



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

April 3, 2012

To: Hamilton County Drainage Board

**Re: Mud Creek/Sand Creek Drainage Area, E. E. Bennett Drain
Olio Road – I -69 Bridge Arm**

Attached are the as-built drawings showing the proposed relocation and intercept of the Mud Creek/Sand Creek Drainage Area, E.E. Bennett Arm of the W.A. Young and A.F. Kinniman Arm.

The proposal is to relocate the drain across City of Noblesville right-of-way as part of the Olio Road – I-69 bridge project per plans by American Structurepoint, Job No. IN20080343, Revision Date 4/7/2009.

This particular relocation and intercept of the W.A. Young and A.F. Kinniman drain was due to a field change made in the field by American Structurepoint Engineers. American Structurepoint Engineers adjusted the inverts of the proposed storm sewer to miss an existing 8" steel gas line running along the east side of Olio Road. This resulted in Central Engineering inability to pick up the drain on the Northeast corner of the new round-a-bout at 141st and Olio Road.

The fix for the field change proposed by American Structurepoint was to intercept the drain at the northeast corner of the new round-a-bout (Structure 46) and take the drain via a new 48" storm sewer straight west to Structure 56 and then Northwest to Structure 56 (Concrete End Section) into the new open drain constructed as part of the Olio Road – I-69 project (See my report dated April 23, 2009 and approved at DB Hearing on May 26, 2009 – See Drainage Board Minutes Book 12, Pages 61-65).

The proposed route of the relocation will add **348** feet of **48** " RCP to the drains total length.

The relocation is being proposed and paid for by the Hamilton County Commissioners and the installation of the new drain is across and within City of Noblesville right-of-way.

I recommend that the Board set a hearing date for May 29, 2012.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Ward', written over the printed name below.

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/llm

STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE

Mud Creek/Sand Creek Drainage Area, E.E. Bennett Drain, Olio Road - I-69 Bridge Arm

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Mud Creek/Sand Creek Drainage Area, E.E. Bennett Drain, Olio Road - I-69 Bridge Arm** came before the Hamilton County Drainage Board for hearing **on May 29, 2012**, 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.

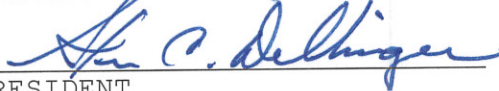
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included or omitted from the Schedule of Assessments.

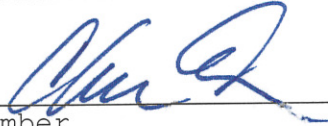
The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.


Wherefore, it is ORDERED, that the proposed Reconstruction of the **Mud Creek/Sand Creek Drainage Area, E.E. Bennett Drain, Olio Road - I-69 Bridge 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:

HAMILTON COUNTY DRAINAGE BOARD


PRESIDENT


Member


Member

ATTEST:


Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Mud Creek/Sand Creek Drainage Area, Olio Road & I-69 Bridge Project

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 **Mud Creek/Sand Creek Drainage Area, Olio Road & I-69 Bridge Project** on **May 26, 2009**, 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

STATE OF INDIANA)
) SS BEFORE THE HAMILTON
)
COUNTY OF HAMILTON) DRAINAGE BOARD

IN THE MATTER OF **Mud Creek/Sand Creek Drainage Area, E.E.
Bennett Drain, Olio Road - I-69 Bridge Arm**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **May 29, 2012** 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
SECRETARY



DRAINAGE EASEMENT

Document Cross Reference No. 8700828
8704143
9108866
9353793

Dr. F. Robert Brueckmann, on behalf of Brueckmann Family Partners, LP, an Indiana Limited Partnership (formerly known as Brueckmann Family Partners, Ltd., a Colorado limited partnership); Eugene P. Cornett, as Trustee of the Eugene P. Cornett Living Trust; and Adaline M. Cornett, ("the Grantors") for and in consideration of the agreement contained in the acceptance of this easement by the Hamilton County Drainage Board, which is attached hereto, do hereby convey to the Board of Commissioners of Hamilton County, and the Hamilton County Drainage Board, ("the Grantees") a Regulated Drainage Easement, ("the Easement") to construct and maintain an open ditch and/or underground drainage structures to be used as a Regulated Drainage Easement upon the Grantors' real estate, which Easement is designated as proposed Regulated Drain Easement No.1 and proposed Regulated Drain Easement No.2 described, and shown on the attached Exhibit A. The rights of the Grantors and Grantees conveyed and retained in the Easement are defined in Indiana Code 36-9-27-33.

Grantors acknowledge that the agreement of the Hamilton County Drainage Board to vacate that portion of the E.E. Bennett Drain designated as a "150' Easement Vacated Area" described, and shown in Exhibit B, is adequate consideration for this Grant.

