

SURVEYOR'S OFFICE  
**Hamilton County**

*Kenton C. Ward, Surveyor*

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*One Hamilton County Square  
Noblesville, Indiana 46060-2230*

March 7, 2006

To: Hamilton County Drainage Board

**Re: U.G. Mitchner Drain**

Attached is a petition and plans for the proposed relocation and reconstruction of the U.G. Mitchner Drain. The relocation and reconstruction is being proposed by a partnership of Throgmartin Henke Development LLP and Kite Realty Group. The proposal is to relocate and reconstruct part of the U.G. Mitchner Drain outside of the proposed right of way of Gray Road, based on the Hamilton County Thoroughfare Plan, to improve public safety, stop the current structural degradation of the existing roadway, and to allow for future improvements to Gray Road.

The relocated and reconstructed drain is being moved approximately 45 feet to the east from its current location between approximately Sta. 36+56 and approximately Sta. 41+86 per the 1909 legal description. A total length of 530 feet of open drain is being reconstructed in the new location with new flowline profile and cross-section as shown on the plans by Snelling Engineering, LLC, dated January 5, 2006, and having job number 050039. The drain is being relocated from the existing location to the new location on parcel 10-10-16-00-00-015.000, owned by Webster Properties LLC, and parcel 10-10-16-00-00-012.000, owned by Robert & Katherine Randall and Carol Vandevreire.

Also, the Bridgewater Marketplace Arm will be added to the U.G. Mitchner Drain and shall be those lengths of pipes between the following structures as shown on the plans by Woolpert, dated November 15, 2005, and having job number 63715: Structure 59 to 14, then to Str. 15 and Str. 14 to existing Str. #1, ex. Str. #2, ex. Str. #3, ex. Str. #4, and ex. Str. #5 and from ex. Str. #2 to ex. Str. #6. The existing structures are as shown on the Bridgewater Marketplace plans and the 146<sup>th</sup> Street Corridor Plans by R.W. Armstrong.

The drain in total will consist of the following lengths:

12" RCP – 20 ft

15" RCP – 521 ft

42" RCP – 147 ft

This arm will add an additional 688 feet to the U.G Mitchner Drain.


The cost of the reconstruction and relocation is to be paid by the partnership of Throgmartin Henke Development LLP and Kite Realty Group.

The petitioner will submit Surety prior to commencement of construction.

Since any new easement needed would be on the high bank side and adequate access will be available from the Gray Road side, I suggest maintaining utilizing the current exiting statutory regulated drain easement. This will still maintain approximately 30 feet of existing easement from the new top of bank along the narrowest stretch of easement and will avoid having to purchase new easement. Otherwise, this relocation and reconstruction would require approximately 0.1582 acres of easement be acquired from Webster Properties LLC on parcel 10-10-16-00-00-015.000 and 0.11 acres of easement be acquired from Robert & Katherine Randall and Carol Vandevreire on parcel 10-10-16-00-00-012.000.

I recommend the Board set a hearing for this item on April 24, 2006.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenton C. Ward', written over a horizontal line.

Kenton C. Ward  
Hamilton County Surveyor

KCW/grh

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN RE: Bridgewater Marketplace )  
Hamilton County, Indiana )

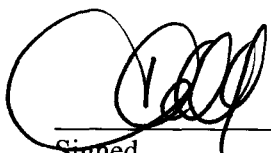
PETITION FOR RELOCATION AND RECONSTRUCTION

Throgmartin Henke Development LLP (hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the U. G. Mitchner Drain, and in support of said petition advises the Board that:

- ~~1. Petitioner owns real estate through which a portion of the \_\_\_\_\_ 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 U. G. Mitchner 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 U. G. Mitchner Drain, without cost to other property owners on the watershed of the U. G. Mitchner Drain.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County Drainage Board authorizing relocation and reconstruction of the U. G. Mitchner Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

  
Signed \_\_\_\_\_  
Thomas K. McGowan  
Printed \_\_\_\_\_  
ES  
est2565

Revision



**POINDEXTER**

Excavating, Inc.  
Transport, Inc.

