



Kenton C. Ward, Surveyor Phone (317) 776-8495 Fax (317) 776-9628

Suite 188 One Hamilton County Square Noblesville, Indiana 46060-2230

August 10, 2006

To: Hamilton County Drainage Board

Re: U. G. Mitchner Drain, Orville Keys Reconstruction

Attached is a petition, drainage report and plans for the proposed relocation of the U. G. Mitchner Drain, Orville Keys Arm. The relocation is being proposed by the Town of Westfield and Throgmartin-Henke Development, LLC.

The proposal is to relocate the drain within the right-of-way of 151st Street and parcels 08-10-17-00-009.000, 08-10-17-00-006.000 and 08-10-17-00-009.001 owned by Throgmartin-Henke Development, LLC and Webster Properties, LLC as part of the 151st Street project done by the Bridgewater Club Development (per plans by Paul I. Cripe, Project 040325-20300 dated June 14, 2006).

The new drain will be between Structures 726, 725, 724, 723, 722, 718, 717, 716, EX 727 to 724, and shall include the proposed open drain and temporary swale across parcels 08-10-17-00-00-009.000, 08-10-17-00-00-009.001 and 08-10-17-00-00-006.000 to the existing culvert structure located on Gray Road, south of 151st Street. The open ditch runs from outlet Structure 716 through the detention pond with the temporary swale beginning at the edge of the detention pond and running to the existing culvert structure located under Gray Road.

This line will consist of the following:

15" RCP 83 ft 21" RCP 94 ft 24" RCP 213 ft 36" RCP 423 ft Open Ditch 745 ft Temp. Swale 630 ft

The total length of new drain shall be 2,188 feet. The 80 feet of original drain between Sta. 37+40 to 38+20 (Orville Keys Drain) shall be vacated. Vacated also is a lateral between Str. 100 to Str. 201 of the Keys Drain. This will remove 25 feet of 10" tile. This proposal will add an additional 2,083 feet to the drains total length. The existing Orville Keys Drain tile between Sta. 38+20 and 58+07 located on parcels 08-10-17-00-009.000, 08-10-17-00-009.001 and 08-10-17-00-00-006.000 owned by Throgmartin-Henke Development, LLC and Webster Properties, LLC may be vacated in the future as this site develops.

This project also replaced existing regulated drain for the Orville Keys Arm built with the Bridgewater Section K development. This was detailed in my report to the Board dated August 12, 2005. At that time structures 7903-7902, 7902-7901, and 7901 –EX1 were regulated. This was shown on the plans for Section K by Paul I Cripe, dated May 6, 2005, and having project number 0980516-20540. The sheets were C502 and C701. The storm drain will be replaced with structures 726-725, 725-724, and EX 727-724. Therefore, this project removed 215 feet of 15" RCP and 92 feet of 24" RCP from the Orville Keys Arm developed with Section K.

Because the petitioner is the Town of Westfield the requirement for posting surety in the form of a Performance Bond or Letter of Credit has been waived.

The easement for the new drain will be 15 feet per half and will be located within the 151st Street right-of-way with the exception of the open ditch located on the Throgmartin-Henke Development, LLC, parcel for which I recommend that the easement remain 75 feet per half per IC 36-9-27-33 until the tract develops in the future.

I recommend this drain be classified as an urban drain as set out in IC 36-9-27-67 to 69.

This project falls under the requirements as set out in IC 36-9-27-52.0. Therefore, a hearing is required for the petition. I recommend that the Board set a hearing for September 25, 2006.

Sincerely,

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/llm

Gasb 34 Asset Price & Drain Length Log

Drain-Improvement: U6 Mitchner: Orville Keys Reconstruction

| | | Lawath | T41. | T | If App | licable |
|---------------------------------------|-------------|--------|----------------------|---------------------|------------------|---|
| Drain Type: | Size: | Length | Length (DB Query) | Length Reconcile | Price: | Cost: |
| RCP | 15" | 83 | | | #950 | # 788 ⁵⁰ |
| | 21" | 94 | | | \$ 14 25 | # 133950 |
| | 24" | 213 | | _ | # 1800 | ¥ 3834 ∞ |
| | 36" | 423 | | | * 3235 | # 13,641 75 |
| Ditch-open | | 745 | | 7— | # 1955 # 1955 | #14,56475 |
| Ditch-open Swale | | 630 | | _ | # 1955 | # 3834 ²⁵ # 13,641 ⁷⁵ # 14,564 ²⁵ # 12,314 ⁵⁰ |
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| Final Report: | | | | | | |
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| Comments: | | | | | | |
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FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

U. G. Mitchner Drain Orville Keys Arm, Sta. 37+40 to Sta. 38+20 And Structure 100 to Structure 201 Lateral Arm to Main Drain

On this 25th day of September 2006, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the U. G. Mitchner Drain, Orville Keys Arm Sta. 37+40 to Sta. 38+20 and Structure 100 to Structure 201 Lateral arm to Main Drain.

