

SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
Fax (317) 776-9628

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

December 20, 2019

TO: Hamilton County Drainage Board

RE: F.M. Musselman Drain, W.S. Burnau Arm Reconstruction

This is a revised report for the reconstruction of the W.S. Burnau Arm of the F.M. Musselman Drain. On April 23, 2018 the Board had a hearing on my February 13, 2018 report (See Hamilton County Drainage Board Minutes Book 18, pages 110-126). At that meeting the Board tabled the hearing and asked that the project be reduced in scope. After many discussions, further surveying and various internal sketch designs, the redesign was sent to VS Engineering at the Board's June 24, 2019 meeting (See Hamilton County Drainage Board Minutes Book 18, pages 497-499). The revised plan was brought to the Board's September 23, 2019 meeting at which time the Board set bids for the revised plan for October 28, 2019 (see Hamilton County Drainage Board Minutes Book 19, pages 24-26). At the October 28, 2019 meeting the Board received one bid from Hoosier Pride Excavating in the amount of \$387,735.92. and referred the bid to the Surveyor's Office for review (see Hamilton County Drainage Board Minutes Book 19, page 40). At the November 12, 2019 meeting the Board set a continuation of the public hearing based on the Hoosier Pride bid for January 27, 2020 (see Hamilton County Drainage Board Minutes Book 19, pages 55-56).

The revised plan is greatly reduced in scope. The project as described below is an interim solution to a localized drainage problem in the upstream portion of the drainage shed. The project as described in my report dated February 13, 2018 is what is needed to address all of the current and future needs of the drainage shed.

The revised plan begins at a point approximately 730 feet north of the centerline of 191st Street as a grass waterway parallel to the existing Burnau tile drain. The waterway shall follow in a parallel line next to the tile in a southerly direction 720 feet, thence crossing under 191st Street and continuing south from 191st Street 275 feet to a linear detention/storage area to be located on the Roth property. The detention/storage area shall be 650 feet in length and have a bottom width of 10 feet with a 4:1 side slope with 682 feet of sub-surface drain (SSD).

At approximately Sta. 7+05 of the main Burnau Drain an overflow structure will be installed so as to allow overflow out of the main tile once it surcharges into the pond area on Roth. At approximately Sta. 10+30 of the main Burnau Drain, an inlet to the main drain from the detention/storage area shall be installed. This will consist of 20' of 8" tile.

Also to be constructed is the new Arm 2 of the original February 2018 report across the Roth Lot on Mallory Road, 3 Percent Holdings LLC and Ogle properties. This arm begins at approximately Sta. 7+05 of the main Burnau Drain and runs east 272 feet across the Roth Lot and under Mallory Road; thence south 327 feet parallel to Mallory Road; thence east 158 feet, thence south 87 feet across the 3 Percent Holdings LLC property (was Wampler property) and continuing 80 feet south onto the Ogle property. Arm 2 shall consist of 12" tile throughout. All construction shall be within existing regulated drain easements.

As outlined on page 8 in my February 2018 report there are soft costs associated with the project. These consists of engineering, appraisals and easements costs. These costs are as follows:

Engineering – original contract	\$49,250.00
Contract amendment	<u>\$21,100.00</u>
	\$70,350.00
Appraisals	\$ 2,400.00
Easements	<u>\$26,380.00</u>
Total soft costs	\$99,130.00

The construction costs for the project per the bid from Hoosier Pride plus 15% contingency is as follows:

Construction Bid	\$387,735.92
15% Contingency	<u>\$ 58,160.30</u>
	\$445,896.31

The costs for crossing 191st Street and Mallory Road shall be paid by the Hamilton County Highway Department as per IC 36-9-27-71. These costs including ancillary costs are \$111,247.34.

There are two options for assessing the costs for this work. Option 1 spreads the construction costs and soft costs over the entire Burnau Drainage Shed. Option 2 spread the soft costs over the entire Burnau Drainage Shed while spreading the construction costs over just the portion of the drainage shed that benefits from the reduced scope project.

The per acre costs for the project is as follows:

Option 1		\$1,170.88
Option 2	soft costs	\$ 267.58
	Construction costs	\$2,144.23

I also believe that no damages will result to landowners by the reconstruction of this drain. Therefore, damages shall be set at \$0.00.

Sincerely,



Kenton C. Ward, CFM
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
F. M. Musselman Drain, W. S. Burnau Arm Reconstruction

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **F. M. Musselman Drain, W. S. Burnau Arm Reconstruction** came before the Hamilton County Drainage Board for hearing **on January 27, 2020**, 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.

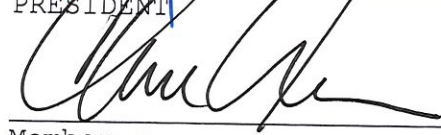
Wherefore, it is ORDERED, that the proposed Reconstruction of the **F. M. Musselman Drain, W. S. Burnau Arm Reconstruction** be and is hereby declared established.

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:

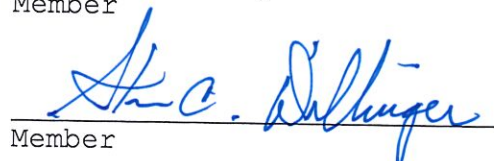
HAMILTON COUNTY DRAINAGE BOARD



PRESIDENT



Member



Member

ATTEST:


Executive Secretary

F. M. MUSSELMAN DRAIN, W. S. BURNAU ARM RECONSTRUCTION						
Property Owner	Parcel Number	Acres Benefited	Option 1	Percentage	Option 2	Percentage
Cook, Paul & Jaclyn R.	10-07-28-00-00-006.002	5.01	\$5,866.12	1.08%	\$1,340.58	0.25%
Wethington, Ellen J. & Ivan O. Roudebush	10-07-28-00-00-013.000	5	\$5,854.40	1.07%	\$12,721.16	2.21%
	10-07-28-00-00-014.000	0.4	\$468.36	0.09%	\$964.74	1.18%
	12-07-27-00-00-012.000	11	\$12,879.68	2.36%	\$26,529.92	4.87%
Goodwin, Donald L. & Wanda D.	10-07-28-00-00-005.000	14.44	\$16,907.52	3.10%	\$3,863.86	0.71%
Canterbury Estates	12-07-27-00-00-015.000	62.39	\$73,051.20	13.40%	\$16,694.32	3.06%
Latty, Michael D. & Cynthia R.	10-07-28-00-00-005.002	12.22	\$14,308.16	2.63%	\$3,269.84	0.60%
Wethington, Gene E. & Denise L.	10-07-28-00-00-014.004	5	\$5,854.40	1.07%	\$12,059.06	2.21%
TOTALS		115.46	\$135,189.84	24.80%	\$77,443.48	15.09%

F. M. MUSSELMAN DRAIN, BURNAU ARM RCONSTRUCTION SOUTH AREA						
Property Owner	Parcel Number	Acres Benefited	Option 1	Percentage	Option 2	Percentage
Wethington, Ellen J. & Ivan O. Roudebush	10-07-28-00-00-013.000	5	\$5,854.40	1.07%	\$12,721.16	2.21%
	10-07-28-00-00-014.000	0.4	\$468.36	0.09%	\$964.74	1.18%
	12-07-27-00-00-012.000	11	\$12,879.68	2.36%	\$26,529.92	4.87%
Wethington, Gene E. & Denise L.	10-07-28-00-00-014.004	5	\$5,854.40	1.07%	\$12,059.06	2.21%
Totals		21.4	\$25,056.84	4.59%	\$52,274.88	10.47%

FILED

JAN 09 2020

OFFICE OF HAMILTON COUNTY SURVEYOR

January 6, 2020

Hamilton County Drainage Board
One Hamilton County Square, Ste. 188
Noblesville, IN 46060-2230

To Whom It May Concern:

This letter is to state our objections to the W.S. Burnau Arm of the FM Musselman Drain improvements. We realize the new price of \$5,866.12 for option 1 or \$1,340.58 for option 2 are vast reductions to the initial price of \$20,643.40 you first proposed. We appreciate the decrease however we still feel the benefit we would receive does not come close to that cost. In our 11 years of living here we have not had a water issue in our home.

We disagree that each parcel within the drainage shed will have equal benefits by land use as provided by the drain. Due to how rapidly the water already drains from our property there is still no way a new drain will benefit us in the way it benefits those on Mallery Road. We do not doubt they will benefit but we do not have water issues on our property. If we did we would have paid to have that resolved. Our surface water already drains quickly so the benefit of the drain would be absolutely minimal to us if any. We certainly cannot justify spending \$1,340.58 and especially not \$5,866.12 in order to make improvements on a drain when we don't have water issues.

Even with the decrease of this new proposal you are still asking for a lot of money from us to fix a problem that does not affect us. We understand someone has to pay for this and one way or another we will end up having to pay something. We'd just like to make it known these amounts still seem ridiculously high for the lack of benefit we would receive.