Date: 14-Mar-06

Submitted by:	KRG CONSTRUCTION, LLC	Phone:	(317) 713-6877 FAX (317) 577-7878
Street:	30 S. MERIDIAN ST. SUITE 1100	Job Name:	MITCHNER DRAIN
City, State, Zip:	INDIANAPOLIS, IN. 46204	Job location:	GRAY RD. & 146 ST. (WESTFIELD)
Architect:		Attention:	JIM WOODWORTH
		Prints Dated:	1/5/06 SHEETS 1, 2, & 4

Payment to be received every thirty days based upon percentage of completion.  
 Waivers of lien will be issued upon receipt of payment request. For the Sum of: **\$82,200.00**

Scope of Work

\* ~~810,000~~  
 92,200 - TOTAL

- 1.) **Site Clearing** \$18,400.00  
 Clear the area to the regulated drain easements  
 Remove the chips from the site chips on site
  
- 2.) **Ditch Excavation** \$33,000.00  
 All proposed dirt grades to +/- .1'  
 Fill the existing ditch  
 Mound excess dirt on the east side of the new ditch approximately 1,460 cy  
  
 NOTE : If the excess dirt has to be hauled off site add \* \$10,000.00 to the base bid
  
- 3.) **Engineering** \$4,500.00  
 Stake work to be performed  
 Furnish as-builts of new ditch to the county
  
- 4.) **Erosion Control** \$26,300.00  
 Install stone construction entrance & stream crossing pipe  
 Install gabion mattress & rip-rap as shown  
 Install erosion blankets & seeding  
 Install stream sediment control

800 rev →  
 REVISED PLANS

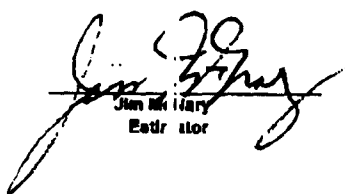
NOTE : THIS PRICE IS BASED ON THE SHEET 3 OF 4 RECEIVED BY "E" MAIL 3/8/06, THE DATE ON THE SHEET READS 1/6/06 THE SAME AS THE ORIGINAL PRINTS.

\*\*\* Note: Sales Tax Included

Exclusions: Soil Testing, Abnormal De-watering, Inspection Fees, Permits, Maintenance Bond

Performance Bond available upon request.

Respectfully Submitted:

  
 Jim Military  
 Estimator

Accepted By: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

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

Drain-Improvement: Bridgewater Marketplace Arm

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
RCP	12	20'			\$7 <sup>25</sup> ff	\$145 <sup>00</sup>
	15	521'			\$9 <sup>50</sup> ff	\$4749 <sup>50</sup>
	42	147'			\$52 <sup>45</sup> ff	\$7,739 <sup>55</sup>

Sum: 688' \$12,834<sup>05</sup>

Final Report: \_\_\_\_\_

Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**U. G. Mitchner, Relocation and Reconstruction**

**FINDINGS AND ORDER FOR RECONSTRUCTION**

The matter of the proposed Reconstruction of the **U. G. Mitchner Drain** came before the Hamilton County Drainage Board for hearing **on April 24, 2006**, 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.

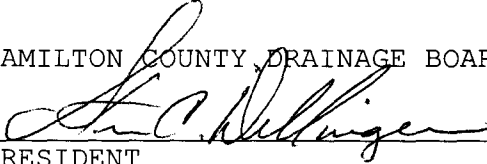
The Board, having considered the evidence and objections, and, upon motion duly made, seconded and unanimously carried, did find and determine that the costs, damages and expenses of the proposed Reconstruction will be less than the benefits accruing to the owners of all land benefited by the Reconstruction.


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 **U. G. Mitchner Drain** 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