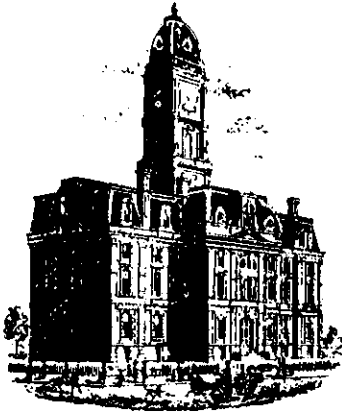


Drain: F M MUSSELMAN **Drain #:** 234
Improvement/Arm: PETERSON ARM
Operator: J. LIVINGSTON **Date:** 4-27-04
Drain Classification: Urban/Rural **Year Installed:** 1997

GIS Drain Input Checklist

- Pull Source Documents for Scanning
- Digitize & Attribute Tile Drains
- Digitize & Attribute Storm Drains
- Digitize & Attribute SSD
- Digitize & Attribute Open Ditch
- Stamp Plans
- Sum drain lengths & Validate
- Enter Improvements into Posse
- Enter Drain Age into Posse
- Sum drain length for Watershed in Posse
- Check Database entries for errors

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Kenton C. Ward, Surveyor

Phone (317) 776-8495

Fax (317) 776-9628

Suite 146

One Hamilton County Square

Noblesville, Indiana 46060-2230

TO: HAMILTON COUNTY DRAINAGE BOARD

10/8/97

FROM: Kenton Ward, Hamilton County Surveyor

RE: Peterson Arm, F. M. Musselman Drain

As per the request of the Board at its September 22, 1997 meeting, attached is the original report by Cole and Associates dated July 1997. The revised report for the proposed drain is as follows:

Construction Cost Estimates

Item	Unit	Cost/Unit	Quantity	Cost
42" RCP*	L. F.	135	2831	382,185
42" RCP	L. F.	120	1236	148,320
Manhole 60" Diam.	Each	6500	8	52,000
Seeding	Acre	9700	8	77,600
Contingencies		15%		99,016
Engineering		15%		99,016
Total Cost				858,137
Acres				564.54
Assessment/Acre				1520.00

*The storm sewer is actually 66". However, the up sizing has permitted the developer of the

Meadows to reduce the on-site retention. The drain is designed at 42". Therefore, the costs used as a basis of the assessment are only for a 42" storm sewer.

Specifics of the revised report are as follows:

Proposed Peterson Settlement Outline

1. The new drainage shed will contain 464.544 acres.
2. The assessment will be based on a total construction cost of \$858,137 or \$1,520.00 per acre.
3. The parcels and the land which will be included in the drain and assessed are as follows:

	a. The Meadows	156 acres
<hr style="border-top: 1px dashed black;"/>		
Thompson Land Co.	b. 7-28-00-00-004	36.28 acres
	c. 7-28-00-00-042	32.064 acres
	d. 7-28-00-00-043	50.00 acres
	e. 7-28-00-00-040	10.00 acres
	f. 7-29-00-00-005	10.02 acres
	g. 7-29-00-00-005.001	2.4 acres
	h. 7-29-00-00-010	15.0 acres
<hr style="border-top: 1px dashed black;"/>		
Ivy Knoll LLC	i. 7-29-00-00-013	53.2 acres
<hr style="border-top: 1px dashed black;"/>		
Promise Road LLP	j. 7-29-00-00-011	20.0 acres
	k. 7-28-00-00-039	30.00 acres
	l. 7-28-00-00-037	<u>49.4 acres</u>
Total Acres Benefitted		464.544

4. The assessment against The Meadows of \$237,120 shall not be payable because the developer of The Meadows has constructed 2831 feet of drain. The developer of The Meadows agrees to dedicate the existing 66 inch storm sewer to the Drainage Board in consideration for the credit given to The Meadows and the assessment set out in paragraph 5 below.

