extension to conform to each particular drain to be extended.

Where private drains are intercepted or left without outlet by reason or relocation or otherwise, the Contractor or the Commissioner in charge of construction shall notify the land owner, who shall immediately make arrangements for properly taking care of his drain, however, the Contractor shall not deposit any dirt in private open drains or in any way damage private tile drains, more than is necessary for the proper fulfillment of his contract.

INSPECTION AND ACCEPTANCE:

The Contractor shall notify the drainage Commissioner in charge of, the time he intends to begin the work and the said drainage Commissioner shall take charge and inspect the work as it progresses, and note and call attention to any irregularities and have them adjusted.

He may call the Engineer to set the lines of grade stakes and to determine as to whether or not the construction has been done according to the proper grades and slopes and for any other cause he may deem necessary.

Acceptance of the grade on any portion of the ditch shall not be final until the ditch is completed and in such manner as to conform as nearly as possible to the full intent of the plans, Profiles and Specifications for same and is free from any obstruction that hinders or impedes the flow of the water.

Supplement.

Trees on right of way will only be moved at the discretion of the Engineers.

(Concrete Work.

Unless otherwise specified all concrete work included in these specifications shall be a mixture of 1- 2- 3, : One part Portland Cement Two part Sand, and Three part Gravel.

The Sand and gravel to be free from dirt, loam and other foreign matter.

The Cement, Sand and Gravel to be thoroughly mixed while dry until it represents an even shade of coloring throughout, then made into a moderately wet mortar, and be immediately placed in the forms for moulding the concrete into shape. The forms for all concrete work shall be neatly constructed free from strong materials and shall be true to lines, dimensions and shape given for the different structures.

NAMES	DESCRIPTION OF LANDS	Section	Township	Range	Acres Assessed		Acres Benefited		Amount Of Benefit ^{Assessment}		Amount of Assessment		Total Assessment	
					A	Hun	A	Hun	\$	Cts.	\$	Cts.	.\$	Cts.
A.G. Huffman	Pt S.W. 1/4 N.W. 1/4	21	19	6	12	00			37	59			37	59
Wife Philip F. Deane &	Pt N. 1/2 S.W. 1/4 S.E. 1/4	21	19	6	2	00			6	81			6	81
Wife August G. Layton &	30.50 A. off South													
Do	Side N. 1/2 S.E.	21	19	6	30	50			69	24			95	03
Do	Pt S.E. 1/4 S.E. 1/4	21	19	6	12	00			24	05			103	38
David S. Garland	Pt S.W. 1/4 N.W. 1/4	22	19	6	15	00			24	05			41	77
Do	Pt N.W. 1/4 S.W. 1/4	22	19	6	5	00			11	25			45	40
Wife Albert L. Michael &	24 A. off North end													
Do	W. 1/2 S.E.	21	19	6	24	00			54	48			190	01
Do	Pt W. 1/2 N.E. 1/4	21	19	6	67	00			137	72			206	57
Huston H. Craig	25.42 A. off North													
Do	end N. 1/2 S.E. 1/4	21	19	6	25	42			57	54			105	60
Do	Pt N. 1/2 N.E. 1/4	21	19	6	25	15			57	01			114	85
Charlotte & Lena Zimmerman	Pt N.E. 1/4 S.W. 1/4	21	19	6	20	00			41	77			41	77
Fort & Lester Mc Donald	Pt N. 1/2 N.W. 1/4	21	19	6	60	00			125	30			137	83
Do	Pt S. 1/2 W. 1/2 N. 1/2 S.W. 1/4	20	19	6	6	00			12	53			140	82
Pearl Boden Zeller	Pt W. 1/2 N.W. 1/4	21	19	6	75	00			136	23			156	61
Wife F.W. Zimmerman &	S.W. 1/4 S.W. 1/4	20	19	6	40	00			80	80				
F.G. Zimmerman	5 A. off S. end of N.W. 1/4	20	19	6	2	00			10	47				
Homer west.	S.E. 1/4 S.E. 1/4	25	19	5	40	00			80	80			190	03
F.G. Zimmerman	Pt S. 1/2 S.E. 1/4 N.W. 1/4	22	19	5	6	00			12	62			206	57
Pauline Zimmerman	Pt N.E. 1/4 S.E. 1/4	25	19	5	20	00			41	77			41	77
Alma Anderson	W. 1/2 S.E. 1/4	25	19	5	80	00			167	07			167	07

