

KCU

SURVEYOR'S OFFICE

Hamilton County

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Surveyor of Hamilton County
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One Hamilton County Square
Noblesville, Indiana 46060-2230

October 12, 2018

To: Hamilton County Drainage Board

Re: Mud Creek – Sand Creek Drainage Area, Margaret Goodwin Arm, I-Town Church Reconstruction

Attached are petition and plans for the proposed reconstruction of the Mud Creek – Sand Creek Drainage Area, Margaret Goodwin Arm. This project is to be paid for by I-Town Church Ministries, LLC. The proposal is to reconstruct the existing tile drain currently on parcels owned by I-Town Church, per the I-Town Church Fishers Campus project plans by Stoeppelwerth & Assoc., Job No. 74480, sheet C603, revision date 3/20/2018.

Per the plans, the upstream end of this relocation will begin at a new manhole, Str. 874 near the southwest corner of the I-Town Church property near I-69 right-of-way and drain northwest through a new 12" RCP. At the downstream end of the reconstruction under this petition, the drain will connect to an existing manhole, Str. 722C, on the west side of the Limestone Springs property line.

This reconstruction will consist of the following:

98' of 12" RCP

The new drain involves the lengths of drain between the following structures: 874 and 722C.

The newly installed drain with this petition will have a length of 98'.

Regarding the existing drain, this project will vacate 98' of existing drain between the following locations: Existing Sta. 13+08 and 12+10.

Because the proposal is to replace the drain in the existing location, the original Margaret Goodwin drain's total length will remain the same.

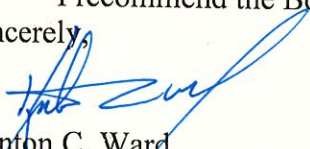
The original drain was approved by the Board of Commissioners of Hamilton County on August 1, 1904 and was referenced in the original viewers report dated August 13, 1904. See also my report dated January 31, 2007 and approved at public hearing by the Drainage Board on March 26, 2007 as referenced in Minutes Book 10 pages 173 – 174 at which time the Margaret Goodwin Drain was made an arm of the Mud Creek – Sand Creek Drainage Area.

The cost of the project is to be paid by I-Town Church Ministries, LLC. The petitioner was required to submit surety for the entire church campus project by the City of Fishers. Since this pipe is such a small part of the entire campus project, another separate bond will not be required.

This project is being proposed in the existing regulated drain easement. No encroachments have been proposed at this time.

I recommend the Board set a hearing date for November 26, 2018

Sincerely,



Kenton C. Ward
Hamilton County Surveyor

KCW/stc

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN RE: iTown Church)
Hamilton County, Indiana)

PETITION FOR RELOCATION AND RECONSTRUCTION

iTown Ministries, Inc. (hereinafter "Petitioner").

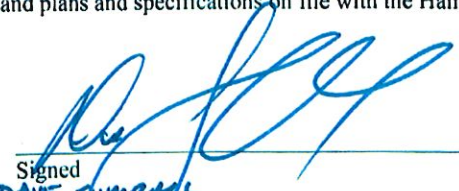
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the Margaret Goodwin Drain Drain, and in support of said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Margaret Goodwin Drain 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 Margaret Goodwin Drain 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 Margaret Goodwin Drain Drain, without cost to other property owners on the watershed of the Margaret Goodwin Drain 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.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County Drainage Board authorizing relocation and reconstruction of the Margaret Goodwin Drain Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

FILED

OCT 23 2018


Signed Dave Sumrall
~~Mason McDonald~~ - iTown Ministries, Inc.
Printed _____

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

Mud Creek/Sand Creek Drainage Area, Margaret Goodwin Arm
I-Town Church Reconstruction

Station 13+08 to Station 12+10

On this 26th day of November, 2018, 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, Margaret Goodwin Arm, I-Town Church Reconstruction (Station 13+08 to Station 12+10)

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, Margaret Goodwin Arm, I-Town Church Reconstruction (Station 13+08 to Station 12+10)

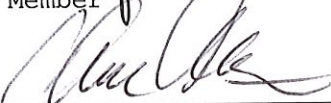
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

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, Margaret Goodwin Arm, I-Town
Church Reconstruction**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Mud Creek/Sand Creek Drainage Area, Margaret Goodwin Arm, I-Town Church Reconstruction** came before the Hamilton County Drainage Board for hearing **on November 26, 2018**, 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.

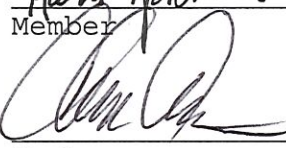
Wherefore, it is ORDERED, that the proposed Reconstruction of the **Mud Creek/Sand Creek Drainage Area, Margaret Goodwin Arm, I-Town Church Reconstruction** be and is hereby declared established.

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, Margaret Goodwin Arm
I-Town Church Reconstruction*

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, Margaret Goodwin Arm, I-Town Church Reconstruction** on November 26, 2018 at 9:00 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,
Margaret Goodwin Arm, I-Town Church Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **November 26, 2018** 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