Sincerely,

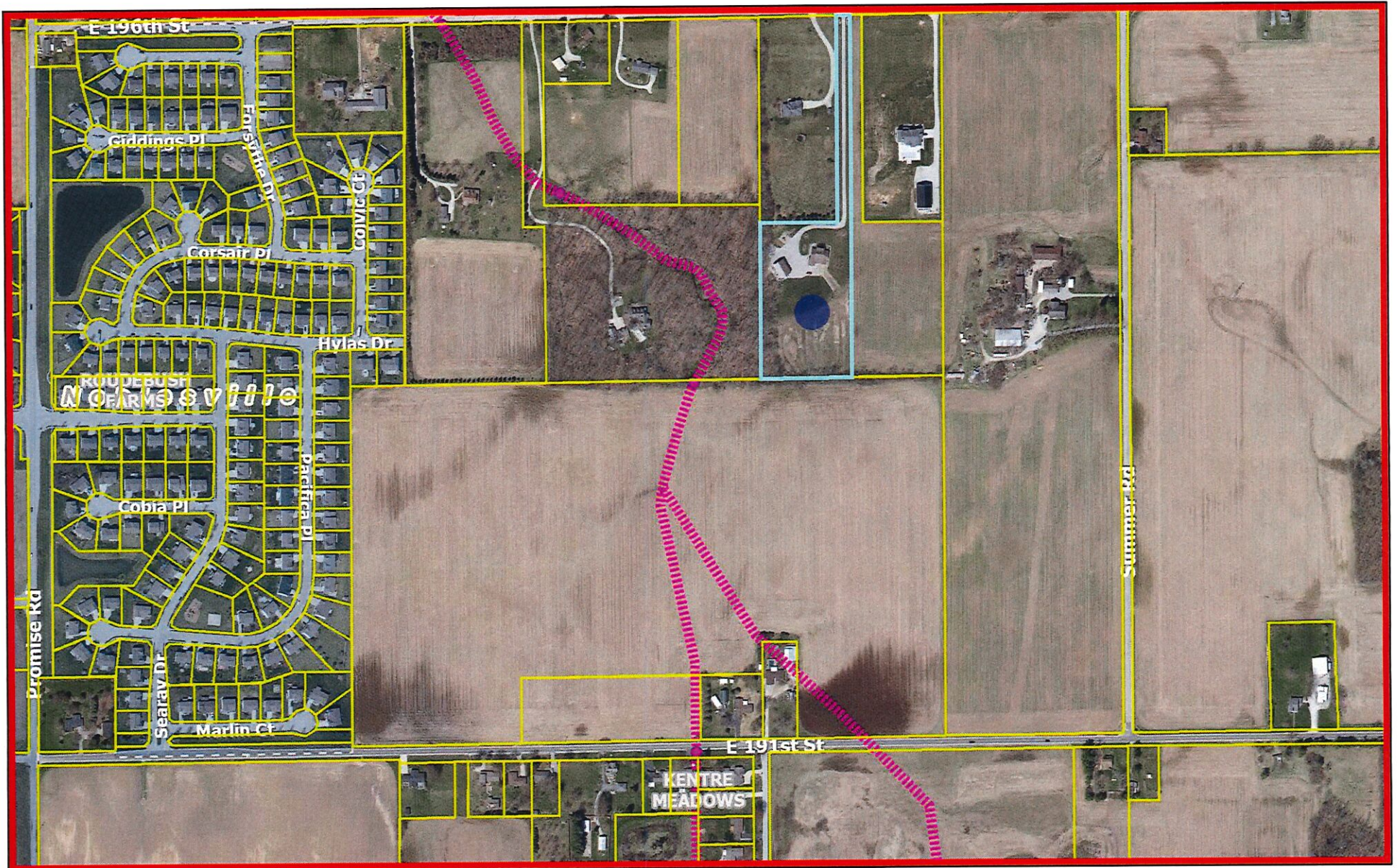

Paul and Jackie Cook

W.S. Burnau Arm

Parcel No. 10-07-28-00-00-006.002

1

Burnau Arm - Cook Objection



January 9, 2020

Parcels

Subdivisions

Interstates & US Highways

State Highways

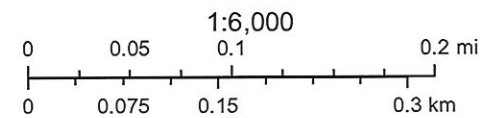
Major Roads

Minor Roads

Lakes & Reservoirs

Rivers & Streams

Corporate Limits (Label)



Author: Hamilton County

Ellen Q. Withington & Joan Roudelush TC
18620 Mallery Rd
Noblesville, In 46060



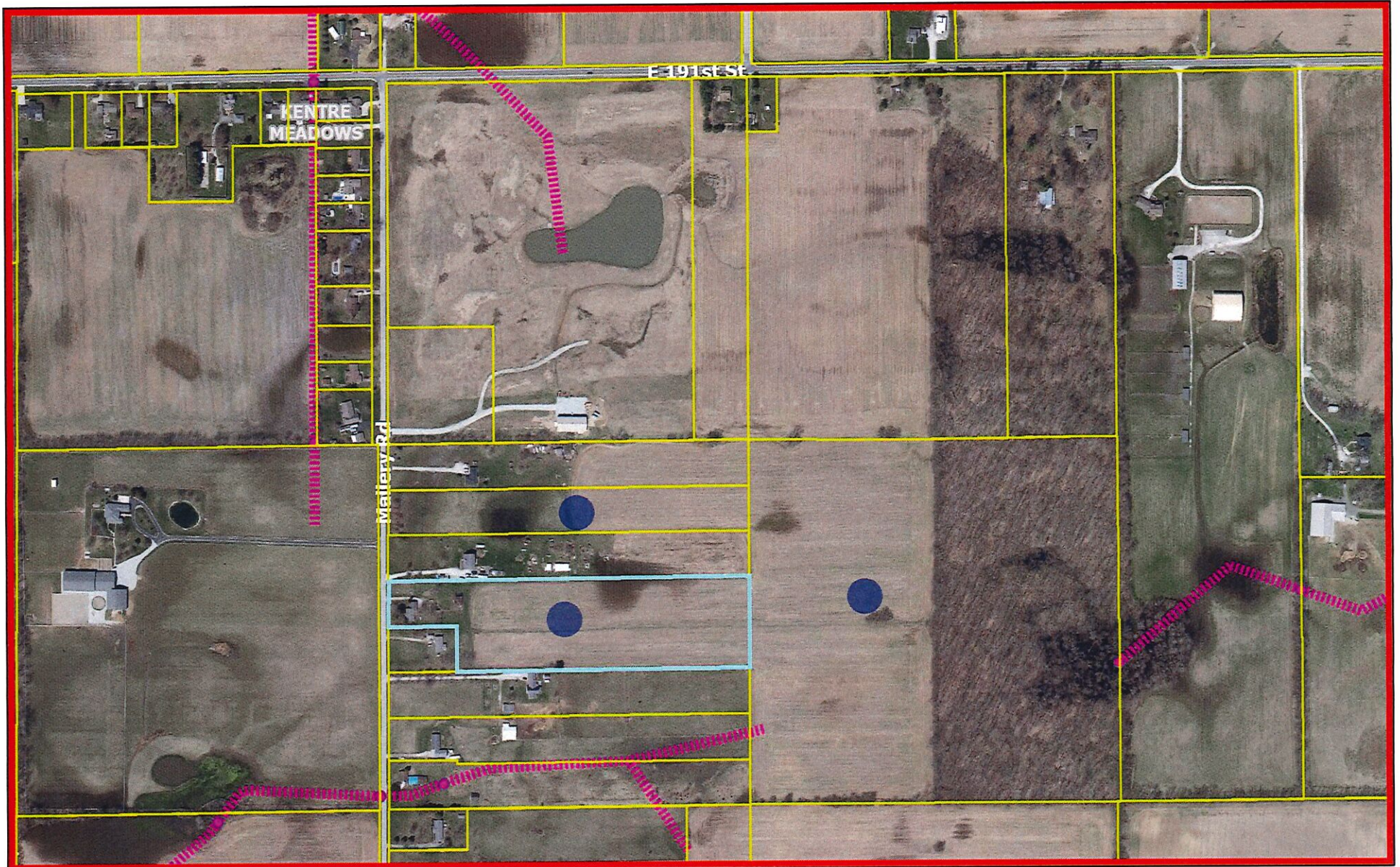
Hamilton County Drainage Board
Jan 17-2020

The FM Musselman Drain WS Burn Arm
Parcel 10-07-28-00-00-14,000 S 28 T 19 R 5 9 AC
Parcel 10-07-28-00-00-033-000 S 28 T 19 R 5 5 AC
Parcel 12-07-27-00-00-12,000 S 27 T 19 R 5 40 AC

This drain is not going to help that much. The 30 AC we farm doesn't make enough money to pay for Opiton 1 or Opiton 2. It's going to cost 19,202 dollars for Opiton 1 or 39,553.68 for Opiton 2. We are both eighty yrs. old. We live on a fixed income. We are not for either Opiton. We cannot afford that kind money.

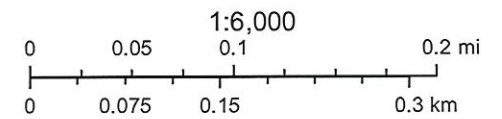
Ellen Q. Withington

Burnau Arm Objection_Wethington/Roudebush



January 21, 2020

- | | | |
|---------------------------|----------------|--------------------------|
| Parcels | State Highways | Lakes & Reservoirs |
| Subdivisions | Major Roads | Rivers & Streams |
| Interstates & US Highways | Minor Roads | Corporate Limits (Label) |



Author: Hamilton County

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January 21, 2020

To: Hamilton Count Drainage Board

Subject: WS Burnau Arm of the FM Musselman Drain – revisions



We object to option 1 of the most recent reconstruction proposal dated 12/20/2019. The proposed reduction in scope benefits the properties south of 191st street and provides no benefit to the properties north of 191st street. As such, we do not think that the properties north of 191st street should pay for work that benefits only the properties south of 191st street. Per the minutes of November 12th, Ms. Altman stated that "I don't think we are able, statutorily, to assess if they're not benefitted."