5. The assessment made against parcels 7-29-00-00-013; 7-29-00-00-011; 7-28-00-00-039; and 7-28-00-00-037 totaling 152.6 acres shall be assigned to the developer of the Meadows as partial reimbursement for construction of the existing drain. This payment and the credit in paragraph 4 above, shall be the total payment to the Meadows for the dedication of the 66 inch storm sewer.

6. The owner of the parcels 7-28-00-00-004; 7-28-00-00-042; 7-28-00-00-043; 7-28-00-00-040; 7-29-00-00-005; 7-29-00-00-005.001; and 7-29-00-00-010 totaling 155.944 acres agrees to construct a 42 inch storm sewer through those parcels for a distance of approximately 1,236 feet with three manholes structures. The storm sewer shall connect with the existing 66" storm sewer and terminate at 191st Street at an elevation to be designated by the Surveyor. The owner of these

parcels shall provide on-site retention and shall permit flows into the drain at the rate established by the Hamilton County Surveyor.

7. The entire Drain shall be designated an urban drain. Parcels 7-29-00-00-013; 7-29-00-011; 7-28-00-00-039; and 7-28-00-00-037 shall be designated as a non-urban portion of the drain at this time. The assessment for these parcels shall be assessed and collected when those parcels are platted for development at the rate of \$1,520 per acre.

The allowable discharge per acre shall be as follows:

1) Area north of 191st Street except for Meadows Subdivision 0.37 cfs per acre. This includes all tracts owned by Thompson Land Company. Which are tracts:

7-28-00-00-004	7-29-00-00-005
7-28-00-00-042	7-29-00-00-005.001
7-28-00-00-043	7-00-00-010
7-28-00-00-040	

2) Area south of 191st Street 0.1307 cfs per acre. This consists of the following tracts:

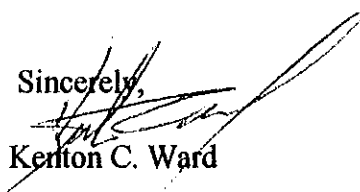
Ivy Knoll LLC	7-29-00-00-013
Promise Road	7-29-00-00-011
	7-28-00-00-037
	7-28-00-00-039

The portion of the plan by Doug Miller for the area south of 191st Street will not be constructed. Those tracts between 186th Street and 191st Street listed above shall be required to connect to and utilize the Peterson Arm for their off-site storm sewer. All tracts other than these listed above within the proposed drainage shed per the afore mentioned Cole report shall utilize the Gascho-County Farm Arm of the Elwood Wilson Drain.

Thompson Land Company under this agreement must install a storm line to 191st Street at or near the location shown as STR 5 on the plan by Doug Miller. The elevation for the structure shall be at 780.62 and have the capacity for the acreage and rates per acre listed above.

The easement for the 66 inch RCP in the Meadows shall be 30 feet along the east property line for the Meadows. This 1 foot strip along the Meadows east property line shall be designated as common area and drainage easement.

All tracts listed above shall be assessed to the F. M. Musselman Drain at the time the tracts are developed.

Sincerely,

Kenton C. Ward

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD

NOBLESVILLE, INDIANA

IN THE MATTER OF THE)
RECONSTRUCTION OF THE)
Musselman) DRAIN)-Peterson Arm

FINDINGS AND ORDER

The matter of the proposed Reconstruction of the Peterson Arm
Musselman Drain came before the Hamilton County Drainage
Board for hearing on September 22, 1997 1997, on the
Reconstruction report and on the Schedule of Damages and Assesse-
ments. The Board also found that this reconstruction conforms to
the statutory procedure set out in INDIANA CODE 36-9-27-52.5.

Evidence was heard on the Reconstruction report. There were
no objections.

The Board having considered the evidence has upon motion
made, seconded and unanimously carried, found and determined that
the costs, damages and expenses of the proposed Reconstruction
will be less than the benefits to the landowners and issued this
order declaring that this Reconstruction fund be established.

