

SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, CFM
 Surveyor of Hamilton County
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Suite 188
 One Hamilton County Square
 Noblesville, Indiana 46060-2230

December 8, 2020

To: Hamilton County Drainage Board

Re: Mud Creek- Sand Creek Drainage Area, Springdale Estates Drain Extension, Partial Vacation - Addendum

Thompson Thrift requests to vacate a portion of the Mud Creek – Sand Creek Drainage Area, Springdale Estates Drain Extension. This proposal is to facilitate a re-development project on parcel 15-15-06-00-13-039.000 (The Stations at Fishers District, Lot 40) owned by 116 Stations Fishers IN LLC (Thompson Thrift, developer). Per letter by Adam Fischer of Thompson Thrift dated December 2, 2020, "Upon inspection by the County Surveyor's Office and construction of the proposed development on the site, it was determined that this short 30-ft segment of pipe was no longer needed." Previously, this pipe received storm water from an open ditch that no longer exists. The upstream drainage now is routed to the regulated drain via storm pipe and underground detention.

Per the request, the vacation, if approved, will affect 30' linear feet of regulated drain between the following inlet/manhole structures:

Springdale Estates Extension (2008)

STRUCTURES	LENGTH	SIZE	TYPE
33 - 31	30'	36"	RCP

This vacation will remove 30' from the Mud Creek – Sand Creek, Springdale Estates Drain Extension (2008). It should be noted that this is a partial vacation of the drain. The remaining portion of the drain installed with the 2008 Springdale Estates Extension will remain as regulated drain. The 2008 extension was installed as part of the Kroger Plaza project and is located between the 116th Street right-of-way and Sand Creek.

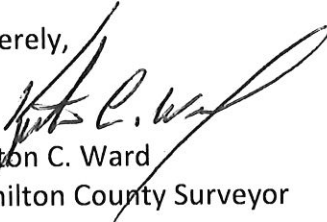
Springdale Estates Drain was previously inventoried as two separate drains under Drain #347. They were inventoried as follows:

- Mud Creek – Sand Creek Drainage Area, Springdale Estates Arm.
- Mud Creek – Sand Creek Drainage Area, Springdale Estates Drain Extension.

Regarding the historical timeline of this drain, on April 5, 1982 the Board held a hearing to establish the Springdale Estates Drain, per my report dated February 26, 1982, as recorded in Drainage Board Minutes Book 1, pages 467-468. On April 23, 2007, the Springdale Estates Drain was made an arm to the Mud Creek-Sand Creek Drainage Area at public hearing, as per my letter dated March 19, 2007, as recorded in Minutes book 10, pages 220-222. On July 28, 2008, the Board approved the Mud Creek/Sand Creek Drain, Springdale Estates Drain Extension, per my report dated June 6, 2008, as recorded in Minutes Book 11, pages 238-240. On July 10, 2012, the Springdale Estates Drain Reconstruction (2013) was approved by the Board per my report dated November 7, 2012, as recorded in Minutes Book 14, pages 434-436. As noted above, the Board approved a partial vacation (332' of open drain) at public hearing on August 28, 2017 as per my report dated July 21, 2017, as recorded in Minutes Book 17, pages 461-462.

I recommend the Board set a hearing for January 25, 2021 per IC 36-9-27-37.

Sincerely,



Kenton C. Ward
Hamilton County Surveyor

KCW/stc

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

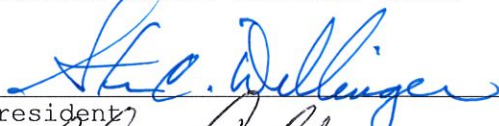
Mud Creek/Sand Creek Drainage Area, Springdale Estates Drain Extension
Partial Vacation - Addendum

Structures 33-31

On this 25th day of January, 2021, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Mud Creek/Sand Creek Drainage Area, Springdale Estates Drain Extension, Partial Vacation - Addendum (Structures 33-31).

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 Mud Creek/Sand Creek Drainage Area, Springdale Estates Drain Extension, Partial Vacation - Addendum (Structures 33-31).

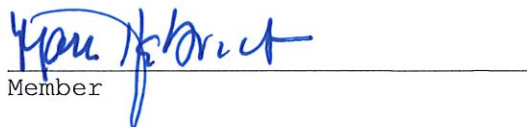
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD IN THE MATTER OF THE

**Mud Creek/Sand Creek Drainage Area
Springdale Estates Drain Extension Partial Vacation**

NOTICE is hereby given that a petition to vacate has been received by the Hamilton County Surveyor for the **Mud Creek/Sand Creek Drainage Area, Springdale Estates Drain Extension Partial Vacation** across 116 Stations Fishers IN LLC property on Parcel 15-15-06-00-13-039.000 (Springdale Estates 2008 Extension, Structures 33-31) and that a hearing is scheduled for January 25, 2021 at 9:00 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

**Mud Creek/Sand Creek Drainage Area,
Springdale Estates Arm 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 **January 25, 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