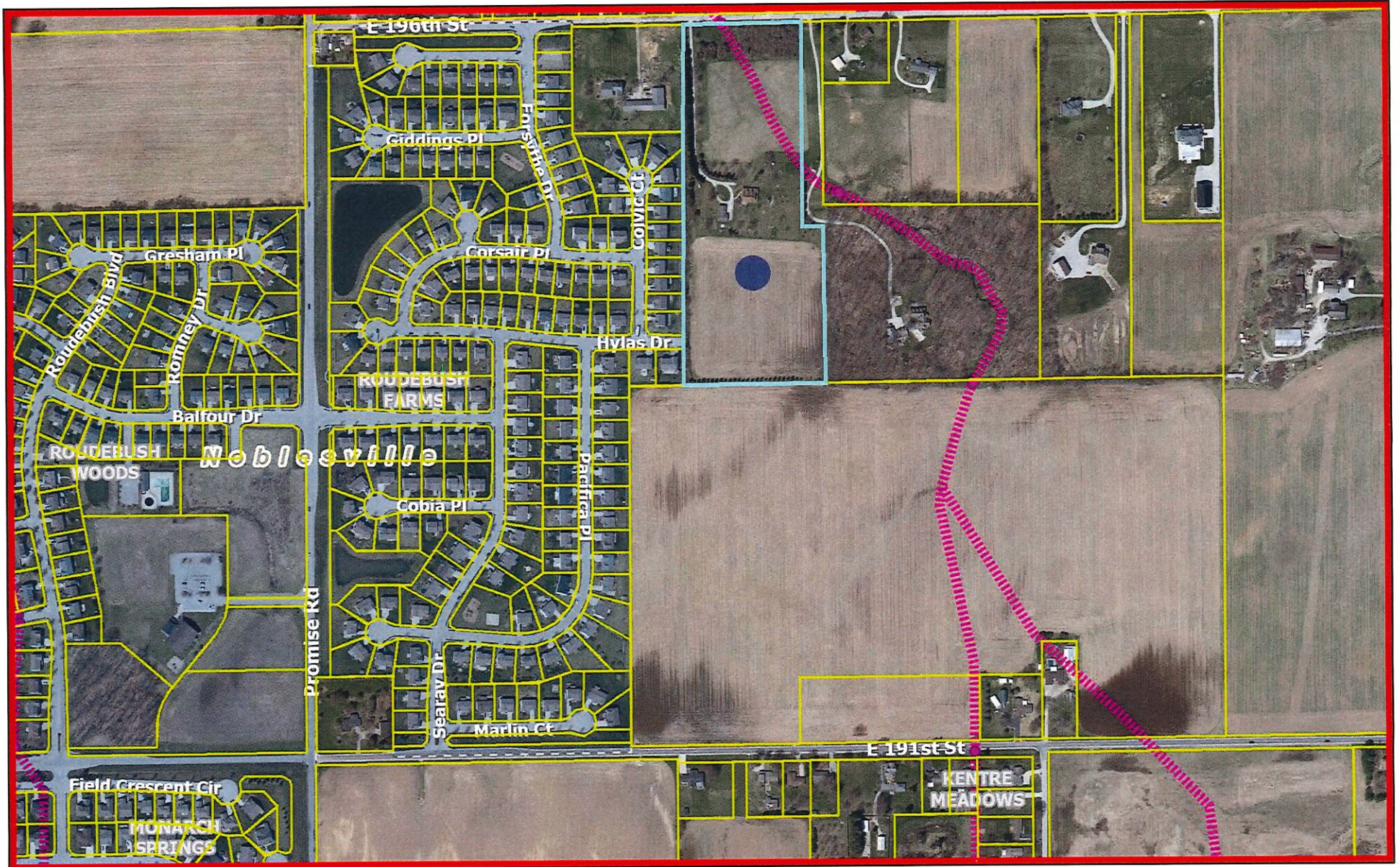
Regarding option 2, Mr. Ward stated at the same November 12th meeting "there's still the benefit of having the plans whenever somebody comes in, a developer, and them building it, unless you want to push that cost off to that future developer." My impression from the various meetings and hearings on this drain is that the only way that the full reconstruction is going to happen is when one of the larger properties develops. I have an issue subsidizing a developer that will be adding hard surfaces (roofs, roads, sidewalks, driveways) to this shed. Can the soft costs be loaned from the maintenance fund and be recovered at such time one of the properties is developed?


Donald L. Goodwin


Wanda D. Goodwin

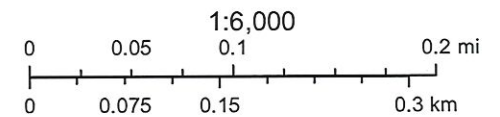
11345 E. 196th St.
10-07-28-00-00005.000
S28 T19 R5

Burnau Arm_Goodwin Objection



January 21, 2020

- | | | |
|---------------------------|----------------|--------------------------|
| Parcels | State Highways | Lakes & Reservoirs |
| Subdivisions | Major Roads | Rivers & Streams |
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Jan. 21, 2020

To: Hamilton Co., IN Drainage Board,
c/o Hamilton Co. IN Surveyor's Office
r.e.: F.M. Musselman Drain, W.S. Burnau Arm Reconstruction
Hearing scheduled for Jan. 27, 2020, 9:30 AM

This letter is respectfully submitted by the owners of parcel
12-07-27-00-00-015.000 (Canterbury Estates).



We are of the belief that the costs and expenses of the proposed reconstruction will exceed any benefits that may result to our land, and are excessive and unnecessary, in both Options 1 and 2.

This solution is to a problem not of our making, over which we had no control. We are under the impression that the City of Noblesville granted permission to allow houses to be constructed on the properties benefitting from this project.

Has the Surveyor's Office contacted the City of Noblesville to see if they would be able to contribute funding for this problem of their making; as was done by the City of Fishers on we believe the Anchorage Drain, as discussed in previous Drainage Board meetings?

Or are funds available for this out of the drainage taxes that we are assessed?

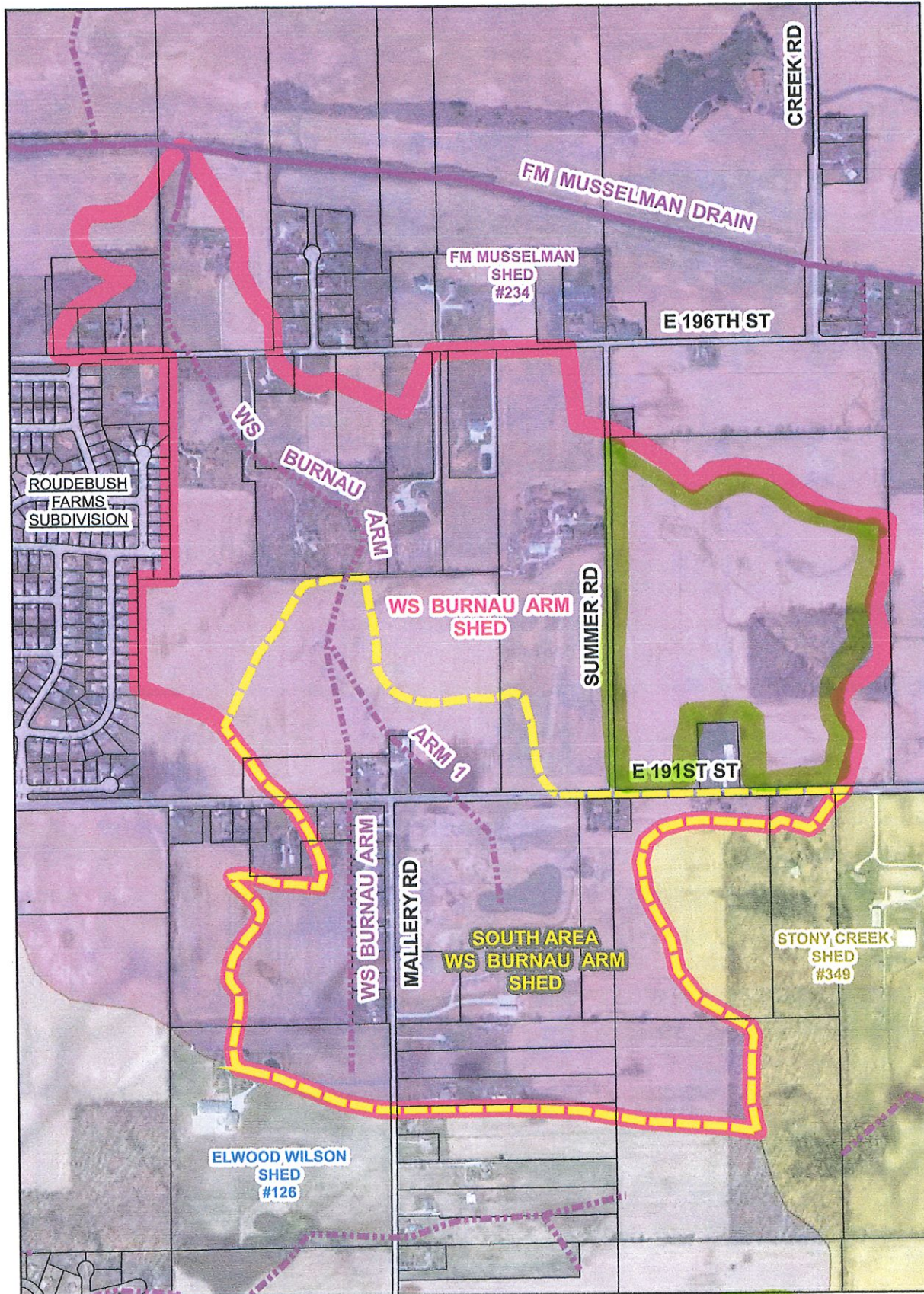
We realize that this is an issue that needs to be corrected, but feel it is not our fault that the affected houses were built in a lower lying area that was known to be prone to flooding to begin with, and object to having to pay for a problem we never had any control over.

Thank you for your attention to this matter.

Canterbury Estates
Noblesville, IN

WS BURNAU ARM SHED

FM Musselman Drain #234

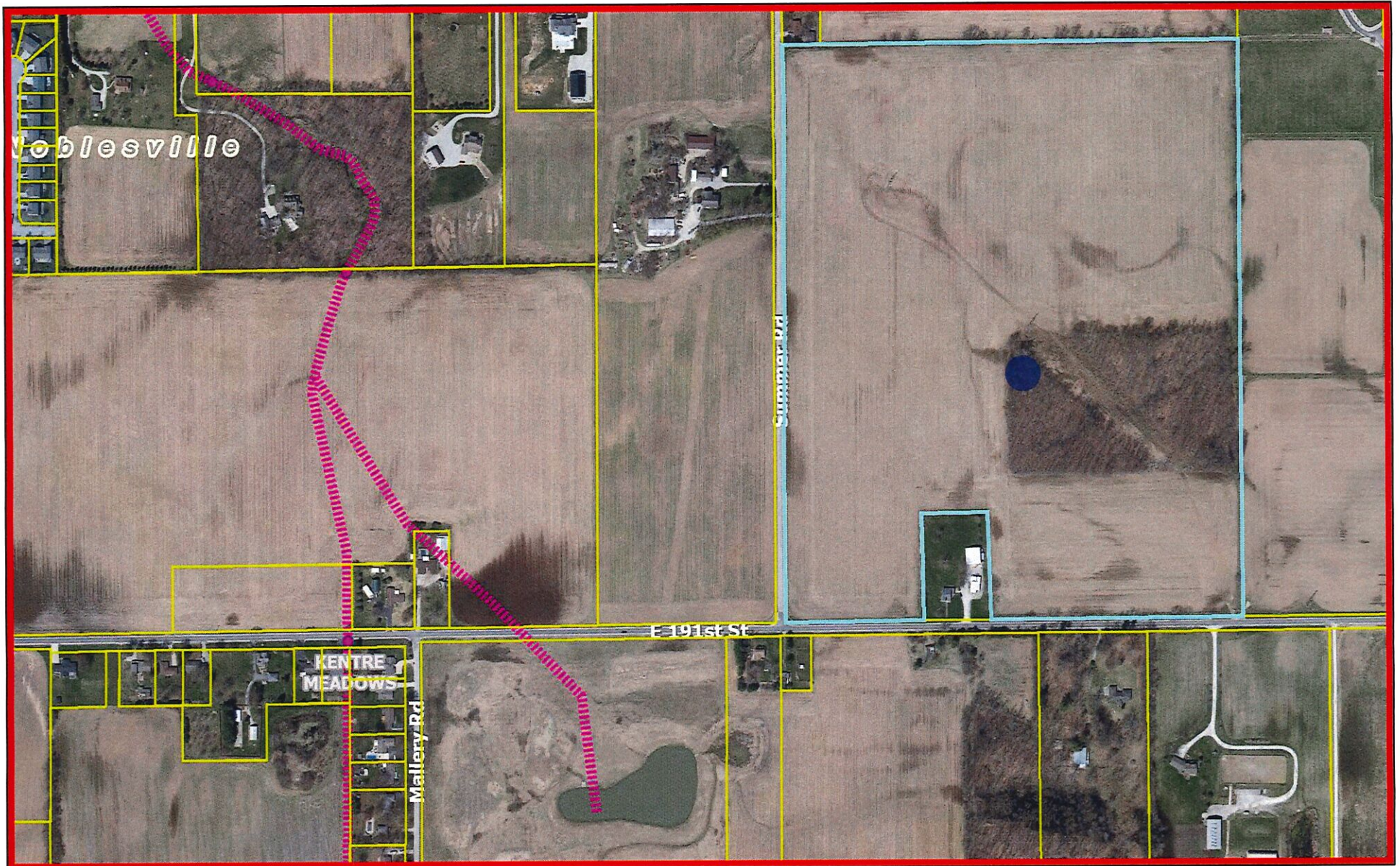


Printing Date: 12/24/2019
 Prepared By: Darren Wilson, GISP
 Hamilton County Surveyor's Office
 One Hamilton County Square, Ste 188
 Noblesville, IN 46060
 317-776-8495