DATED THIS 22nd DAY OF September 1997 .

HAMILTON COUNTY DRAINAGE BOARD

Sharon K. Clark
President

James A. Hill
Member

Steven C. Dilling
Member

ATTEST: Karen Ellen Oldham
Administrative Secretary

Revised 12/95

STATE OF INDIANA)
) SS
)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON
DRAINAGE BOARD

IN THE MATTER OF Musselman Drain-Peterson Arm ~~DRAIN~~

NOTICE

Notice is hereby given that the Hamilton County
Drainage Board at its regular meeting ^{August 24, 1998} ~~September 22, 1997~~
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 improve-
ment 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 Sharon R. Clark
PRESIDENT

Nancy Ellen Oldham
ADMINISTRATIVE SECRETARY

nk
⑤
Instrument
9809847106

RESOLUTION 11-24-97-1

9809847106
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 08-24-1998 At 01:09 pm.
MISC NC .00

AN AMENDED RESOLUTION OF THE COUNTY DRAINAGE BOARD
CREATING THE PETERSON ARM OF THE F.M. MUSSELMAN DRAIN,
ACCEPTING PRIVATE DRAINAGE STRUCTURES
IN LIEU OF DRAINAGE ASSESSMENTS AND DECLARING
PORTIONS OF A DRAIN AS A NON-URBAN DRAIN

WHEREAS, the Board of Commissioners of Hamilton County, on the 27th day of October, 1997, passed a Resolution of the Hamilton County Drainage Board Creating the Peterson Arm of the F.M. Musselman Drain, Accepting Private Drainage Structures in Lieu of Drainage Assessments and Declaring Portions of a Drain as a Non-Urban Drain; and,

WHEREAS, the report of the Hamilton County Surveyor attached to that Resolution contained an erroneous mathematical calculation as to the assessment for the Peterson Arm of the F.M. Musselman Drain; and,

WHEREAS, the assessment has been corrected as set out in the report of Kenton Ward, the Hamilton County Surveyor, which is attached hereto and made a part hereof; and,

WHEREAS, the assessment for the Peterson Arm of the F.M. Musselman Drain should be increased from One Thousand Five Hundred Twenty Dollars (\$1,520) per acres to One Thousand Six Hundred Ninety-four (\$1,694) per acre; and,

WHEREAS, there is presently a legal drain located partially in Noblesville Township, Hamilton County, Indiana, referred to as "the F. M. Musselman Drain"; and,

WHEREAS, it is in the best interest of the health, safety, and welfare of the citizens of Hamilton County, and certain landowners within the County, that a new arm of the Musselman Drain be

constructed; and,

WHEREAS, said arm should be known as the "Peterson Arm of the F. M. Musselman Drain"; and,

WHEREAS, certain portions of the land which will be benefitted by the Peterson Arm of the Musselman Drain are currently rural areas, that rural land is currently adequately drained without reconstruction and there should be no assessment imposed upon that land at the present time as provided by Indiana Code 36-9-27-69(b)(6); and,

WHEREAS, a public hearing was held on the 21st day of September, 1997, for the Peterson Arm of the F. M. Musselman Drain and at that meeting the length of the drain was reduced and the assessment per acre was correspondingly reduced; and,

IT IS THEREBY RESOLVED by the Hamilton County Drainage Board as follows:

1. There is hereby established the Peterson Arm of the F. M. Musselman Drain.

2. The parcels of land benefitted by the Peterson Arm of the F. M. Musselman Drain include a substantial portion of the land generally bounded on the west and north by State Road 37, on the south by 191st Street, and on the east by Promise Road and are represented by the Meadows Subdivision and the Hamilton County Tax Parcels listed below:

a. The Meadows Subdivision	156 acres
b. 7-28-00-00-004	36.28 acres
c. 7-28-00-00-042	32.064 acres
d. 7-28-00-00-043	50.00 acres

e. 7-28-00-00-040	10.00 acres
f. 7-29-00-00-005	10.02 acres
g. 7-29-00-00-005.001	2.4 acres
h. 7-29-00-00-010	15.0 acres
i. 7-29-00-00-013	53.2 acres
j. 7-29-00-00-011	20.0 acres
k. 7-28-00-00-039	30.00 acres
l. 7-28-00-00-037	<u>49.4 acres</u>
Total Acres Benefitted	464.544

3. The report of the Hamilton County Surveyor which is attached hereto is hereby ratified and approved.

4. The assessment of One Thousand Six Hundred Ninety-four Dollars (\$1,694) per acre is established for the Peterson Arm of the F. M. Musselman Drain.

5. The assessment against The Meadows of \$264,264 shall not be payable because the developer of The Meadows has constructed 2831 feet of the drain. The developer of The Meadows has agreed to dedicate the existing 66 inch storm sewer to the Drainage Board in consideration for the credit given to the Meadows and the assignment of assessments set out in paragraph 6 below.

6. The assessment made against parcels 7-29-00-00-013; 7-29-00-00-011; 7-28-00-00-039; and 7-28-00-00-037 totaling 152.6 acres shall be assigned to the developer of the Meadows as partial reimbursement for construction of the existing drain. This assignment and the credit in paragraph 5 above, shall be the total payment to the developer of the Meadows subdivision for the dedication of the 66 inch storm sewer.

7. The owner of parcels 7-28-00-00-004; 7-28-00-00-042; 7-28-00-00-043; 7-28-00-00-040; 7-29-00-00-005; 7-29-00-00-005.001; and 7-29-00-00-010 totaling 155.944 acres agrees to construct a 42 inch storm sewer through those parcels for a distance of approximately 1,236 feet with three manholes structures. The storm sewer shall connect with the existing 66" storm sewer and terminate at 191st Street at an elevation to be designated by the Surveyor. The owner of these parcels shall provide on-site retention and shall permit flows into the drain at the rate of .37 c.f.s. per acre. The dedication of this 42" structure shall be accepted in satisfaction of the assessment against these parcels.


8. The entire Peterson Arm of the F. M. Musselman Drain is designated an urban drain. The Board finds that parcels 7-29-00-00-013; 7-29-00-00-011; 7-28-00-00-039; and 7-28-00-00-037 are currently adequately drained as rural land and shall be designated as a non-urban portion of the drain. There is no assessment imposed upon the non-urban portion of the drain at this time. The assessment for these parcels shall be assessed and collected when those parcels are platted for development at the rate of One Thousand Six Hundred Ninety-four Dollars (\$1,694) per acre.

ALL OF WHICH IS RESOLVED this 24th day of August, 1998.

HAMILTON COUNTY DRAINAGE BOARD



Steven C. Dillinger



Steven A. Holt



Sharon R. Clark

C:\DOCU\COUNTY\PETERSON.AGR



SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, Surveyor

Phone (317) 776-8495

Fax (317) 776-9628

Suite 146

One Hamilton County Square

Noblesville, Indiana 46060-2230

To: Hamilton County Drainage Board

April 29, 1998

Re: F. M. Musselman Drain: Peterson Arm

Attached are as-builts, certificate of completion & compliance, and other information for the Peterson Arm. 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 October 8, 1997.


Therefore, the additional length of the drain remains at **2,746 feet**.

The easement established per my report dated October 8, 1997: "...shall be 30 feet along the east property line for the Meadows. This 1 foot strip along the Meadows east property line shall be designated as common area and drainage easement."

All construction costs were born by the developer prior to the drains acceptance as regulated drain. Therefore, a bond or letter of credit was not required.

I recommend the Board approve the drains construction as complete and acceptable.