EXEMPT FROM
SALES DISCLOSURES

Dated: 06/21/09

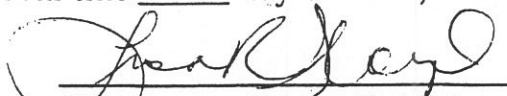
Eugene P. Cornett
Eugene P. Cornett, as
Trustee of the Eugene
P. Cornett Living
Trust

NOTARY'S CERTIFICATE

STATE OF INDIANA)
)SS:
COUNTY OF HAMILTON)

Subscribed and sworn to before me, a Notary Public in and for said County and State, personally appeared the within named, Eugene P. Cornett, as Trustee of the Eugene P. Cornett Living Trust and acknowledged the execution of the foregoing document.

WITNESS my hand and Notarial Seal this 22nd day of June, 2009.


(Signature - Notary Public)

LISA R. Floyd
(Name - Printed or Typed)

MY COMMISSION EXPIRES:

4/22/2015

COUNTY OF RESIDENCE:

Hamilton

Dated: 6/10/09

Adaline M. Cornett
Adaline M. Cornett

NOTARY'S CERTIFICATE

STATE OF INDIANA)
)SS:
COUNTY OF Marion)

Subscribed and sworn to before me, a Notary Public in and for said County and State, personally appeared the within named, Adaline M. Cornett, and acknowledged the execution of the foregoing document.

WITNESS my hand and Notarial Seal this 10th day of June, 2009.



Mark J Stewart
(Signature - Notary Public)

Mark J Stewart
(Name - Printed or Typed)

MY COMMISSION EXPIRES:
7/15/2012

COUNTY OF RESIDENCE:
Marion

ACCEPTANCE

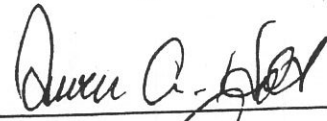
The undersigned Hamilton County Drainage Board accepts the dedication of the above described Drainage Easement and further agrees to vacate the portion of the E.E. Bennett Drain shown on the attached Exhibit B upon completion of the reconstruction project approved by the Hamilton County Drainage Board on ~~May 26~~^{July 13}, 2009, which construction is anticipated to be complete within one year from this date.

HAMILTON COUNTY DRAINAGE BOARD


Dated: ~~13~~ July 13, 2009



Steven C. Dillinger



Steven A. Holt



Christine Altman

ATTEST:

Dawn Coverdale, Auditor

NOTARY'S CERTIFICATE

STATE OF INDIANA)
)SS:
COUNTY OF HAMILTON)

Subscribed and sworn to before me, a Notary Public in and for said County and State, personally appeared the within named, Steven C. Dillinger, Steven A. Holt, and Christine Altman, as the Hamilton County Drainage Board, and Dawn Coverdale, as the Auditor of Hamilton County, and acknowledged the execution of the foregoing document.

WITNESS my hand and Notarial Seal this 13 day of ^{July}~~June~~, 2009.

Michael A Howard
(Signature - Notary Public)

Michael A Howard
(Name - Printed or Typed)

MY COMMISSION EXPIRES:

April 29, 2015

COUNTY OF RESIDENCE:

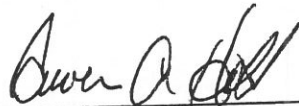
Hamilton

ACCEPTANCE

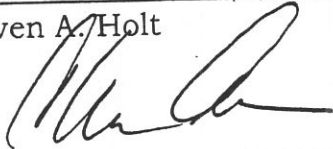
The undersigned Board of Commissioners of Hamilton County does hereby accept the dedication of the above described Drainage Easement.

BOARD OF COMMISSIONERS OF
HAMILTON COUNTY

Dated: 1-13-09



Steven A. Holt



Christine Altman



Steven C. Dillinger

ATTEST:



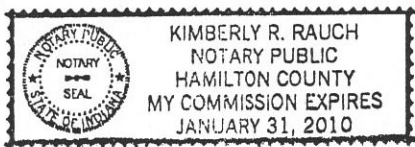
Dawn Coverdale, Auditor

NOTARY'S CERTIFICATE

STATE OF INDIANA)
)SS:
COUNTY OF HAMILTON)

Subscribed and sworn to before me, a Notary Public in and for said County and State, personally appeared the within named, Steven A. Holt, Steven C. Dillinger, and Christine Altman, as the Board of Commissioners of Hamilton County, and Dawn Coverdale, as the Auditor of Hamilton County, and acknowledged the execution of the foregoing document.