- Proposed Sheds**
- PROPOSED WS BURNAU SHED
 - PROPOSED WS BURNAU SHED - SOUTH AREA

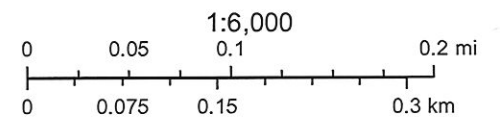
Line = Canterbury Estates Parcel

F. M. Musselman, Burnau Arm_Canterbury Estates Objection



January 22, 2020

- | | | |
|---------------------------|----------------|--------------------------|
| Parcels | State Highways | Lakes & Reservoirs |
| Subdivisions | Major Roads | Rivers & Streams |
| Interstates & US Highways | Minor Roads | Corporate Limits (Label) |



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January 22, 2020

To: Hamilton Count Drainage Board

Subject: WS Burnau Arm of the FM Musselman Drain – revisions



We object to option 1 of the most recent reconstruction proposal dated 12/20/2019. The proposed reduction in scope benefits the properties south of 191st street and provides no benefit to the properties north of 191st street. As such, we do not believe the properties north of 191st street should pay for work that benefits only properties south of 191st street. In support of this position, per the minutes of November 12, 2019, Ms. Altman stated "I don't think we are able, statutorily, to assess if they're not benefitted."

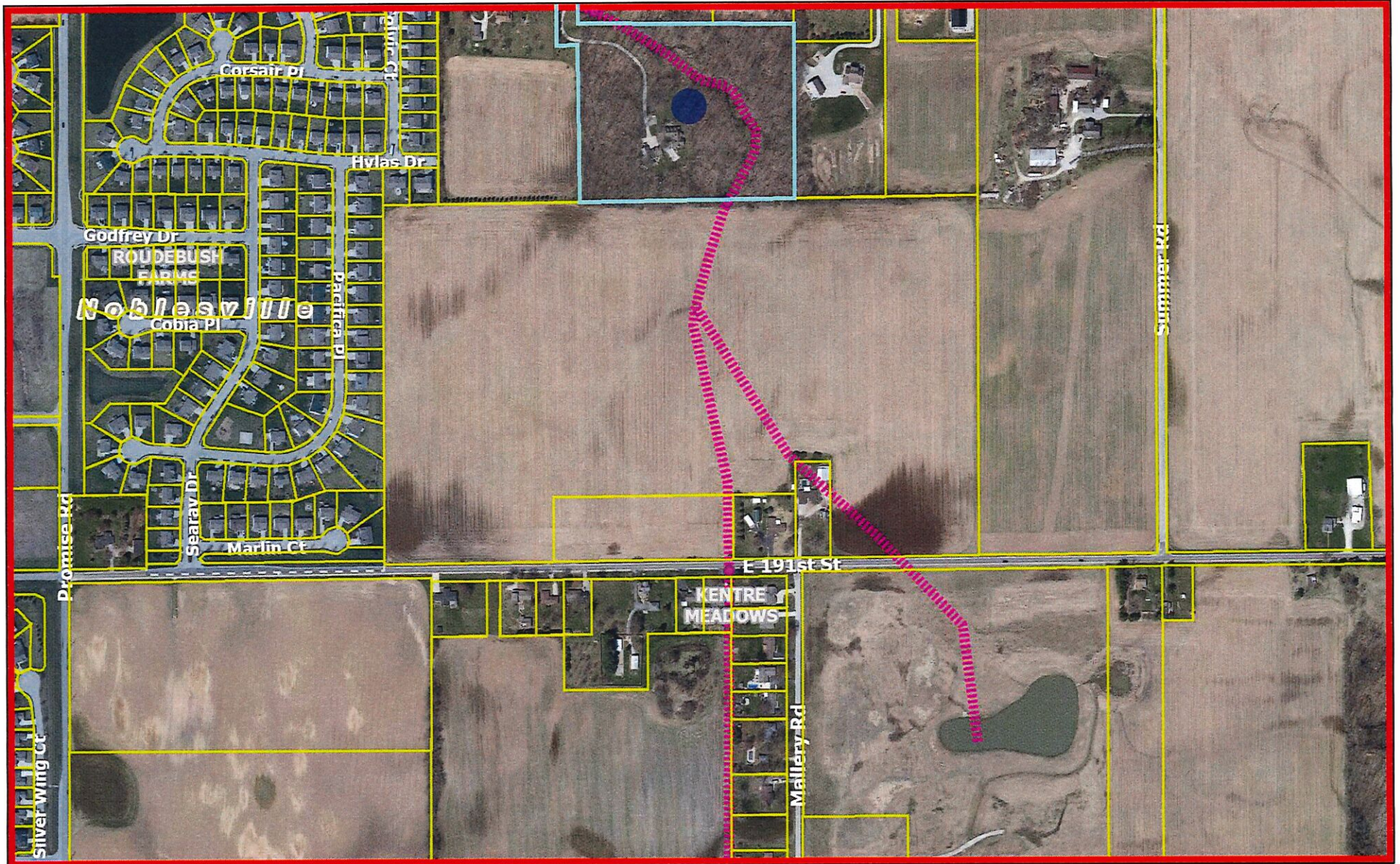
Regarding option 2, Mr. Ward stated at the same November 12th meeting "there's still the benefit of having the plans whenever somebody comes in, a developer, and them building it, unless you want to push that cost off to that future developer." Our impression from the meetings and hearings on this drain is that the only way full reconstruction will occur is when one of the larger properties develops. I have a problem subsidizing a developer who will add hard surfaces (roofs, roads, sidewalks, driveways) to this shed. Can the soft costs be loaned from the maintenance fund and recovered at such time one of the properties is developed?


Michael D. Latty


Cynthia R. Latty

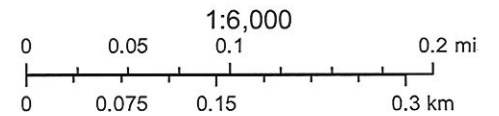
11349 E. 196th St.
10-07-28-00-00-005.002
S28 T19 R5
12.22 Acres

F.M. Musselman, Burnau Arm_Latty Objection



January 22, 2020

- | | | |
|---------------------------|----------------|--------------------------|
| Parcels | State Highways | Lakes & Reservoirs |
| Subdivisions | Major Roads | Rivers & Streams |
| Interstates & US Highways | Minor Roads | Corporate Limits (Label) |



Author: Hamilton County

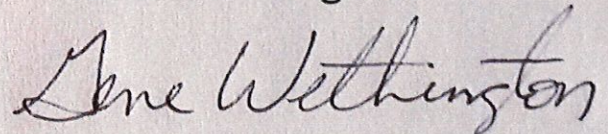
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To the Hamilton County Drainage Board: January 22, 2020

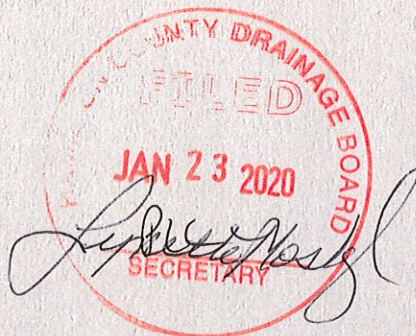
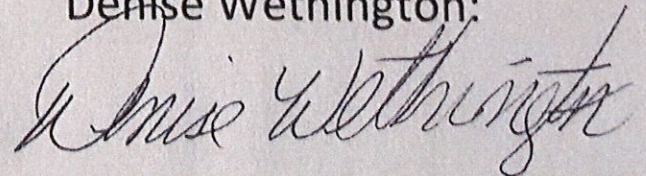
Gene and Denise Wethington at parcel 10-07-28-00-00-014.004, object to the proposed reconstruction of the W.S. Burnau arm of the F.M. Musselman drain. The reconstruction of this drain will not increase the property value enough to recover the cost of the proposed drain. The previous regulated drain adequately drained our property, until our connection was broken, when Steven Brent Wampler was allowed to alter his ground. We should not be responsible for fixing his error.