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 U. G. Mitchner Drain, Orville Keys Arm.

| HAMILTON | COUNTY | DRAINAGE | BOARD |
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| Ac | :Dell | Vinger | <u>،</u> |
| President | | | |
| Member | | | |
| Member | | | |

Attest: Liguette Markauf

| STATE OF INDIANA) COUNTY OF HAMILTON) | ss: | BEFORE THE HAMILTON COUNTY DRAINAGE BOARD NOBLESVILLE, INDIANA |
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| IN THE MATTER OF THE RECONSTRUCTION OF THE | | |

FINDINGS AND ORDER FOR RECONSTRUCTION

U. G. Mitchner, Orville Keys Arm Relocation

The matter of the proposed Reconstruction of the *U. G. Mitchner Drain, Orville Keys Arm* came before the Hamilton County Drainage Board for hearing *on September 25, 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, Orville Keys Arm 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:

| reports and findings at this |
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| HAMILTON COUNTY DRAINAGE BOARD |
| HAMILTON COUNTY DRAINAGE BOARD |
| PRESIDENT/ |
| Mula |
| Member |
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| Member |
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Kenton C. Ward, CFM Surveyor of Hamilton County Phone (317) 776-8495 Fax (317) 776-9628 Suite 188 One Hamilton County Square Noblesville, Indiana 46060-2230

To: Hamilton County Drainage Board

November 4, 2011

Re: UG Mitchner Drain, Orville Keys 2006 Reconstruction

Attached are plans and other information for Orville Keys Reconstruction. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated August 10, 2006. The report was approved by the Board at the hearing held September 25, 2006. (See Drainage Board Minutes Book 9, Pages 427-429) The changes are as follows:

The contractor added 20 feet of 15" to the original Orville Keys tile as it outlets into the new pond. The length of the drain due to the changes described above is now **2208 feet**. It should also be noted that the original Orville Keys drain was removed from Sta. 5+75 to Sta. 6+55, Sta. 11+88 to Sta. 13+03, and from Str. 100to 201. Also removed was 95 feet of grass waterway running parallel to the above mentioned tile.

A non-enforcement was not submitted for this project and sureties were not requested as the project was paid for by the City of Westfield.

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/slm

HAMILTON COUNTY DRAINAGE BOARD NOBLESVILLE, INDIANA

| IN RE | E: U.G. Mitchner) Hamilton County, Indiana) |
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| | PETITION FOR RELOCATION AND RECONSTRUCTION |
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| | Town of Westfield (Cost to be paid for by Throgmartin-Henke) (hereinafter Petitioner"), |
| hereby | y petitions the Hamilton County Drainage Board for authority to relocate and improve a |
| section | n of the Drain, and in support of |
| said po | etition advises the Board that: |
| 1. | Petitioner owns real estate through which a portion of theU.G. Mitchner |
| | 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 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 Drain, without cost to other property owners |
| | on the watershed of the Drain. |
| 5. | Proposed relocation and reconstruction will not adversely affect other land owners within |
| | the drainage shed. |
| 6. | Petitioner requests approval of the proposed relocation and reconstruction under |
| | IC 36-9-27-52.5. |
| 7 | WHEREFORE, Petitioner requests that an Order issued from the Hamilton County |
| Draina | age Board authorizing relocation and reconstruction of theU.G. Mitchner |
| | in conformance with applicable law and plans and specifications on file with the Hamilton |
| Count | y Surveyor. |

Renee L. Goff, P.E., Town of Westfield

Printed

Renee R. Liff Signed

| STATE | OF | INDIANA |) | | | | |
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| | | |) | SS | BEFORE | THE | HAMILTON |
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| COUNTY | OF | HAMILTON |) | | DRAINAC | GE BO | DARD |

IN THE MATTER OF U. G. Mitchner Drain, Orville Keys Reconstruction

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting September 25, 2006 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: Steven C. Dillinger
PRESIDENT

ATTEST: Lynette Mosbaugh

EXECUTIVE SECRETARY

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD IN THE MATTER OF

U. G. Mitchner Drain, Orville Keys Reconstruction

NOTICE

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Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the U. G. Mitchner Drain, Orville Keys Reconstruction on September 25, 2006, at 9:05 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