WITNESS my hand and Notarial Seal this 13 day of ^{July}~~June~~, 2009.



Kimberly R Rauch
(Signature - Notary Public)

Kimberly R Rauch
(Name - Printed or Typed)

MY COMMISSION EXPIRES:

COUNTY OF RESIDENCE:

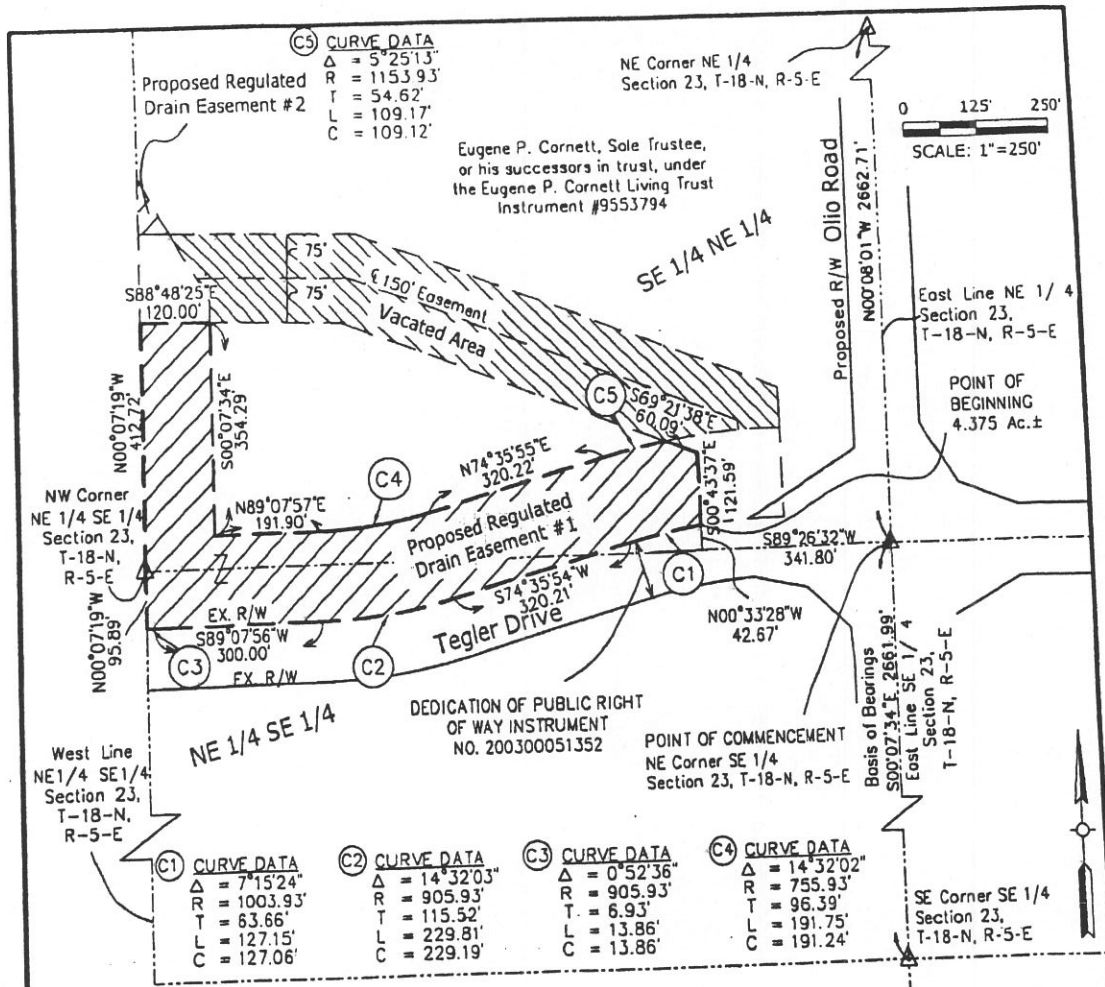
1-31-2010

Hamilton

I, affirm, under the penalties of perjury, that I have taken reasonable care to redact each social security number in the document, unless required by law.

Michael A. Howard

This instrument prepared by Michael A. Howard, Attorney at Law, 694 Logan Street, Noblesville, Indiana 46060, (317) 773-4212.