Sincerely,

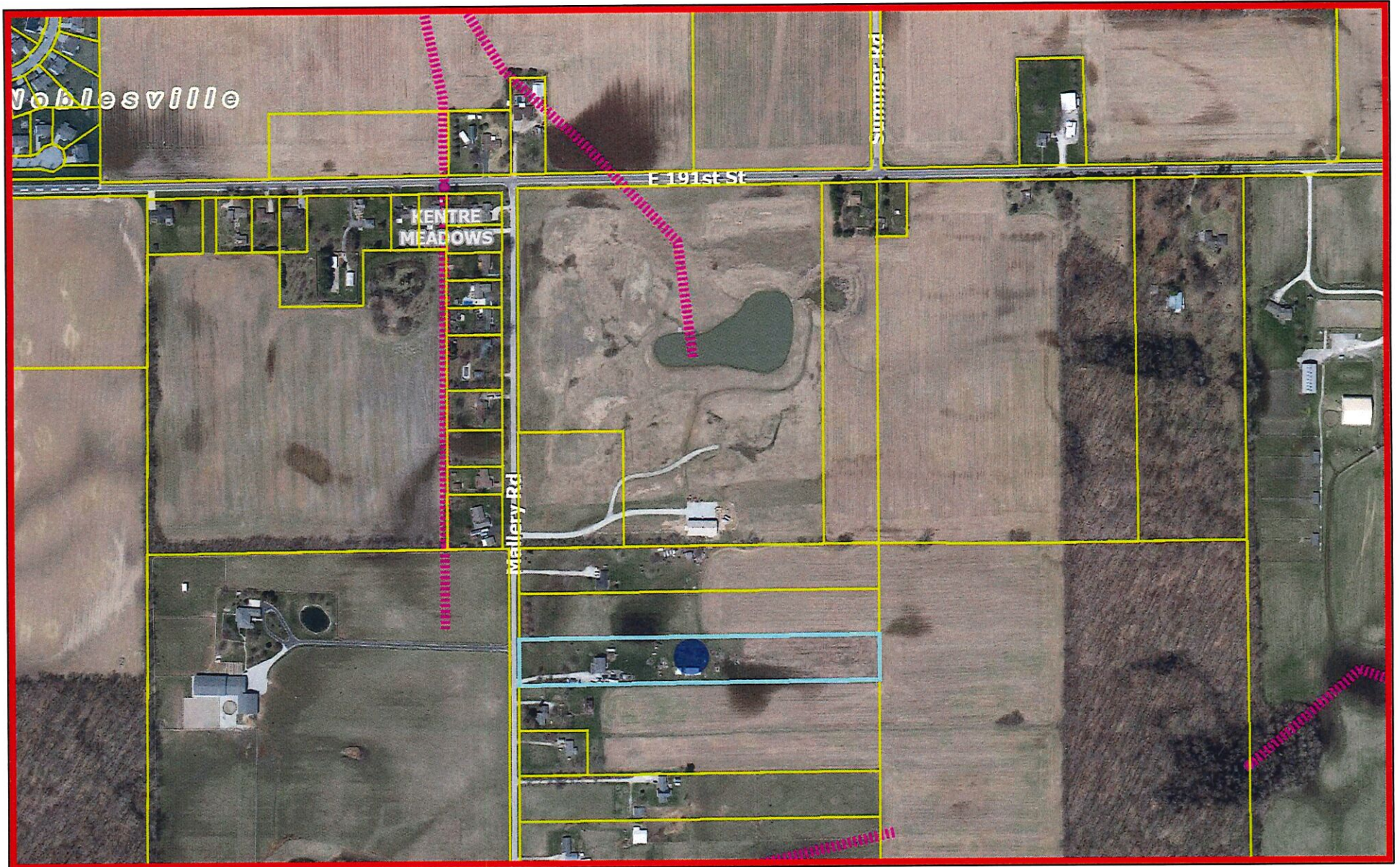
Gene Wethington:



Denise Wethington:



F.M. Musselman Drain, Burnau Arm_Wethington Objection



January 23, 2020

Parcels

State Highways

Lakes & Reservoirs

Subdivisions

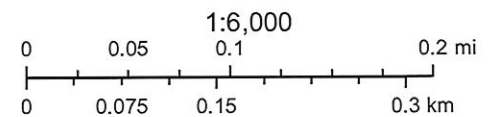
Major Roads

Rivers & Streams

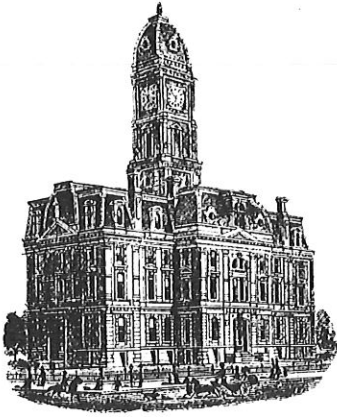
Interstates & US Highways

Minor Roads

Corporate Limits (Label)



Author: Hamilton County



SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
Fax (317) 776-9628

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

February 13, 2018

To: Hamilton County Drainage Board

Re: WS Burnau Arm of the FM Musselman Drain

Attached are a petition, reconstruction plans, drain map, drainage-shed map, and schedule of assessments for the reconstruction of the WS Burnau Arm of the FM Musselman Drain. The WS Burnau Arm of the FM Musselman Drain is in need of reconstruction at this time due to its lack of adequate capacity, the condition of the drain due to its age and significant standing water issues on both sides of Mallery Road south of 191st Street. The drain is listed as Number 16 on the 2017 Drain Classification List for Reconstruction. A petition for reconstruction of the WS Burnau Arm of the FM Musselman Drain was presented to the Drainage Board on June 8, 2015. The petition was signed by approximately 22% of the landowners within the Drainage Shed. (See Hamilton County Drainage Board Minutes Book 16, page 219).

The attached plans, dated February 16, 2018, were prepared by VS Engineering. The proposed project will improve the flow characteristics of the drain, provide an increased capacity outlet for all areas within the watershed that experience flooding and better drain the soil of the agricultural fields served by this drain.

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 benefited.

History:

Per the Report dated April 26, 1994 presented to the Drainage Board at the April 27, 1994 meeting of the Drainage Board, the original construction reports and other information for the W.S. Burnau Drain cannot be found. Information concerning this drain was drawn from other resources such as the 1932 Drain Map. The Drain consists of a main ditch and an arm. The 1994 report states that the main ditch consists of approximately 5,000-feet of tile and 350-feet of open ditch and that the arm consists of approximately 2000-feet of tile. The report states that the approximate total length of the drain is

7,350-feet. The Drain was repaired as part of the S.H. Searce Drain in 1915, 1916 and 1924. A concrete retaining wall was constructed on the outlet of the WS Burnau Arm as part of the 1928 reconstruction of the FM Musselman Drain. (See Hamilton County Drainage Board Minutes Book 3, Page 245)

Sometime after the 1994 report was presented, further investigation of the drain established the total length of the drain to be 8,117-feet. The current GASB 34 footages are listed as follows: 5,757-feet of tile, 360-feet of open ditch with a tile arm 2,000-feet in length. Pipe sizes are not included in the GASB report. It is also noted in the GASB report that the length of the drain is approximate. Through investigations and work orders, the size of the tile has been identified at various times and locations since 2007. The main tile varies in size from 8-inch to 18-inch. Arm 1 is an 8-inch tile through its full length of 2,000-feet.

The drain is located in Noblesville Township, Sections 21 and 28 of Township 19 North Range 5 East. The drain starts at a point approximately 2,400-feet east of Promise Road and 1,620-feet south of 191st Street and runs north and west to its point of discharge to the FM Musselman Drain. Arm 1 starts approximately 643-feet east of Mallery Road and 646-feet south of 191st Street and runs north and west to where it joins the main drain at approximately Station 25+77 of the main drain. This station is based on the approximate length of the drain from the GASB 34 footages. The drain is part of the FM Musselman Drain watershed.

A report dated December 19, 1985 was presented to the Drainage Board at the January 13, 1986 meeting of the Drainage Board. The report states that the Surveyor is investigating the possibility of constructing a new drain for Kentre Meadows or reconstructing the WS Burnau Drain. (See Hamilton County Drainage Board Minutes Book 2, Page 105).

At the meeting of the Drainage Board on January 22, 1991, Mr. Steven Church and Mr. Les Locke came before the Board to discuss drainage problems at 191st Street and Mallery Road. It was stated that, at that time, the Drain was not under a maintenance or reconstruction program. The Board requested that the Surveyor and the Highway Department investigate the drainage problem. (See Hamilton County Drainage Board Minutes Book 2, Page 502).

At the meeting of the Drainage Board on February 19, 1991, the Surveyor reported to the Board that the tile on the Church property was the WS Burnau Drain, a 10-inch tile, was running full and clean, and draining approximately 60-acres. (See Hamilton County Drainage Board Minutes Book 2, Page 502).

At the June 27, 1994 meeting of the Drainage Board the Board placed the F.M. Musselman watershed on a maintenance program. This area included the watersheds of the F.M. Musselman, E.G. Barker, W.S. Burnau and Thomas Huggins Drains. (See Hamilton County Drainage Board Minutes Book 3, pages 257-258)

On June 2, 2015 the above mentioned petition was received by the Surveyors office.

Requests for Proposal for the design of the reconstruction of the Drain were approved at the meeting of the Drainage Board on July 13, 2015 (See Hamilton County Drainage Board Minutes Book 16, Page 244).

At the meeting of the Drainage Board on August 10, 2015, six firms presented proposals for the design of the reconstruction of the Drain. (See Hamilton County Drainage Board Minutes Book 16, Page 267).

At the meeting of the Drainage Board on August 24, 2015, the County Surveyor recommended that the Board award the design services contract for the reconstruction of the drain to VS Engineering. (See Hamilton County Drainage Board Minutes Book 16, Page 272).

At the meeting of the Drainage Board on September 14, 2015, the professional services contract for the reconstruction of the drain was approved. (See Hamilton County Drainage Board Minutes Book 16, Page 291).

At the meeting of the Drainage Board on May 26, 2016, the Board approved the acquisition of easements on the Boyce, Roth, and Wampler properties needed to complete the reconstruction project. (See Hamilton County Drainage Board Minutes Book 16, Pages 559-560).

At the meeting of the Drainage Board on June 13, 2016, an amendment to the professional services contract for the reconstruction of the drain was approved. The amendment was associated with an expanded scope of services to extend the Drain to the east side of Mallery Road to provide a better outlet for a long standing drainage issue. (See Hamilton County Drainage Board Minutes Book 16, Page 576).

A public information meeting was held on October 11th, 2016 in the Noblesville Library. Notices of the meeting were mailed to the owners of the property within the WS Burnau Arm watershed. The meeting was attended by the following persons: Steve Williams, Ellen Wethington, Don Wethington, Kevin Burrow, Marshelia McLane, Chad Galloway, Mary Ogle, Mike Latty and Susan Peterson.

At the meeting of the Drainage Board on March 27, 2017, the Board approved the request to obtain appraisals for the four easements needed for the project. (See Hamilton County Drainage Board Minutes Book 17, Page 320).

At the meeting of the Drainage Board on July 10, 2017, the Board accepted the value of the appraisals and approved offers being made to the property owners for the four easements needed for the project. (See Hamilton County Drainage Board Minutes Book 17, Page 405).

At the meeting of the Drainage Board on July 24, 2017, property owners addressed the Board regarding the condition of the drain, issues experienced on their properties and the work on the Wampler property. (See Hamilton County Drainage Board Minutes Book 17, Pages 413-420).

