

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

April 13, 2010

To: Hamilton County Drainage Board

Re: Mud Creek / Sand Creek Drainage Area, Tremont Extension

Attached is a drain map and drainage shed map for the extension of the Mud Creek / Sand Creek Drainage Area, Tremont Extension. The proposed drain is located in Fall Creek Township.

I have made a personal inspection of the land described below. Upon doing so, I believe that the drain is practicable, will improve the public health, benefit a public highway and be of public utility and that the costs, damages, and expenses of the proposed drain will probably be less than the benefits accruing to the owners of land likely to be benefited.

Upon review of the drainage shed, this extension will make regulated drain the portion of open drain from the downstream terminus of the Tremont Arm to the confluence with Mud Creek, located on the Ironwood Golf Course on parcel 19-15-05-00-17-001.000 owned by Mud Creek Golf Course, Inc. The Tremont Drain currently terminates at the pipe under 106th Street near the south right of way line. This extension will close the existing gap between the Tremont Arm and Mud Creek / Sand Creek Drain. The Tremont Drain is described in my report to the Board dated September 28, 1987 and approved on December 14, 1987 as recorded in Hamilton County Drainage Board Minutes Book 2, Pages 229-230 & 244.

This extension will consist of the following:

2808' of Open Drain 60' of 103"x71" CMPA 80' of Twin 48" RCP

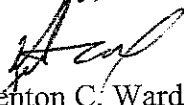
This extension is located on the following parcels and/or right-of-ways:

19-15-05-00-04-029.000	Quaker Ridge, Sec. 1, lot 29	owned by Yanelle Strong Fisher
19-15-05-00-04-030.000	Quaker Ridge, Sec. 1, lot 30	owned by David D. & Lori L. Thrall
19-15-05-00-04-034.000	Quaker Ridge, Sec. 1, lot 34	owned by Daniel W. & Theresa L. Chapin
19-15-05-00-04-035.000	Quaker Ridge, Sec. 1, lot 35	owned by Mark A. & Cynthia M. Baker
19-15-05-00-04-037.000	Quaker Ridge, Sec. 1, lot 37	owned by Woodland W. & Sherri L. Holm
13-15-05-04-01-009.000	Runnymede Estates, Sec.3, lot 15	owned by Janusz K. & Tamara S. Johnson
13-15-05-04-01-008.000	Runnymede Estates, Sec.3, lot 16	owned by Susan P. & Bruce C. Beck
19-15-05-00-04-038.000	Quaker Ridge, Sec. 1, lot 38	owned by David C. & Pamela C. Hess
19-15-05-00-07-025.000	Quaker Ridge, Sec. 2, lot 41	owned by Lisa Guyer Trust w/ LE
19-15-05-00-07-026.000	Quaker Ridge, Sec. 2, lot 40	owned by Robert N. & Susan E. Fasig
19-15-05-00-07-027.000	Quaker Ridge, Sec. 2, lot 39	owned by Neal A. & Monica J. Weber
19-15-05-00-16-002.000	Ironwood Golf Course	owned by Mud Creek Golf Course, Inc.
19-15-05-00-17-001.000	Ironwood Golf Course	owned by Mud Creek Golf Course, Inc.
Right-of-way	Hamilton Pass	owned by Town of Fishers
Right-of-way	106 th Street	owned by Town of Fishers

The easements for the drain should be set at the existing drainage easements for the open drain as shown on the plats for Quaker Ridge, Sec. 1; Quaker Ridge, Sec. 2; and Runnymede Estates, Sec. 3, as recorded in the office of the Hamilton County Recorder. Where the open drain crosses the golf course (parcel 19-15-05-00-17-001.000), the drainage easement should be set at 75' from top of bank, as set out in IC 36-9-27-33. It should be noted that there are several existing crossings, bridges and other features located along the drain that will not be affected by this drain extension at this time. In the future, if maintenance access is impeded as a result or if flow is negatively affected, then, this office will coordinate with the landowners regarding these items. The easement shall also include right-of-way for 106th Street and Hamilton Pass where applicable.

I recommend that the Board set a hearing date for June 28, 2010.

Sincerely,



Kenton C. Ward
Hamilton County Surveyor

KCW/pll

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, Tremont Extension

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the ***Mud Creek/Sand Creek Drainage Area, Tremont Extension*** came before the Hamilton County Drainage Board for hearing ***on June 28, 2010***, 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.

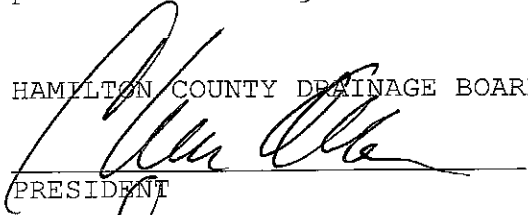
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included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

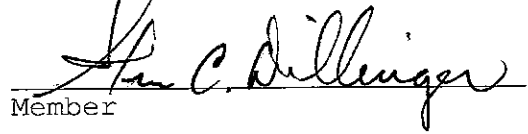
The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the ***Mud Creek/Sand Creek Drainage Area, Tremont Extension*** 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:

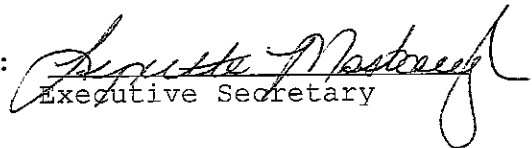
HAMILTON COUNTY DRAINAGE BOARD


PRESIDENT


Member

Member

ATTEST:


Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Mud Creek/Sand Creek Drainage Area, Tremont Extension

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, Tremont Extension** on **June 28, 2010, at 9:15 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 Drain, Tremont
Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **June 28, 2010** 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: Christine Altman
PRESIDENT

ATTEST: Pamela Louks
SECRETARY