

SURVEYOR'S OFFICE
Hamilton County

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Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

December 13, 2010

To: Hamilton County Drainage Board

Re: Mud Creek/Sand Creek Drain, Forest Ridge Arm

Attached is a drain map and petition, filed September 26, 2010 by Seven (7) property owners, to regulate the existing storm sewer infrastructure in the Forest Ridge subdivision as the Forest Ridge Arm of the Mud Creek/Sand Creek Drain. The proposed drain is located in Delaware Township between Lantern and Cumberland Roads on the southside of 106th Street in Section 7, T17N, R5E.

I have made a personal inspection of the land described in the petition. 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 benefitted. The drain will consist of the following:

12" CMP – 591 Feet 18" CMP – 630 Feet Open Drain – 711 Feet

The total length of the drain will be 1,9³²/₁₄ feet.

The open drain listed above is that portion of drain located between Lots 5-6, 7-8 and the lake outlet across Lots 8, 9 and 10 to Mud Creek.

The existing 2.4 +/- acre lake with earthen embankment dam within Block "A" of the Forest Ridge subdivision will not become part of the regulated drain. Only the inlets and outlet will be maintained as part of the regulated drain. The maintenance of the lake will be the responsibility of the homeowners. The Board will however, retain jurisdiction for ensuring the storage volume for which the lake was designed will be retained. Thereby, allowing no fill or easement encroachments.

The Forest Ridge subdivision is currently assessed to the Mud Creek/Sand Creek Drain. There will be no change in assessment due to this proposal.

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, this drain shall be designated as an Urban Drain.

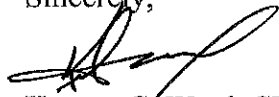
The easements per the plat for Forest Ridge, as recorded in the Office of the County Recorder (See Book 7, Pages 93-94), do meet the minimum requirements for a tile drain as set out in IC 36-9-27-33. The only exception is the easement on Lots 5-6 between Storm Structures 402-403. Currently, the easement is platted as 10' per half and will need to be 15' per half from each side of the center line of the drain tile. The open ditch will cross parcel 15-15-07-00-00-006.102 owned by the Town of Fishers as it outlets into the Nancy Kimberlain Arm of Mud Creek/SandCreek Drain. The drain will be within the existing statutory 75' easement of the Nancy Kimberlain Arm of Mud Creek/SandCreek Drain. Since the drain is already in place and within existing easement, right-of way or building setback area, I believe that no damages will result to landowners by the regulating of this drain.

The Forest Ridge Arm of the Mud Creek/Sand Creek Drain will add easement to the following tracts:

<u>Parcel</u>	<u>Owner</u>
14-15-07-02-01-007.000	Collord, Jonathan C. & Beth L.
14-15-07-02-01-008.000	Caito, Joseph A. II & Katherine M. Freeney-Caito
14-15-07-02-01-009.000	Caito, Joseph A. II & Katherine M. Freeney-Caito
14-15-07-02-01-010.000	Hall, Daniel S.
14-15-07-02-01-011.000	Hall, Daniel S. & Virginia M.
14-15-07-02-01-012.000	Thompson, Neil C. & Susan M.
14-15-07-02-01-013.000	Silbert, Bradley A.
14-15-07-02-01-019.000	Marden, Rick A. & Jacqueline A.
14-15-07-02-01-002.000	Sandberg, Clay & Brittany Morgan jtrs
15-15-07-00-00-006.012	Town of Fishers
Forest Ridge Court	Hamilton County Highway

I recommend that the Board set a hearing for this proposal for January 24, 2011.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

**Gasb 34 Asset Price &
Drain Length Log**

Drain-Improvement: Mud Creek - Sand Creek: Forest Ridge Arm

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
CMP	12"	591	591	0	\$14.00 lf	\$8,274
CMP	18"	630	630	0	\$25.00 LF	\$15,750
OPEN		711	711	0	\$19.55 LF	\$13,900.05
Sum:		<u>1932</u>	<u>1932</u>	<u>0</u>		<u>\$37,924.05</u>

Final Report: n/a

Comments:

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

IN THE MATTER OF **Mud Creek/Sand Creek Drain, Forest Ridge Arm**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **January 24, 2011** 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 A. Holt
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY

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, Forest Ridge Arm

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Mud Creek/Sand Creek Drainage Area, Forest Ridge Arm** came before the Hamilton County Drainage Board for hearing **on January 24, 2011**, 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, Forest Ridge 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