At the meeting of the Drainage Board on August 14, 2017, the Hamilton County Surveyors Office made a presentation to the Board regarding their investigation of the work that had been completed on the Wampler property. Discussion regarding the condition of the drain, issues experienced on the properties and the work on the Wampler property continued. (See Hamilton County Drainage Board Minutes Book 17, Pages 431-439).

At the meeting of the Drainage Board on August 28, 2017, the easements from the Wampler and Ogle properties were approved. (See Hamilton County Drainage Board Minutes Book 17, Page 466).

At the meeting of the Drainage Board on September 11, 2017, the easement from the Roth property was approved. (See Hamilton County Drainage Board Minutes Book 17, Page 473).

At the meeting of the Drainage Board on October 23, 2017, the easement from the Boyce property was approved. (See Hamilton County Drainage Board Minutes Book 17, Page 500).

Current Condition of the Drain:

The drain functions but is undersized and requires frequent maintenance. There is significant flooding that occurs on the properties on both the east and west sides of Mallery Road south of 191st Street. There is also significant flooding in the field northeast of the intersection of 191st Street and Mallery Road that results in saturated soil that affects crop production. In 2017, in response to standing water in the areas served by the drain, several sinkholes and water surfacing and running across the downstream properties. A repair was completed on the Latty property to restore the function of the drain. Per WO-2017-00094, the cost of this repair was \$38,435.90.

Based on a search of the County's database for drainage complaints, there have been twenty-five (25) Drainage Complaints logged in to the County's database for such complaints since 2002. The complaints are listed below.

Job #	Issue	Location
2002-215	Drain not draining; Flooding house	Mallery Road and 191st Street
2002-452	Neighbor filling yard	18953 Mallery Road
2003-391	Standing water	18770 Mallery Road
2003-475	Drain backing up in house	11439 East 191st Street
2003-513	Standing water	18993 Mallery Road
2004-246	Erosion where maintenance completed	11345 East 196th Street
2005-38	Broken tile	18751 Mallery Road
2005-53	Drain clogged	11439 East 191st Street East
2005-110	Culvert blocked	11385 East 191st Street
2006-498	Blow holes	North side of 191st Street and west of Summer Road
2009-13	Water ponding in yard; entering crawl space	18953 Mallery Road
2009-68	Large sink hole	Southwest corner of 196th Street and Summer Road
2009-82	1 hole in woods; 1 next to woods	11395 East 196th Street
2009-127	Front/Backyard flooded	18953 Mallery Road
2013-103	Sink holes	11395 East 196th Street
2014-210	Standing water	18993 Mallery Road
2015-161	Tile full of dirt	191st Street and Mallery Road
2015-190	Digging on SE corner of 191st street and Mallery Road; tile not draining	Southeast corner Of 191st Street And Mallery Road
2015-455	Set new breather	East of Mallery Road; south side of 191st Street
2017-109	Water flowing on surface onto property	11345 East 196th Street
2017-386	Yard flooded	11439 East 191st Street East
2017-398	Debris from work in woods has uprooted fence; culvert needs inspection	11390 East 196th Street
2017-403	Drain clogged	11655 East 191st Street

2017-410	Hole in pasture	11390 East 196th Street
2017-500	Old drain needs replaced due to flooding	18953 Mallery Road

There have been a total of twelve (12) work orders since 2007 with a total value of \$54,947.50. The Work Orders are listed below.

Job #	Issue	Location	Value
2007-29	Repair holes in drain	191st Street and Summer Road	\$ 3,411.75
2007-286	Jet pipe	191st Street and Summer Road	\$ 656.25
2008-47	Set Breather	12440 East 196th Street	\$ 558.30
2009-91	Repair holes in drain	South of 196th Street/East of Promise Road	\$ 3,636.87
2009-103	Jet pipe	South of 191st Street/West of Mallery Road	\$ 250.00
2013-86	Repair holes in drain	196th Street and Promise Road	\$ 1,057.00
2015-176	Jet pipe	191st street and Mallery Road	\$ 1,962.10
2015-177	Jet pipe	191st street and Mallery Road	\$ 890.00
2015-368	Set Breather	East of Mallery Road; South Side of 191st Street	\$ 1,502.38
2016-209	Excavation to locate tile	191st street and Mallery Road	\$ 1,346.95
2017-94	Repair tile	South of 196th Street/East of Promise Road	\$ 38,435.90
2017-302	Repair tile	South of 196th Street/East of Promise Road	\$ 1,240.00

Proposed Project:

The existing tile was installed for agricultural drainage of the watershed and is not adequately sized to convey surface runoff. The new tile is sized to convey the runoff from the 10-year storm event in the future, developed condition with detention provided. The proposed tile system will provide a significant increase in capacity compared to the existing tile system. County standards require that new development provide detention facilities that store runoff up to the 100-year storm event and release the runoff at a reduced rate of 0.3-cfs/acre. The reduced rate was developed from the former standard that required the runoff from the 100-year storm event in the proposed condition be released at a peak rate that did not exceed the peak rate of runoff from the 10-year storm event in the existing condition. As such, this tile will also serve as an adequate outfall for future development.

The project also includes the installation of a grass waterway that will convey runoff in excess of the capacity of the proposed tile.

The reconstruction project will consist of the following: 3,063-LF of 48" HDPE pipe; 4,146-LF of 24" HDPE pipe; 978-LF of 12" HDPE pipe; 117-LF of 48" RCP; 149-LF 24" RCP; 39-LF of 12" RCP; 6,796-LF of grass waterway with 10:1 side slopes; 850-LF of grass waterway with 3:1 side slopes; 13, 48" diameter manholes; 9, 60" diameter manholes; 1, 72" diameter manhole; 4, Type A Inlets; gravel driveway repair; asphalt driveway repair; 1 pipe bulkhead; 1, 48-Inch RCP end section; demolition and clearing; pavement removal and repair where the drain crosses the various roadways; fence removal and repair; maintenance of traffic; construction phase erosion and sediment control; removal of the existing tile; rip-rap armorment at the outfall to the open ditch and seeding of the disturbed non-farmed areas.

There is roadway culvert work that is required to construct the project but these culverts are not part of the regulated drain: 37-LF of new 36" RCP to replace an existing culvert; 29-LF of new 24" RCP to replace and existing culvert; remove and replace 1 existing 21" CMP; pavement removal and repair.

Any excess soil material generated from the installation of the new pipe shall be spread within the limits of the existing easement so as not to negatively affect the existing surface drainage flow.

With the exception of the small portion across the Kopczynski property described below, the existing tile of both the main drain and Arm 1 will be removed as the project is constructed. Due to the current footage of the drain being stated as approximate, the stationing referenced in this report is based on the reconstruction plans dated February 16, 2018.

The current alignment of Arm 1 crosses the Kopczynski property from southeast to northwest. Existing buildings on the property are either located over the tile or are in such close proximity to the tile that maintenance of the tile would be hindered. As such, the project proposes to relocate the tile such that it runs north along the eastern property and then west along the north property line of the Kopczynski property. The portion of the existing tile across the Kopczynski property will be abandoned in place and the project will construct a positive outfall at the breather that was installed on the western property line in 2015.

Easements:

The project will occur within existing regulated drain easement. Four additional easements were required for this project. These easements were accepted by the Board at various meetings as previously outlined in this report. The parcels on which the easements run, the widths of the easements, acreage, and the instrument numbers of the recorded easements are outlined below.

Parcel Number	Owner	Easement Width	Instrument Number
10-07-28-00-00-007.001	Boyce Land Co., Inc.	Irregular; 0.764-acres	2017054517
10-07-28-00-00-018.000	Mark R. Roth	20-feet; 0.092-acres	2017049038
10-07-28-00-00-012.000	3 Percent Holdings, LLC [Formerly Wampler, Brent Trustee of Brent Wampler Rev Trust]	48.5-feet and 40- feet; 0.618-acres	2017048647
10-07-28-00-00-014.003	Jeffrey A. & Mary A. Ogle	40-feet; 0.104-acres	2017046357

The Surveyor is of the opinion that the widths of each easement is adequate for future maintenance of this tile and is allowed under IC 36-9-27-33(e).

Permits:

As this project is a project that will replace an existing pipe with a proposed pipe, no permits are required from IDNR, IDEM, or U.S. Army Corps of Engineers.

Changes to the Drain:

Due to the current footage of the drain being stated as approximate, the stationing referenced in this report is based on the reconstruction plans dated February 16, 2018.

With the exception of approximately 170-feet across the Kopczynski property, the existing tile of the main drain and Arm 1 will be removed as the project is constructed. The approximately 170-feet of existing tile across the Kopczynski property shall be abandoned in place and removed from the County Regulated Drain inventory.

As previously stated, the current GASB 34 footages are listed as follows: 5,757-feet of tile, 360-feet of open ditch with a tile arm 2,000-feet in length. Pipe sizes are not included in the GASB 34 report. It is noted in the GASB 34 report that the length of the drain is approximate.

The proposed length of the main drain tile is 5,784-feet resulting in an increase to the GASB 34 footage of 27-feet. The length of the open ditch will be reduced from 360-feet to 260-feet. The main drain will consist of the following:

- 3,063-feet of 48" HDPE tile
- 117-feet of 48" RCP tile
- 2,231-feet of 24" HDPE tile
- 88-feet of 24" RCP tile
- 25-feet of 12" RCP (for two area inlets)
- 260-feet of open ditch

The existing retaining wall at the current outlet will remain.

The proposed length of Arm 1 is 2,037-feet resulting in an increase of the GASB 34 footage of 37-feet. Arm 1 will consist of the following:

- 1,915-feet of 24" HDPE tile
- 61-feet of 24" RCP tile
- 61-feet of 12" HDPE tile (for positive outfall for the portion of the existing tile to be abandoned across the Kopczynski property).

A new Arm will be constructed with this project. The new Arm shall be known as Arm 2 to the WS Burnau Drain. The new arm will be 931-feet in length and consists of the following:

- 892-feet of 12" HDPE tile
- 39-feet of 12" RCP tile

The final length of the drain will be 8,752-feet.

The regulated drain will now include a grass waterway for conveyance of runoff in excess of the capacity of the new tile. The grass waterway consists of two arms. One grass waterway will be parallel with the main drain tile and is 5,715-feet in length. The second grass waterway will be parallel with Arm 1 and is 1,931-feet in length.

Project Cost:

VS Engineering is under contract to provide the following professional services:

1. Survey
2. Engineering
3. Construction staking
4. As-Built drawing preparation
5. Geotechnical investigation
6. Easement document preparation

These contracted services equal \$49,250.00.

