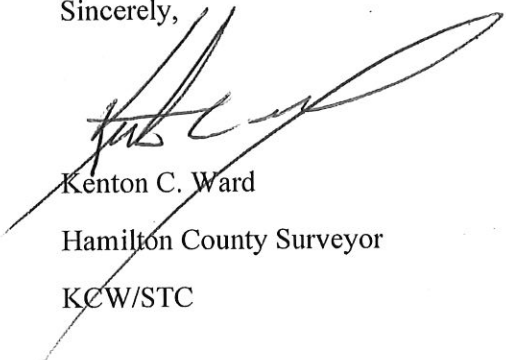


The parcels affected by this proposal are the following:

<u>Owner</u>	<u>Parcel #</u>
Old Town Companies LLC	16-09-25-12-01-013.000
Old Town Companies LLC	16-09-25-12-01-015.000
Old Town Companies LLC	16-09-25-12-01-016.000
John Jeremi & Gomathi Jermankowicz	16-09-25-12-01-017.000
110 1 st Avenue LLC	16-09-25-12-01-018.000

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 April 26, 2021.

Sincerely,



Kenton C. Ward
Hamilton County Surveyor
KCW/STC

December 22, 2020

Mr. Kent Ward

1 Hamilton County Square

Suite 188

Noblesville, IN 46060

Re: Request to Abandon Storm Sewer from 2nd St NW and 1st St. NW and Vacate the Easement

We are requesting abandonment of the 22" Morrow-Follett drain tile between 2nd St NW to 1st St NW. The regulated drain is running through the backyards of 140, 130, 126, 120 and 110 1st Ave NW. Through James Hall's surveying of the property and video recording of the pipe, it has been shown that the drain is currently not attached to any structures that would convey water. After Samuel Clark reviewed GIS and examined an inlet on the north side of 2nd St. NW, it was determined that the drain does not appear to be serving any purpose.

There is not evidence that the vacation of the drain will impose any negative impact on the watershed. The request to abandon the drain and vacate the easement enables the replat of lots 12, 13, and 14 of Henry Roberts Heirs Addition.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Moffett", with a long horizontal flourish extending to the right.

Justin Moffett
Old Town Companies, CEO

December 22, 2020

Mr. Kent Ward

1 Hamilton County Square

Suite 188

Noblesville, IN 46060

Re: Request to Abandon Storm Sewer from 2nd St NW and 1st St. NW and Vacate the Easement

The City of Carmel received a request from Mr. Justin Moffett, CEO of Old Town Companies, which owns properties at 1st Ave NW. including: 140, 130, 126 and is developing 120 on behalf of the current owners, John and Gomathi Jermankowicz. The property owners would like to construct a home over 120 1st Ave NW, and shift lot lines for 140, 130, 126 and 120. The owner has videoed the drain and reviewed the footage with the engineering department (12/9/20) and made appropriate revisions.

Justin Moffett and Old Town Companies is petitioning the Hamilton County Drainage Board to vacate this storm sewer. The City of Carmel is in support of vacating the line provided the owner has the 22" Morrow-Follet Drain Tile abandoned in place or removed as required, and the developer disconnects any roof drain lines from the regulated drain tile and provides reasonable re-connection to the alley drainage system at 110 1st Ave NW. Old Town Companies is responsible for having the line sealed at the manhole at the northern edge of 1st St NW.

Please see the attached letter from Justin Moffett and the affected property owner.

Respectfully,



Jeremy Kashman, P.E.

City Engineer

December 22, 2020

Mr. Kent Ward

1 Hamilton County Square

Suite 188

Noblesville, IN 46060

Re: Request to Abandon Morrow Follett Drain Tile

I, William Greenwood, am the owner of 110 1st Ave NW (parcel #16-09-25-12-01-018.000). The 22" Morrow-Follett drain tile crosses my property. Through video recording of the pipe, it has been shown that the drain is currently not attached to any structures that would convey water. The drain does not appear to be serving any purpose. This letter is to affirm that there is not evidence that the drain is in service on my property. I am in support of the vacation of the drain.

Sincerely,

William Greenwood

110 1st Avenue LLC, owner

William Greenwood
1/7/2021

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

Morrow-Follett Drain, J.W. Morrow Arm
Henry Roberts Heirs Addition Partial Vacation

Station 24+37 to Station 27+27


On this 14th day of June, 2021, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Morrow-Follett Drain, J.W. Morrow Arm, Henry Roberts Heirs Addition Partial Vacation (Station 24+37 to Station 27+27).

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 Morrow-Follett Drain, J.W. Morrow Arm, Henry Roberts Heirs Addition Partial Vacation (Station 24+37 to Station 27+27).

HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD IN THE MATTER OF THE

**Morrow-Follett Drain, J. W. Morrow Arm
Henry Roberts Heirs Addition Partial Vacation**

Station 24+37 to Station 27+27

NOTICE is hereby given that a petition to vacate has been received by the Hamilton County Surveyor for the **Morrow-Follett Drain, J. W. Morrow Arm, Henry Roberts Heirs Addition Partial Vacation** across Parcels 16-09-25-12-01-013.000, 16-09-25-12-01-015.000, 16-09-25-12-01-016.000, 16-09-25-12-01-017.000 and 16-09-25-12-01-018.000 (Station 24+37 to Station 27+27) and that a hearing is scheduled for April 26, 2021 at 9:05 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

**Morrow-Follett Drain, J. W. Morrow Arm
Henry Robert Heirs Addition Partial Vacation**

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 **June 14, 2021** 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