Sincerely,



Kenton C. Ward,
Hamilton County Surveyor

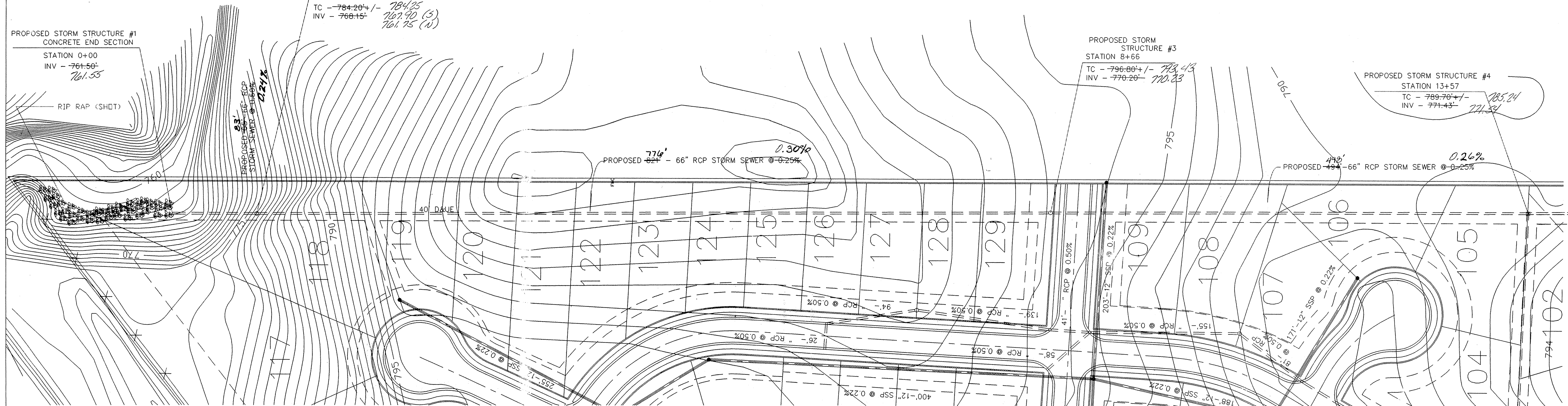
KCW/slm

PROPOSED STORM STRUCTURE #1
CONCRETE END SECTION
STATION 0+00
INV - 761.50'
761.55

PROPOSED STORM STRUCTURE #2
STATION 0+87-83
TC - 784.20' +/- 784.25
INV - 768.15' 767.90 (S)
761.75 (N)