Gerdenich, Maten, Gabor was contracted to provide appraisal services for easement acquisition. The value of this contract is \$2,400.00.

The value of the easements acquired for this project are as follows:

Wampler Easement	\$ 8,200.00
Ogle Easement	\$ 1,600.00
Roth Easement	\$ 1,300.00
Boyce Easement	\$ 15,280.00
Total Acquisition Cost:	\$ 26,380.00

Buying services for easement acquisition were provided by staff of the Hamilton County Highway Department.

The estimated construction cost of the project is outlined as follows:

Line Item	Quantity	Unit	Unit Cost	Total Cost
12" HDPE (4-9' Deep)	978	LF	\$ 55.00	\$ 53,790.00
24" HDPE (5-10' Deep)	4146	LF	\$ 80.00	\$ 331,680.00
48" RCP (6-12' Deep)	46	LF	\$ 255.00	\$ 11,730.00
48" HDPE (1-12' Deep)	3063	LF	\$ 170.00	\$ 520,710.00
Type A Inlet	4	EA	\$ 2,000.00	\$ 8,000.00
48" Manholes, 4-12" deep with casting and marker	13	EA	\$ 4,000.00	\$ 52,000.00
60" Manholes, 4-12' deep with casting and marker	9	EA	\$ 5,000.00	\$ 45,000.00
72" Manholes, 4-12' deep with casting and marker	1	EA	\$ 6,000.00	\$ 6,000.00
48' RCP End Section	1	EA	\$ 5,000.00	\$ 5,000.00
Grass Waterway	7,646	LF	\$10.00	\$ 76,460.00
Demolish Existing Tile	7,344	LF	\$ 20.00	\$ 146,880.00
Clearing	1	LS	\$ 21,500.00	\$ 21,500.00
#53 Crushed Stone	5	TON	\$ 40.00	\$ 200.00

Gravel Drive Repair	1	EA	\$ 500.00	\$ 500.00
HMA Drive Repair	16	SYS	\$ 55.00	\$ 880.00
Fence Repair	4	EA	\$ 2,725.00	\$ 10,900.00
Rip-Rap Armorment	1	LS	\$ 500.00	\$ 500.00
Pipe Bulkhead	1	EA	\$500.00	\$500.00
Seeding	34,300	SYS	\$ 1.00	\$ 34,300.00
Erosion and Sediment Control	1	LS	\$ 20,000.00	\$ 20,000.00
			Subtotal	\$ 1,346,530.00
			15% Contingency	\$ 201,979.50
			Total Cost	\$ 1,548,509.50

Hamilton County Highway Department				
Line Item	Quantity	Unit	Unit Cost	Total Cost
12" RCP (4-9' Deep) [Arm 2 - Mallery Road]	39	LF	\$ 83.00	\$ 3,237.00
24" RCP (4-10' Deep) [Main Drain and Arm 1 - 191 st Street]	149	LF	\$ 120.00	\$ 17,880.00
36" RCP (2'-5' Deep) [191 st Street Culvert]	37	LF	\$ 180.00	\$ 6,660.00
48" RCP (6-12' Deep) [Main Drain - 196 th Street]	71	LF	\$ 255.00	\$ 18,105.00
24" RCP (4-10' Deep) [191 st Street Culvert]	29	LF	\$120.00	\$3,480.00
Remove and Reset Existing CMP Culvert	1	EA	\$ 2,000.00	\$ 2,000.00
#53 Crushed Stone	71	TON	\$ 40.00	\$ 2,840.00
HMA Roadway Repair	216	SYS	\$ 55.00	\$ 11,880.00
Maintenance of Traffic	1	LS	\$ 16,100.00	\$ 16,100.00
			Subtotal	\$ 82,182.00
			15% Contingency	\$ 12,327.30
			Total Cost	\$ 94,509.30

Cost Summary	
Total Construction Cost	\$ 1,643,018.80
Appraisal for easements	\$ 2,400.00
Four easement purchases	\$ 26,380.00
<i>Sub-Total</i>	<i>\$ 1,671,798.80</i>
VS Engineering Services	\$ 49,250.00
<i>Total Project Cost</i>	<i>\$ 1,721,048.80</i>

Project Funding:

The WS Burnau Drain is part of the FM Musselman Drainage Shed. The WS Burnau Drain shed is comprised of 370.48-acres and includes 50 parcels. The annual maintenance assessment of the FM Musselman Drainage Shed is \$49,316.74. As of February 14, 2018, the maintenance fund balance for the FM Musselman Drainage Shed is \$374,658.73.

The maintenance assessments for the FM Musselman Drainage Shed shall not change due to the proposed reconstruction.

The cost of the work within the rights-of-way of 196th Street, 191st Street and Mallery Road shall be paid by the Hamilton County Highway Department per IC 36-9-27-71. The lump sum cost to be charged to the Hamilton County Highway Department will be \$ 94,509.30.

The following costs have already been paid for this project.

Payment	Amount	Fund
VS Engineering	\$ 35,570.00	Maintenance Fund
Gerdenich, Maten and Gabor	\$ 2,400.00	GDIF
Easement Acquisition	\$ 26,380.00	GDIF

The remaining \$13,680 for the VS Engineering Contract includes construction staking and as built drawing preparation services.


I recommend to the Board that \$100,000.00 of the F. M. Musselman Drainage Fund be utilized towards the cost of this project. I believe that the funds used towards the engineering in the amount of \$35,570.00 be considered part of this amount leaving \$64,430.00 to be expended for the reconstruction.

The benefitted drainage shed for this reconstruction project is 370.48-acres. I have reviewed the benefitted drainage shed and upon considering each parcel individually, I believe each parcel within the drainage shed will have equal benefits by land use as provided by the drain. Therefore, I recommend each tract be assessed as follows:

1. Utilize \$100,000.00 from the maintenance fund.
2. County Highway to pay \$94,509.30 lump sum.
3. Entire Burnau Arm shed be assessed \$4,120.44 per acre.

I also believe that no damages will result to landowners by the reconstruction of this drain. Therefore, damages shall be set at \$0.00.

I recommend the Board set a hearing for this reconstruction for April 23, 2018.



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

JUN 02 2015

To: Hamilton County Drainage Board

OFFICE OF HAMILTON COUNTY SURVEYOR

Re: In the matter of the FM Mussleman Drain, WS Burnau Arm Drain Petition

Comes now the undersigned individuals, who petition the Hamilton County Drainage Board, per IC 36-9-27, for the reconstruction of the above referenced regulated drain. The undersigned believe the following:

1. They are owners of ten percent (10%) in acreage or more of land area alleged by the petition to be affected by the drain.
2. That as property owners within the drainage shed, they are qualified petitioners.
3. That they now desire that a regulated drain be reconstructed in Noblesville/Wayn Township.
4. The names and address of each owner affected by the proposed public drainage are attached hereto, made a part hereof, and marked Exhibit "A", which area of land involved in the proposed drainage area is located in section 21, township 19 north, range 4 east, Hamilton County, Indiana. 27&28
5. That the proposed reconstruction consists of replacing the existing old undersized tile with new drain.
The main Burnau Arm drain to be reconstructed from Sta 0+00 to confluence with FM Mussleman Ditch.
Arm 1 to be reconstructed from south side of 191st right-of-way to the confluence with main Burnau drain.
6. That in the opinion of the Petitioner, the costs, damages, and expenses of the proposed improvement will be less than the benefits which will result to the owners of the land to be benefited thereby.
7. That in the opinion of the Petitioner, the proposed improvement will improve the public health; benefit a public highway; and be of public utility.
8. That Petitioners shall pay the cost of notice and all legal costs including engineering expense if the petition is dismissed.
9. Petitioners shall post a bond, if required, to pay the cost of notice and all legal costs in the case the improvement is not established.

Signature	Printed Name	Printed Address
	Cynthia Latty	11395 E. 196 th St. Noblesville
	Don Goodman	11345 E 196 th
	FRED Fowler	19049 Mallery rd Noblesville
	Ryan Fisher	18953 Mallery Rd
	Jeff Ogle	18870 Mallery Rd
	STEVEN B. WAMPLER	11655 E. 191st 46060

JUN 02 2015

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OFFICE OF HAMILTON COUNTY SURVEYOR

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	Don Goodwin	11345 E 196th
	FRED FOWLER	19049 Mallery Rd Noblesville
	Ryan Fisher	18953 Mallery Rd
	JEFF OGHE	18970 Mallery Rd
	STEVEN B. WAMPLER	11655 E. 191st 46060
	BRENT WAMPLER	11655 E 191st 46060

W. S. BURNAU ARM OF THE F. M. MUSSELMAN DRAIN

Property Owner	Parcel Number	Acres Benefited	Cost of Reconstruction	Percentage
Adams, Barbara A Lvg. Trust	10-07-28-00-00-006.000	5.06	\$20,849.44	1.29%
Adams, Dennis & Michael TR	10-07-28-00-00-007.000	37.36	\$153,939.64	9.50%
Adams, Mike L.	10-07-28-00-00-005.001	4.06	\$16,729.00	1.03%
	10-07-28-00-00-005.101	5.29	\$21,797.14	1.34%
Canterbury Estates	12-07-27-00-00-015.000	62.39	\$257,074.26	15.86%
Cook, Paul & Jaclyn R.	10-07-28-00-00-006.002	5.01	\$20,643.40	1.27%
Derival, Robert R.	10-07-21-00-00-032.000	1.05	\$4,326.46	0.27%
Goodwin, Donald L. & Wanda D.	10-07-28-00-00-005.000	14.44	\$59,499.16	3.67%
Grace Enterprises, LLC	10-07-28-00-00-025.000	0.46	\$1,895.40	0.12%
Graves, Bradley J. & Theresa L.	10-07-28-00-00-006.001	3.46	\$14,256.72	0.88%
Gustin, Christian R. & Andrea R	10-07-28-00-00-006.003	5.02	\$20,684.62	1.28%
Latty, Michael D. & Cynthia R.	10-07-28-00-00-005.002	12.22	\$50,351.78	3.11%
May, Rene & Terry	10-07-21-00-00-031.000	2.32	\$9,559.42	0.59%
	10-07-21-00-00-031.001	1	\$4,120.44	0.25%
Murdock, Family Trust	10-07-21-00-00-027.000	12.38	\$51,011.06	3.15%
Murdock, Larry C. & Sue Ann	12-07-27-00-00-001.000	0.05	\$206.02	0.01%
Ogle, Jeffrey A. & Mary A.	10-07-28-00-00-014.003	5	\$20,602.20	1.27%
Spear, Brian & Stephanie	10-07-28-00-00-015.000	8	\$32,963.52	2.03%

Three Percent Holdings, LLC	10-07-28-00-00-011.000	30	\$123,613.20	7.63%
	10-07-28-00-00-012.000	4	\$16,481.76	1.02%
Wethington, Ellen J. & Ivan O. Roudebush TC	10-07-28-00-00-013.000	5	\$20,602.20	1.27%
	10-07-28-00-00-014.000	0.4	\$1,648.18	0.10%
	12-07-27-00-00-012.000	11	\$45,324.84	2.80%
TOTALS		234.97	\$968,179.86	59.74%

Barbara Adams, A Lvg Trust
19385 Summer Rd.
Noblesville, IN 46060

April 10, 2018



To: Hamilton County Drainage Board

This letter is to OBJECT to the reconstruction of the
W.S. Burnau Arm of the F.M. Musselman Drain.