REGULATED DRAIN EASEMENT #1

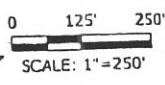
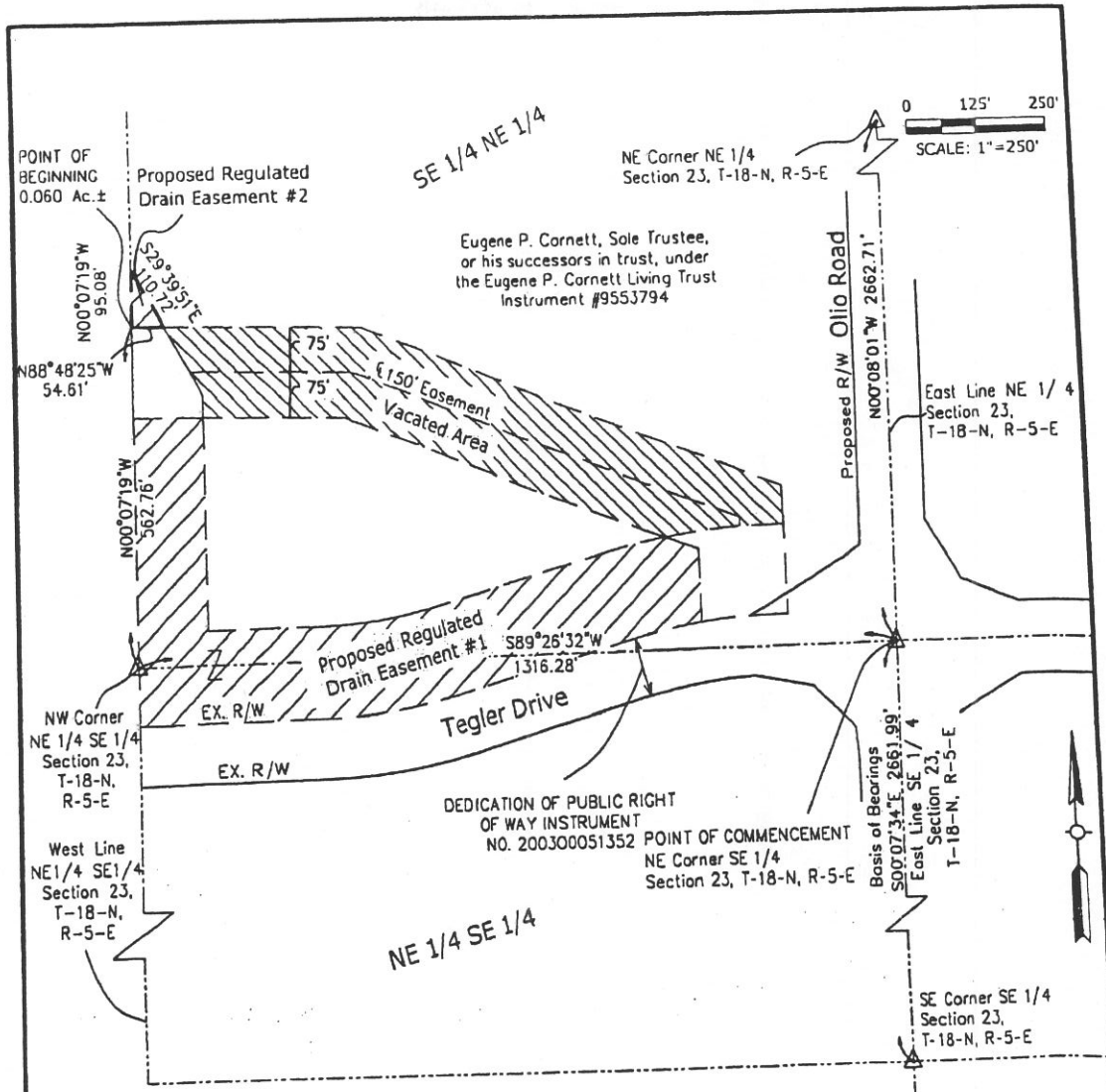
A part of the Southeast Quarter of the Northeast Quarter and a part of the Northeast Quarter of the Southeast Quarter of Section 23, Township 18 North, Range 5 East, Hamilton County, Indiana described as follows (with the bearings herein based upon the assumption that the east line of the southeast quarter of said section bears South 00 degrees 07 minutes 34 seconds East):