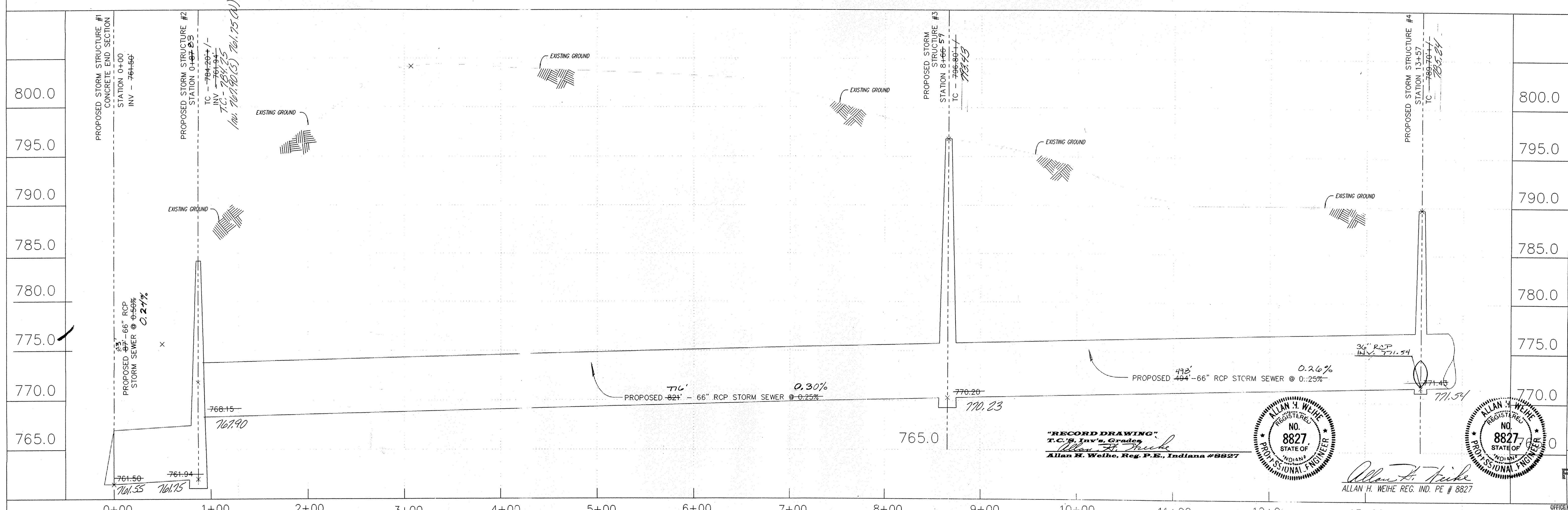
PROPOSED STORM STRUCTURE #3
STATION 8+66
TC - 796.80' +/- 796.43
INV - 770.20' 770.23

PROPOSED STORM STRUCTURE #4
STATION 13+57
TC - 789.70' +/- 785.24
INV - 771.43' 771.54

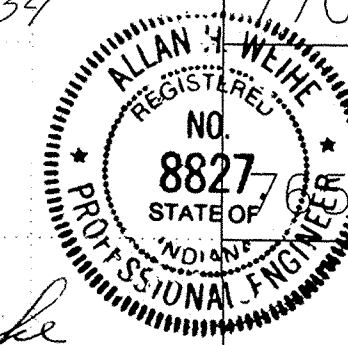
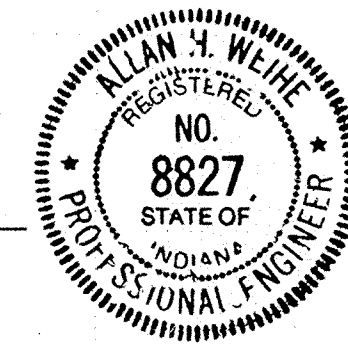


NOTE: THE TOP OF CASTINGS SHOWN ARE FOR TEMPORARY PLACEMENT OF THE OFFSITE STORM SEWER MANHOLES AND ARE SUBJECT TO ADJUSTMENT AT THE TIME OF THE DESIGN OF THIS SECTION OF THE SUBDIVISION, INCLUDING THE LANDSCAPE MOUND ALONG THE EAST PROPERTY LINE.

HORZ. 1" = 50'
VERT. 1" = 5'