ETHEL OGLE MICHAELS ETAL DRAIN DATED FEB. 15, 1937

NAMES	DESCRIPTION OF LANDS	Section	Township	Range	Acres Assessed		Acres Benefited		Amount Of Benefits Assessment		Amount of Assessment		Total Assessment	
					A	Hun	A	Hun	\$	Cts.	\$	Cts.	\$	Cts.
Marion Harslock	Pt N. 1/2 N.E. 1/4	26	19	5	59	00			123	22			123	22
									133	93			133	93
Henry Brown	S. 1/2 S.W. 1/4	25	19	5	80	00			167	67			167	67
									181	60			181	60
Ethel Ogle Michaels	S. 1/2 S.W. 1/4	25	19	5	80	00			167	67			167	67
									181	60			181	60
Prudential Ins. Co.	Pt S.E. 1/4 N.E. 1/4	23	19	5	20	00			62	65				
Do	Pt S.E. 1/4 N.E. 1/4	24	19	5	20	00			41	77				
Do	S. 1/2 S.E. 1/4	26	19	5	80	00			167	67			355	03
Do	Pt N. 1/2 S.E. 1/4	26	19	5	40	00			181	60			385	99
									90	80				
John C. Craig	Pt S. 1/2 S.W. 1/4 N.E. 1/4	25	19	5	4	00			8	35			8	35
									9	05			9	08
Wright & Hilliban	S A. out of the S.W. 1/4 N.E. 1/4	23	19	5	1	00			10	47			10	47
									11	35			11	35
John R. Hays & wife	Pt N.W. 1/4 N.W. 1/4 N.E. 1/4	25	19	5	2	00			4	18			4	18
Mrs. Ora Forsythe and Laura B. Painter									4	54			4	54
John Weddell et al	Pt N. 1/2 N.E. 1/4 N.W. 1/4	25	19	5	2	00			4	18			4	18
									4	54			4	54
Central Ind. R.R.	R/W. thru. Sec.	25/26	19	5					18	40			18	40
Do	Do	30/31	19	6					20	00			20	00
Hamilton Co. Hays	R / W. thru.	25/26	19	5										
Do	Do	25/26	19	5										
Do	Do	30/31	19	6					59	80			59	80
									65	00			65	00
Total Acres					982.13									

ESTIMATE COST OF CONSTRUCTION INCLUDING,

Material, Labor, Hauling, etc., necessary for completion of the work in accordance with the plans and specifications.

Station <u>Total Cost of</u>	to Station <u>Excavation</u>	Contract \$ 1127 ⁴²	1209.86
Station <u>DYNAMITE AND</u>	to Station <u>Gasoline</u>		194.00
Station <u>Appr 600 Lineal</u>	to Station <u>Ft. 12" Tile</u>	761 ⁰⁰	120.00
Station <u>Appr 800 "</u>	to Station <u>" 8" "</u>	80.00	80.00
Station <u>Appr 300 "</u>	to Station <u>" 10" "</u>	57.90	45.00
Station <u>Extra Tile</u>	to Station		50.00

Catch Basins

Head Walls

Reductions in work Rock etc. 10500 cyd at .079 = 829.50
 original \$ 1200.00
 Total 1789.00

Estimate expenses including:

Attorneys fees	370.50	370.50
Recording & Releasing	1598.50	1468.50
Legal Printing		93.00
Superintendent of Construction		10.00
Court Expenses etc.,		160.00
Contingency Fund		15.00
		97.36
Total		380.36

We claim for services, expenses, and mileage to date for:

<u>Roy D Horney</u> Drainage Commissioner	20.00
<u>Arthur Horner</u> Viewer	25.00
<u>Jacob Shank</u> Viewer	25.00
<u>Roy D Horney</u> Engineer & Helpers	75.00
Total	145.00

R.O.D. **Grand Total** 2314.36

make transcript & as per assmt. 6/8/38 (Final Settlement) \$ 2123.86
 make assessment 92% \$ 3129.22

STATE OF INDIANA }
HAMILTON COUNTY } ss.

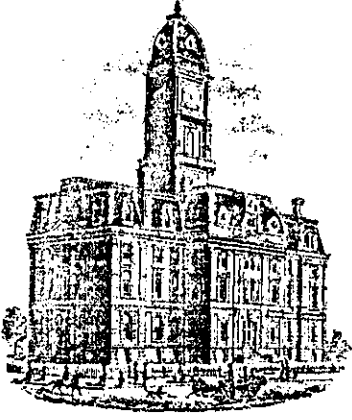
We the undersigned Owners and Engineer to whom was referred the above entitled petition for report, after being duly sworn upon oath say that we have personally examined the whole line of said proposed ditch, that the assessments herein made and report correct, just and equitable to all parties herein as interested, that no other lands will be benefited or injured by said proposed drain, and that the above and foregoing report is true in substance and in fact as we verily believe.

Jake Shank
Arthur Horner
Witness

R D Horner
Engineer

Subscribed and sworn to before me this 10th day of Feb 1917.

Charles E. Baldah
Clk of Hamilton County.



SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, Surveyor

773-6110 Ext. 19

Noblesville, Ind. 46060 April 18, 1979

To: Calvin Wade
R.R. #3
Noblesville, IN 46060

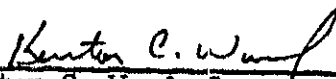
Re: E.O. Michaels Drain

On April 16, 1979 the Hamilton County Drainage Board established Arm #1 of the E. O. Michaels Drain.

The Arm as established begins approximately 40 rods east of the west line of section 30, township 19 north, range 6 east on or near the south line of the said section.

A map of this arm is enclosed.

Sincerely


Kenton C. Ward, Surveyor

KCW/jg

I also walked through a portion of 11-27-00-002, which is the 34.3 acre field East of Marilyn Road, which is the field in which the private tile going West is suppose to be located. The only evidence I could find of a tile was broken pieces through the field.

Because of the above listed findings I would like to ask the Board to accept the Schedule of Assessment as presented February 20, 1979.

Sincerely,

KCW/no

Kenton C. Ward-County Surveyor"

~~The Surveyor presented his findings on the Wiseman Property. (H.I.)~~

After discussion, Mr. Lewis H. Grinstead moved to approve the Maintenance Schedule as filed at \$1.50 per acre, minimum assessment of \$3.00 and the Schedule of Assessment, seconded by Mr. Jere D. Roudebush and passed.

The Surveyor presented a report to the Board concerning a violation and needed location of Arm #1 on the Ethel O. Michaels Drain . (H.I.) See Ditch File-

Ethel
Drain

In regards to the violation concerning the septic tank tie-ins of the home owners on Prairie Baptist Road, the Board asked that a letter be written to the County Health Department requesting action to be taken by that department to correct the problems. As to the question of the legal drain Arm #1, Mr. Lewis H. Grinstead moved to establish the arm to the South as Arm #1 of the legal drain, seconded by Mr. Jere D. Roudebush and passed.

The Surveyor presented information on the T.J. Patterson Drain. During a recent investigation of the low land in the SouthWest corner of 136th Street and Pennington Road, it was found that the top of the tile North of 136th Street was only a foot lower than the top of the ground in the low area. It was also noted that the portion of the ditch which begins in this low area is lower than that portion at 136th Street. The Surveyor informed the Board that he he has talked to the landowner concerning ways of correcting this situation.

T.J.
dr

The Surveyor informed the Board he had investigated the request of Edwin Matherly (PT SE NW 19-18-5E Delaware Twp.) for a reduction of his assessment on the Oliver Shoemaker Drain. (H.I.)

Oliver
rec

"TO: Edwin Matherly
R.R. #5
Noblesville, In-46060

RE: Oliver Shoemaker Drain #42

After reading your letter concerning the assessment of the Oliver Shoemaker Drain I investigated the matter. From my observations I found that about 6-7 acres in the North-West corner of your property drains to the North. Therefore I am asking the



SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, Surveyor

773-6110 Ext. 19

Noblesville, Ind. 46060 April 11, 1979

To: Hamilton County Drainage Board

Re: E.O. Michaels Drain

On March 27, 1979 a crew from John Ward and myself investigated a problem at Prairie Baptist Road on the E. O. Michaels Drain. For about six months the property owners in the area have had a problem with the tile running east from the open ditch across Prairie Baptist Road to the Hickory Grove Mobile Home Park.

Upon digging up the tile in a few places the obstruction was found. A stick had gotten into the tile and during a malfunction of the wastewater treatment facility for the trailer park solids released into the tile had formed behind it. Since this was removed the tile has been functioning properly.

At this time I also contacted the Hamilton County Health Department and State Board of Health concerning the trailer park treatment plant and septic tank tie ins. The States report concerning the treatment plant is attached. Mark Passwater of the County Health Department checked into the septic tank tie-ins and found that finger systems had been installed.

In this area two tiles cross the road and the legal description does not define which tile is the legal tile. According to the legal description Arm #1 of the Michaels Drain begins 40 rods east of the west line of 30-19-6. This can describe either tile.

I have researched this thoroughly and have not found any record that has helped. The old maps do not show where the tile was and the records show no length, size, or other helpful information.


When the recent drain map was drawn, the tile to the north was taken as the legal tile. Mr. Roy Millikan who has lived in the area for some time told me the legal tile was an 8" tile and he thought it was the south tile while the other was a private 5" tile.

When the south tile which runs to the trailer park was repaired it was found to be a 8" tile west of Praire Baptist Road. Terry Gordon, who works for John Ward, stated that he once helped dig the tile up in back of the trailer park and it also was 8" at that point.

The problem as to which is the legal tile increased when the north tile was found on the west side of Praire Baptist Road and turned out to be 8" also.

At this time I would like for the Board to determine which of these tiles should be considered the legal tile.

Sincerely


Kenton C. Ward, Surveyor

KCW/jg