Commencing at the Northeast corner of the southeast quarter of said section; thence South 89 degrees 26 minutes 32 seconds West 341.80 feet along the south line of said quarter-quarter sections; thence North 0 degrees 33 minutes 28 seconds West 42.67 feet to the north boundary of Tegler Drive and the point of beginning of this description: thence southwesterly along said north boundary 127.15 feet along an arc to the left having a radius of 1003.93 feet and subtended by a long chord having a bearing of South 78 degrees 13 minutes 35 seconds West and a length of 127.07 feet; thence South 74 degrees 35 minutes 54 seconds West 320.21 feet along said boundary; thence southwesterly along said boundary 229.81 feet along an arc to the left having a radius of 905.93 feet and subtended by a long chord having a bearing of South 81 degrees 51 minutes 55 seconds West and a length of 229.19 feet; thence South 89 degrees 07 minutes 56 seconds West 300.00 feet along said north boundary; thence southwesterly along said boundary 13.86 feet along an arc to the left having a radius of 905.93 feet and subtended by a long chord having a bearing of South 89 degrees 34 minutes 14 seconds West and a length of 13.86 feet to the west line the northeast quarter of the southeast quarter of said section; thence North 00 degrees 07 minutes 19 seconds West 95.89 feet to the northwest corner of said northeast quarter of the southeast quarter of said section; thence continuing North 0 degrees 07 minutes 19 seconds West 412.72 feet along the west line of the southeast quarter of the northeast quarter of said section; thence South 88 degrees 48 minutes 25 seconds East 120.00 feet; thence South 0 degrees 07 minutes 34 seconds East 354.29 feet; thence North 89 degrees 07 minutes 57 seconds East 191.90 feet; thence northeasterly 191.75 feet along an arc to the right having a radius of 755.93 feet and subtended by a long chord having a bearing of North 81 degrees 51 minutes 56 seconds East and a length of 191.24 feet; thence North 74 degrees 35 minutes 55 seconds East 320.22 feet; thence northeasterly 109.17 feet along an arc to the right having a radius of 1153.93 feet and subtended by a long chord having a bearing of North 77 degrees 18 minutes 31 seconds East and a length of 109.12 feet; thence South 89 degrees 21 minutes 38 seconds East 60.09 feet; thence South 0 degrees 43 minutes 37 seconds East 121.59 feet to the point of beginning and containing 4.375 acres, more or less.

Regulated Drain Easement #1

AMERICAN STRUCTUREPOINT 7260 SHADELAND STATION INDIANAPOLIS, IN 46256-3957 TEL 317.547.5580 FAX 317.543.0270 www.structurepoint.com	DATE: 4/22/2009	SHEET NO.
	DRAWN BY: JDP	1
		of 2

This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, IN 46060



REGULATED DRAIN EASEMENT #2

A part of the Southeast Quarter of the Northeast Quarter of Section 23, Township 18 North, Range 5 East, Hamilton County, Indiana described as follows (with the bearings herein based upon the assumption that the east line of the southeast quarter of said section bears South 00 degrees 07 minutes 34 seconds East):

Commencing at the Southeast corner of said quarter-quarter section; thence South 89 degrees 26 minutes 32 seconds West 1316.28 feet along the south line of said quarter-quarter section to the west line of said quarter-quarter section; thence North 0 degrees 07 minutes 19 seconds West 562.76 feet along said west line to the point of beginning of this description; thence continuing North 0 degrees 07 minutes 19 seconds West 95.08 feet along said west line; thence South 29 degrees 39 minutes 51 seconds East 110.72 feet; thence North 88 degrees 48 minutes 25 seconds West 54.61 feet to the point of beginning and containing 0.060 acres, more or less.