"RECORD DRAWING"
T.C.'s Inv's, Grades
Alan H. Weihe, Reg. P.E., Indiana #8827



ALLAN H. WEIHE
REG. IND. PE # 8827

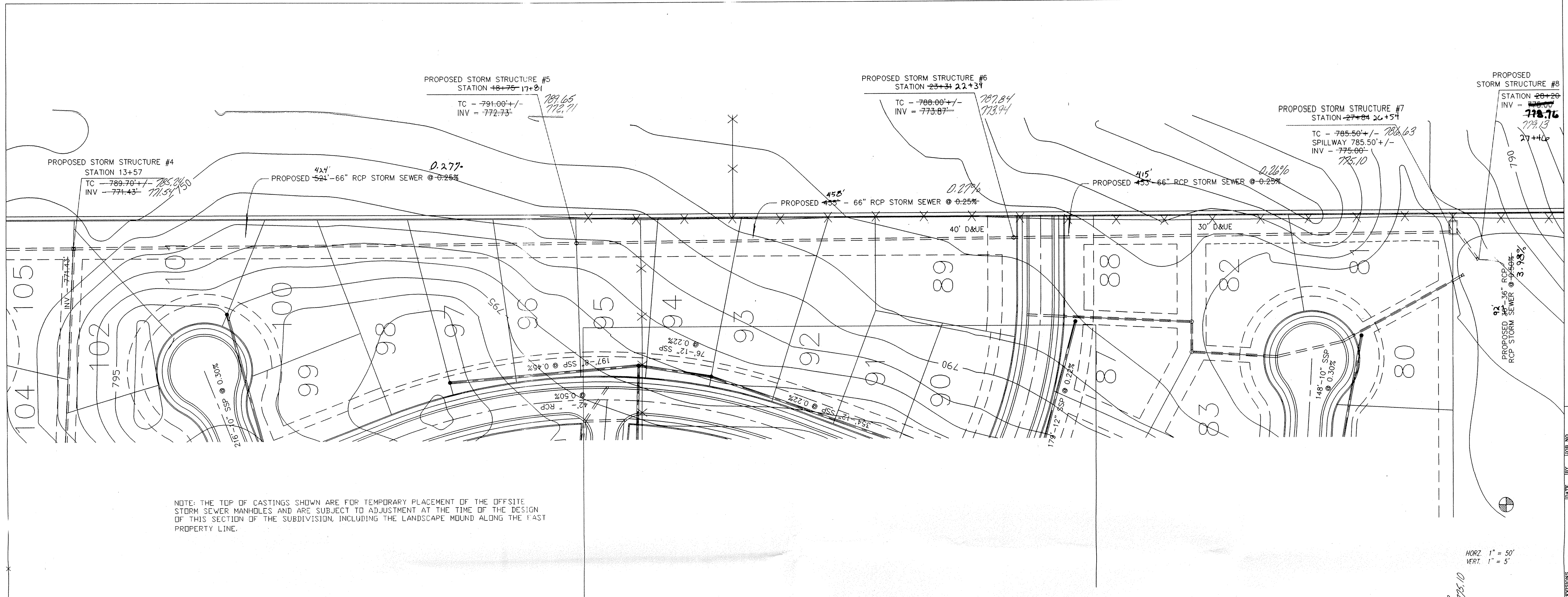
PREPARED FOR:
THE MEADOWS
PRECEDENT PARTNERS I
INDIANAPOLIS, INDIANA 46240

FILED
OCT 15 1997
OFFICE OF HAMILTON COUNTY SURVEYOR

SHEET NO. 2
OF 2

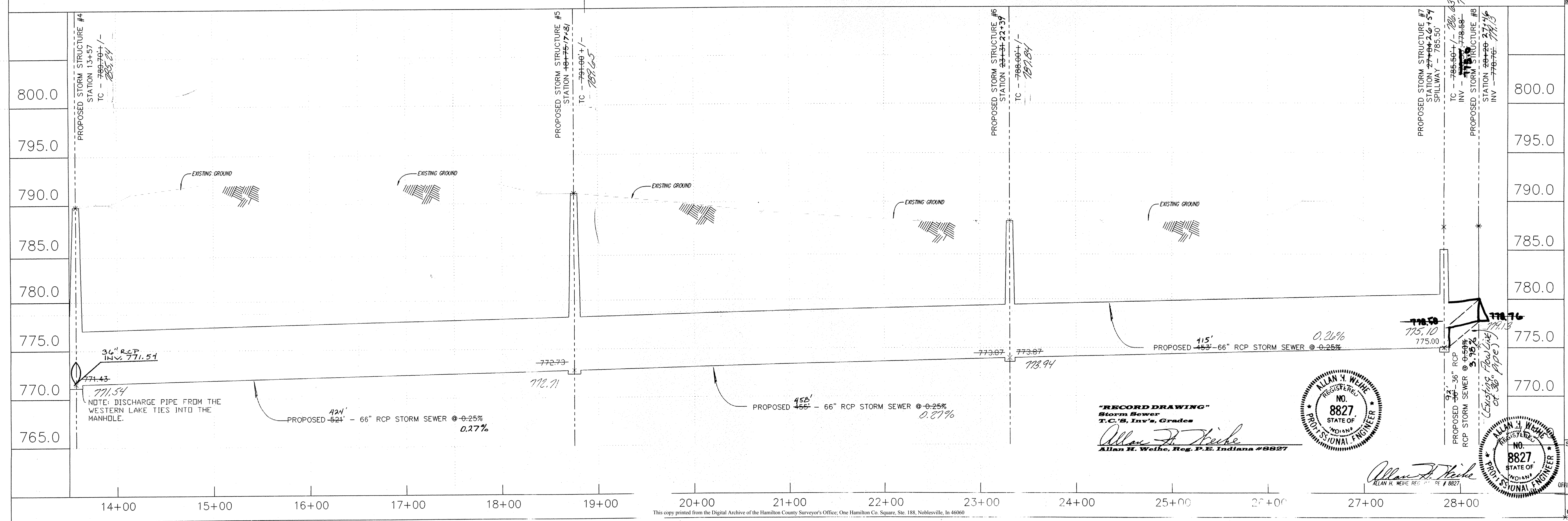
WEIHE ENGINEERS, INC.
ALLAN H. WEIHE, P.E., I.S.
PRESIDENT
MICHAEL L. DABBY, I.S.
VICE-PRESIDENT
10505 NORTH COLLEGE AVENUE
INDIANAPOLIS, INDIANA 46280
(317) 946-6611
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

DATE	BY	JOB NO.	DATE	BY	DATE
10-01-97	S.A.S.	93-229	12	REC	1993
DESIGN BY:	O'B	CHECKED BY:			



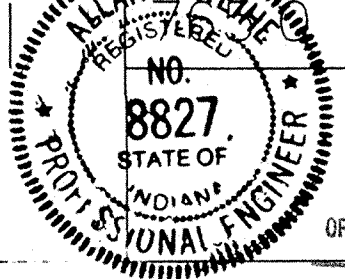