Regulated Drain Easement #2

AMERICAN
STRUCTUREPOINT

7260 SHADELAND STATION
INDIANAPOLIS, IN 46256-3957
TEL 317.547.5580 FAX 317.543.0270
www.structurepoint.com

DATE: 4/22/2009

DRAWN BY: JDP

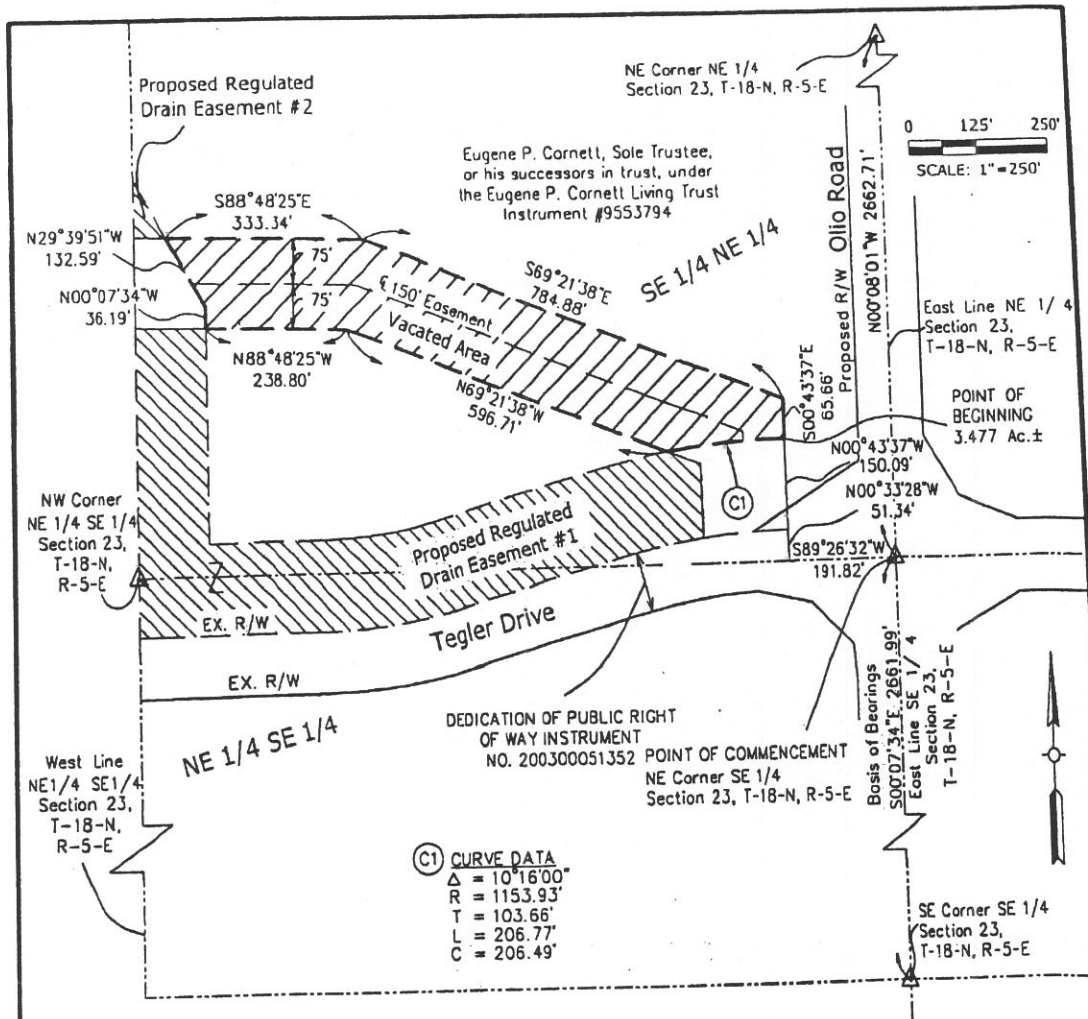
SHEET NO.

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of

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This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060



Vacation of Easement

A part of the Southeast Quarter of the Northeast Quarter of Section 23, Township 18 North, Range 5 East, Hamilton County, Indiana described as follows (with the bearings herein based upon the assumption that the east line of the southeast quarter of said section bears South 00 degrees 07 minutes 34 seconds East):

Commencing at the Southeast corner of said quarter-quarter section; thence South 89 degrees 26 minutes 32 seconds West 191.82 feet along the south line of said quarter-quarter section; thence North 0 degrees 33 minutes 28 seconds West 51.34 feet to the north boundary of Tegler Drive; thence North 0 degrees 43 minutes 37 seconds West 150.09 feet to the point of beginning of this description; thence southwesterly 206.77 feet along an arc to the left having a radius of 1153.93 feet and subtended by a long chord having a bearing of South 85 degrees 09 minutes 08 seconds West and a length of 206.49 feet; thence North 69 degrees 21 minutes 38 seconds West 596.71 feet; thence North 88 degrees 48 minutes 25 seconds West 238.79 feet; thence North 0 degrees 07 minutes 20 seconds West 38.19 feet; thence North 29 degrees 39 minutes 51 seconds West 132.59 feet; thence South 88 degrees 48 minutes 25 seconds East 333.34 feet; thence South 69 degrees 21 minutes 38 seconds East 784.88 feet; thence South 0 degrees 43 minutes 36 seconds East 65.66 feet to the point of beginning and containing 3.477 acres, more or less.

Vacation of Regulated Drain Easement

AMERICAN
STRUCTUREPOINT
INC.

7260 SHADELAND STATION
INDIANAPOLIS, IN 46256-3957
TEL 317.547.5580 FAX 317.543.0270
www.structurepoint.com

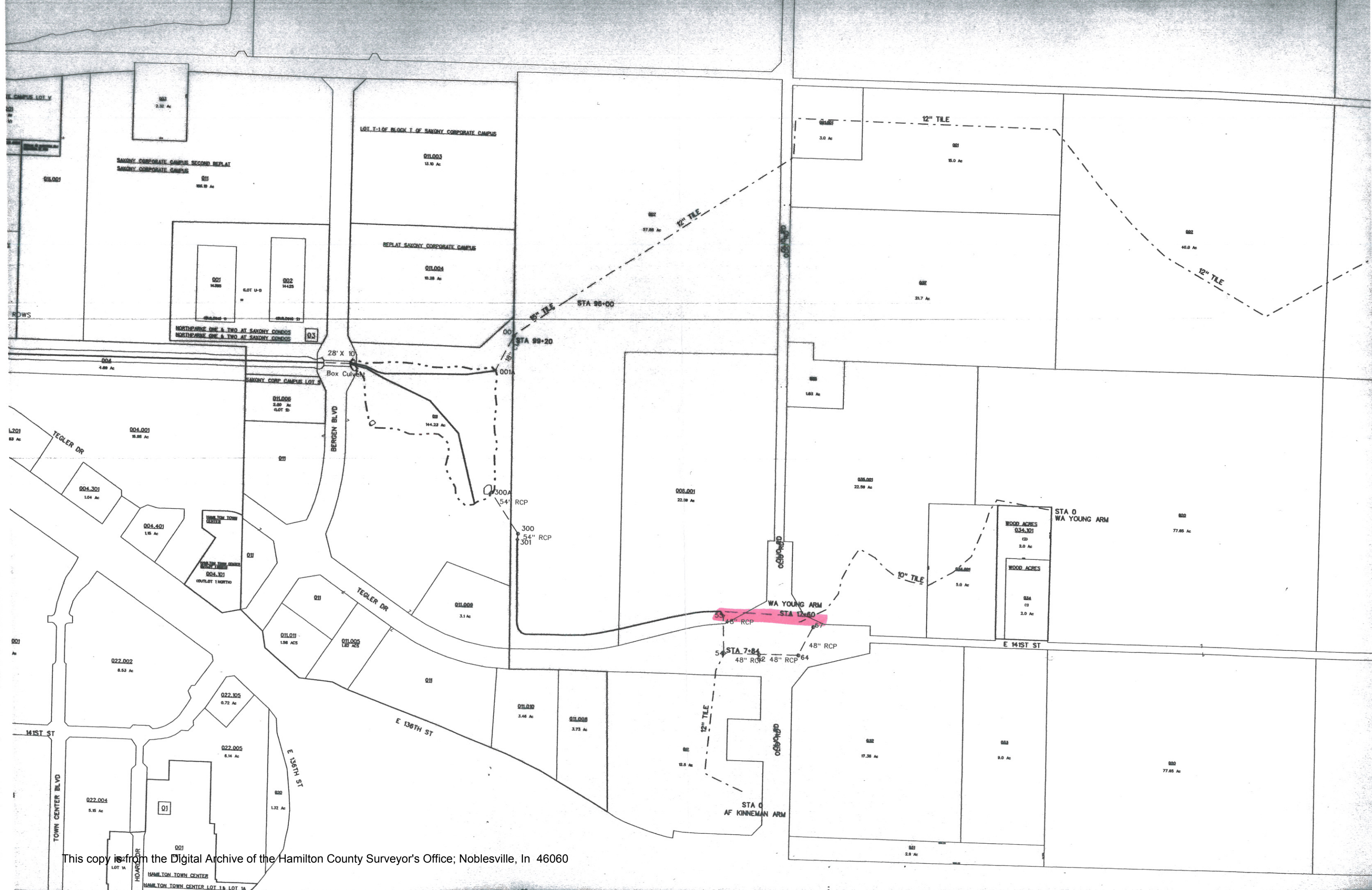
DATE: 4/22/2009

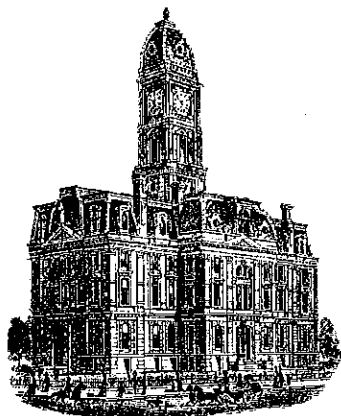
SHEET NO.

DRAWN BY: JDP

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of
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JOB NO. 20080343





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

May 31, 2012

Re: Mud Creek-Sand Creek: EE Bennett: Olio Rd-I-69 Bridge Arm Ext.

Attached are as-builts, certificate of completion & compliance, and other information for EE Bennett: Olio Rd-I-69 Bridge Arm Ext. 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 there were no significant changes made to the drainage plans submitted with my report for this drain dated April 3, 2012. The report was approved by the Board at the hearing held May 29, 2012. Therefore, the length of the drain remains at **348 feet**.

The drain is contained within existing right of way. Therefore, non-enforcements were not required for this project. Sureties were not posted as the project was paid for by Hamilton County.