NOTE: THE TOP OF CASTINGS SHOWN ARE FOR TEMPORARY PLACEMENT OF THE OFFSITE STORM SEWER MANHOLES AND ARE SUBJECT TO ADJUSTMENT AT THE TIME OF THE DESIGN OF THIS SECTION OF THE SUBDIVISION, INCLUDING THE LANDSCAPE MOUND ALONG THE EAST PROPERTY LINE.

HORIZ. 1" = 50'
VERT. 1" = 5'



NOTE: DISCHARGE PIPE FROM THE WESTERN LAKE TIES INTO THE MANHOLE.

"RECORD DRAWING"
Storm Sewer
T.C.'s, Inv's, Grades
Allen F. Weihe
Allen F. Weihe, Reg. P.E. Indiana #8827



WEIHE ENGINEERS, INC.
ALLAN F. WEIHE, P.E., L.S.
PRESIDENT
10605 NORTH COLLEGE AVENUE
INDIANAPOLIS, INDIANA 46260
(317) 945-8611
MICHAEL L. DRBOY, L.S.
VICE-PRESIDENT

NO.	DATE	BY	FOR
1	09-01-94	S.A.S.	DESIGN
2		C.F.B.	CHECKED

DATE 12 DEC 1993
SCALE 1" = 50'

PREPARED FOR: THE MEADOWS
PRECEDENT PARTNERS I
INDIANAPOLIS, INDIANA 46240
OFFSITE STORM SEWER
SHEET NO. FILED
OCT 19 1997
OFFICE OF HAMILTON COUNTY SURVEYOR
OF 2