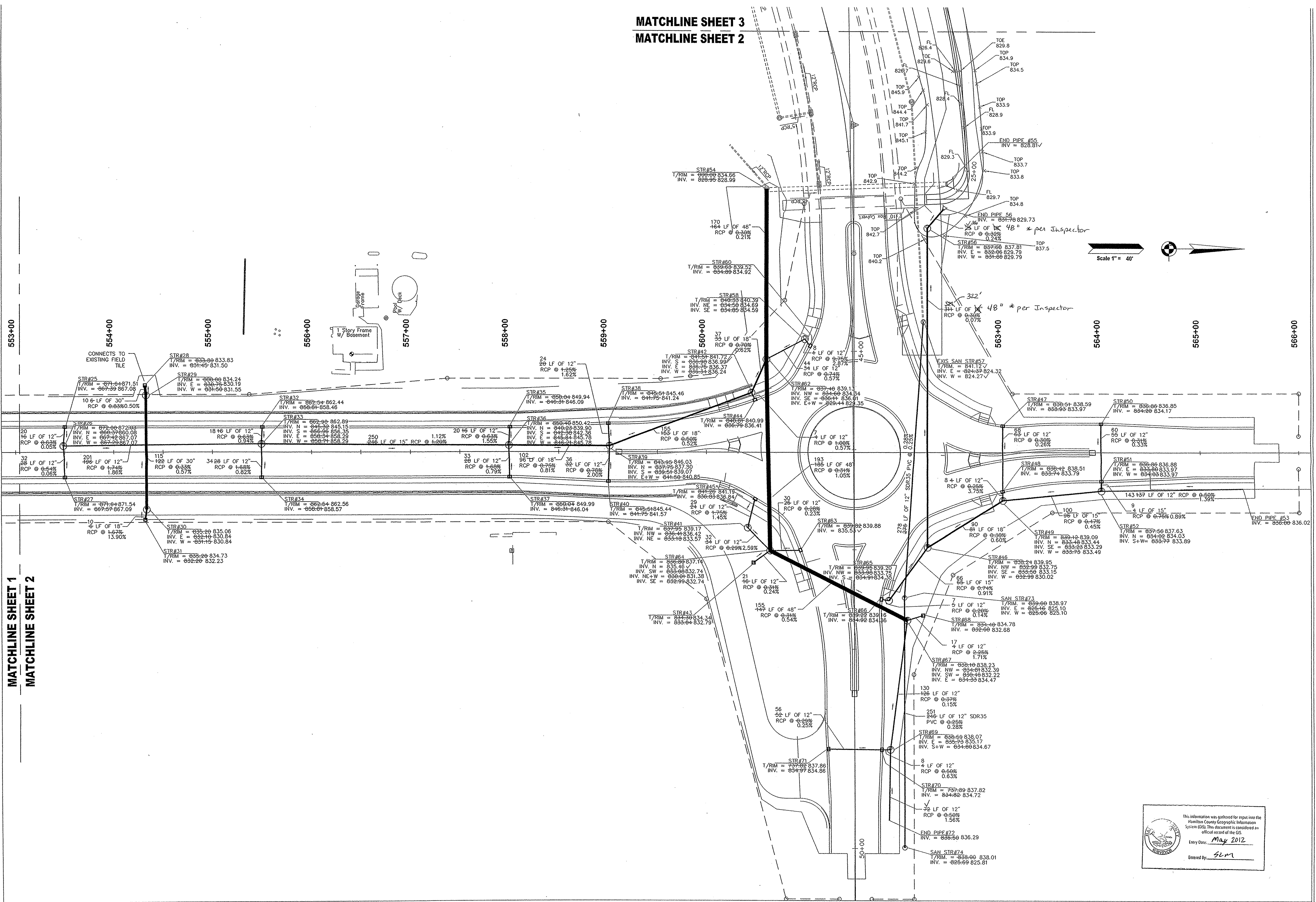
I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/slm

MATCHLINE SHEET 3
MATCHLINE SHEET 2



MATCHLINE SHEET 1
MATCHLINE SHEET 2

Drawn: J.D.M.
Check: J.L.B.
Date: 1/24/2011
Scale: 1" = 40'

Prepared for:
BEATY CONSTRUCTION INC
5292 WEST 100 NORTH
BOGGSTOWN, IN, 46110

OLIO ROAD OVER I-69
STORM POST CONSTRUCTION SURVEY
HAMILTON COUNTY, INDIANA

Revision	Number	Description

Prepared By:
Survey Tech P.C.
7172 North Keystone Ave #J
Indianapolis, IN, 46240



This information was gathered for export into the Hamilton County Geographic Information System (GIS). This document is considered an official record of the GIS.
Entry Date: May 2012
Entered By: SWM

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