I am the widowed owner of the noted land and am unable
to handle the cost, as noted, that would fall on me. My
income is limited and prohibits me from being able to
reasonably afford payments.

My property will not benefit from this project and its costs
as projected. The previous repairs that have been done
are taking care of what this costly project is proposed to do.

Barbara A. Adams

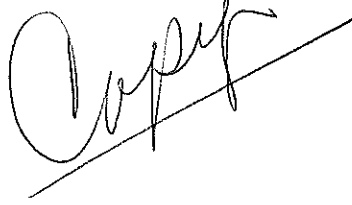
Barbara A. Adams

10-07-28-00-60-006.000

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD
 March 23, 2018

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the **W.S. Burnau Arm of the F.M. Musselman Drain.**

Adams, Barbara A Lvg Trust
 19385 SUMMER RD
 Noblesville, IN 46060



Under the Indiana Drainage Code, all land which drains directly, or indirectly, may be assessed for either maintenance cost or reconstruction cost within the drain. In making the calculation for each parcel, the Drainage Board must calculate the percentage of the cost attributable to each parcel of land benefitted. The Drainage Board has received a reconstruction report and schedule of assessments which affects your land. The purpose of the reconstruction project is to perform work which will substantially improve the drainage for the entire watershed served by the drain.

You are hereby notified that the reconstruction report of the County Surveyor and the schedule of assessments made by the Drainage Board have been filed and are available for public inspection in the office of the County Surveyor. The chart below contains your proposed assessment and your percentage of the total reconstruction assessment.

The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the **W.S. Burnau Arm of the F.M. Musselman Drain** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Description of Land	Acres Benefited	Damages	Reconst. Assmt.	% of Total	Maint. Assmt.
10-07-28-00-00-006.000					
S28 T19 R5 5.06Ac	5.06	Zero	\$20,849.44	1.29%	*
A partial use of maintenance funds from the F.M. Musselman Drain to be utilized toward the costs for reconstruction as allowed under IC 36-9-27-45.5. The amount to be used toward this project is \$100,000.					
*No change in current maintenance assessment rates.					

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at **9:20 A.M. on April 23, 2018** in the Commissioner's Court. The law provides that objections must be written and filed not less than 5 days before the date of the hearing. Objections may be for causes as specified by law and which are available at the Surveyor's Office. Written evidence in support of objections may be filed. The failure to file objections constitutes a waiver of your right to thereafter object, either before the Board or in court on such causes, to any final action of the Board. On or before the day of the hearing before the Board, the Surveyor shall and any owner of affected lands may cause written evidence to be filed in support of or in rebuttal to any filed objections.

HAMILTON COUNTY DRAINAGE BOARD
 One Hamilton County Square, Ste. 188
 Noblesville, IN 46060-2230

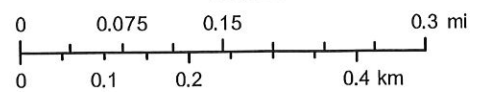
For a copy of the Surveyor's Report to the Drainage Board and a copy of the map, if applicable, please go to www.hamiltoncounty.in.gov/drainageboardnotices.

Burnau Arm_Barbara Adams Objection



April 16, 2018

1:9,028



- Bridges
 - MUNICIPAL DRAIN
 - OPEN DRAIN
 - SSD
 - Regulated Drains Waterways
 - Regulated Drains Drainage Pool
 - CLOSED DRAIN
 - All Other Structures
 - MUNICIPAL MANHOLE
 - Subdivision Drainage Structures
- Drainage Structures**
- Regulated Drains**

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

To the Hamilton Co. Drainage Board:

I am apposed to the reconstruction of the WS Barnau Arm of the FM Musselman Drain.

I cannot afford to pay proposed expence which could be dropped dropped extencerly.

Reconstruction would not benefit this property at all anyway!
Repairs already made have benefited this property sufficiently.

The ONLY other benefit to this Property would be private tile projects. As stated before I cannot pay this excessive cost!

Dennis W. Adams

10-07-28-00-00-007,000



OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD
 March 23, 2018

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the **W.S. Burnau Arm of the F.M. Musselman Drain.**

Adams, Dennis & Michael TR of Barbara Adams Family
 19385 Summer Rd
 Noblesville, IN 46060

Under the Indiana Drainage Code, all land which drains directly, or indirectly, may be assessed for either maintenance cost or reconstruction cost within the drain. In making the calculation for each parcel, the Drainage Board must calculate the percentage of the cost attributable to each parcel of land benefitted. The Drainage Board has received a reconstruction report and schedule of assessments which affects your land. The purpose of the reconstruction project is to perform work which will substantially improve the drainage for the entire watershed served by the drain.

You are hereby notified that the reconstruction report of the County Surveyor and the schedule of assessments made by the Drainage Board have been filed and are available for public inspection in the office of the County Surveyor. The chart below contains your proposed assessment and your percentage of the total reconstruction assessment.

The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the **W.S. Burnau Arm of the F.M. Musselman Drain** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Description of Land	Acres Benefited	Damages	Reconst. Assmt.	% of Total	Maint. Assmt.
10-07-28-00-00-007.000					
S28 T19 R5 40.00Ac	37.36	Zero	\$153,939.64	9.50%	*
A partial use of maintenance funds from the F.M. Musselman Drain to be utilized toward the costs for reconstruction as allowed under IC 36-9-27-45.5. The amount to be used toward this project is \$100,000.					
*No change in current maintenance assessment rates.					

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HAMILTON COUNTY DRAINAGE BOARD
 One Hamilton County Square, Ste. 188
 Noblesville, IN 46060-2230

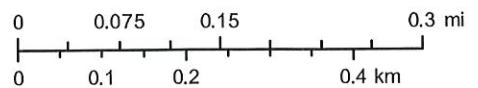
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Burnau Arm_Dennis & Michael Adams Objection



April 16, 2018

1:9,028



- Bridges
- MUNICIPAL DRAIN
- OPEN DRAIN
- SSD
- All Other Structures
- Regulated Drains Water ways
- Regulated Drains Drainage Pool
- MUNICIPAL MANHOLE
- Subdivision Drainage Structures
- Drain Name
- CLOSED DRAIN

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

4-5-18

To The Hamilton County Drainage Board

I object to the reconstruction of the W.S. Burnau Arm of the F.M. Musselman Drain.

The Costs and extra expences of this project will exceed my benefits. Actually this project will benefit me none what so ever.

The costs of this project are very excessive, when a small amount of changes and repairs would help the few land owners that need it. I already have one mortgage. In otherwards, there is NO Way I can afford this expence.

It's really not to smart to be allowed to build a house in a hole.

Mike L Adams
11473 East 196th street
Noblesville, In 46060

Mike L Adams



10-07-28-00-00-005.001
005.101

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD
 March 23, 2018

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the **W.S. Burnau Arm of the F.M. Musselman Drain.**

Adams, Mike L
 11473 196th St E
 Noblesville, IN 46060

Under the Indiana Drainage Code, all land which drains directly, or indirectly, may be assessed for either maintenance cost or reconstruction cost within the drain. In making the calculation for each parcel, the Drainage Board must calculate the percentage of the cost attributable to each parcel of land benefitted. The Drainage Board has received a reconstruction report and schedule of assessments which affects your land. The purpose of the reconstruction project is to perform work which will substantially improve the drainage for the entire watershed served by the drain.

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The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the **W.S. Burnau Arm of the F.M. Musselman Drain** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Description of Land	Acres Benefited	Damages	Reconst. Assmt.	% of Total	Maint. Assmt.
10-07-28-00-00-005.101					
S28 T19 R5 6.19Ac	5.29	Zero	\$21,797.14	1.34%	*
A partial use of maintenance funds from the F.M. Musselman Drain to be utilized toward the costs for reconstruction as allowed under IC 36-9-27-45.5. The amount to be used toward this project is \$100,000.					
*No change in current maintenance assessment rates.					

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at **9:20 A.M. on April 23, 2018** in the Commissioner's Court. The law provides that objections must be written and filed not less than 5 days before the date of the hearing. Objections may be for causes as specified by law and which are available at the Surveyor's Office. Written evidence in support of objections may be filed. The failure to file objections constitutes a waiver of your right to thereafter object, either before the Board or in court on such causes, to any final action of the Board. On or before the day of the hearing before the Board, the Surveyor shall and any owner of affected lands may cause written evidence to be filed in support of or in rebuttal to any filed objections.

HAMILTON COUNTY DRAINAGE BOARD
 One Hamilton County Square, Ste. 188
 Noblesville, IN 46060-2230

For a copy of the Surveyor's Report to the Drainage Board and a copy of the map, if applicable, please go to www.hamiltoncounty.in.gov/drainageboardnotices.

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD
 March 23, 2018

317-776-9627

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the W.S. Burnau Arm of the F.M. Musselman Drain.

Adams, Mike L
 11473 196st St E
 Noblesville, IN 46060

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You are hereby notified that the reconstruction report of the County Surveyor and the schedule of assessments made by the Drainage Board have been filed and are available for public inspection in the office of the County Surveyor. The chart below contains your proposed assessment and your percentage of the total reconstruction assessment.

The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the **W.S. Burnau Arm of the F.M. Musselman Drain** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Description of Land	Acres Benefited	Damages	Reconst. Assmt.	% of Total	Maint. Assmt.
10-07-28-00-00-005.001					
S28 T19 R5 6.15Ac	4.06	Zero	\$16,729.00	1.03%	*
A partial use of maintenance funds from the F.M. Musselman Drain to be utilized toward the costs for reconstruction as allowed under IC 36-9-27-45.5. The amount to be used toward this project is \$100,000.					
*No change in current maintenance assessment rates.					

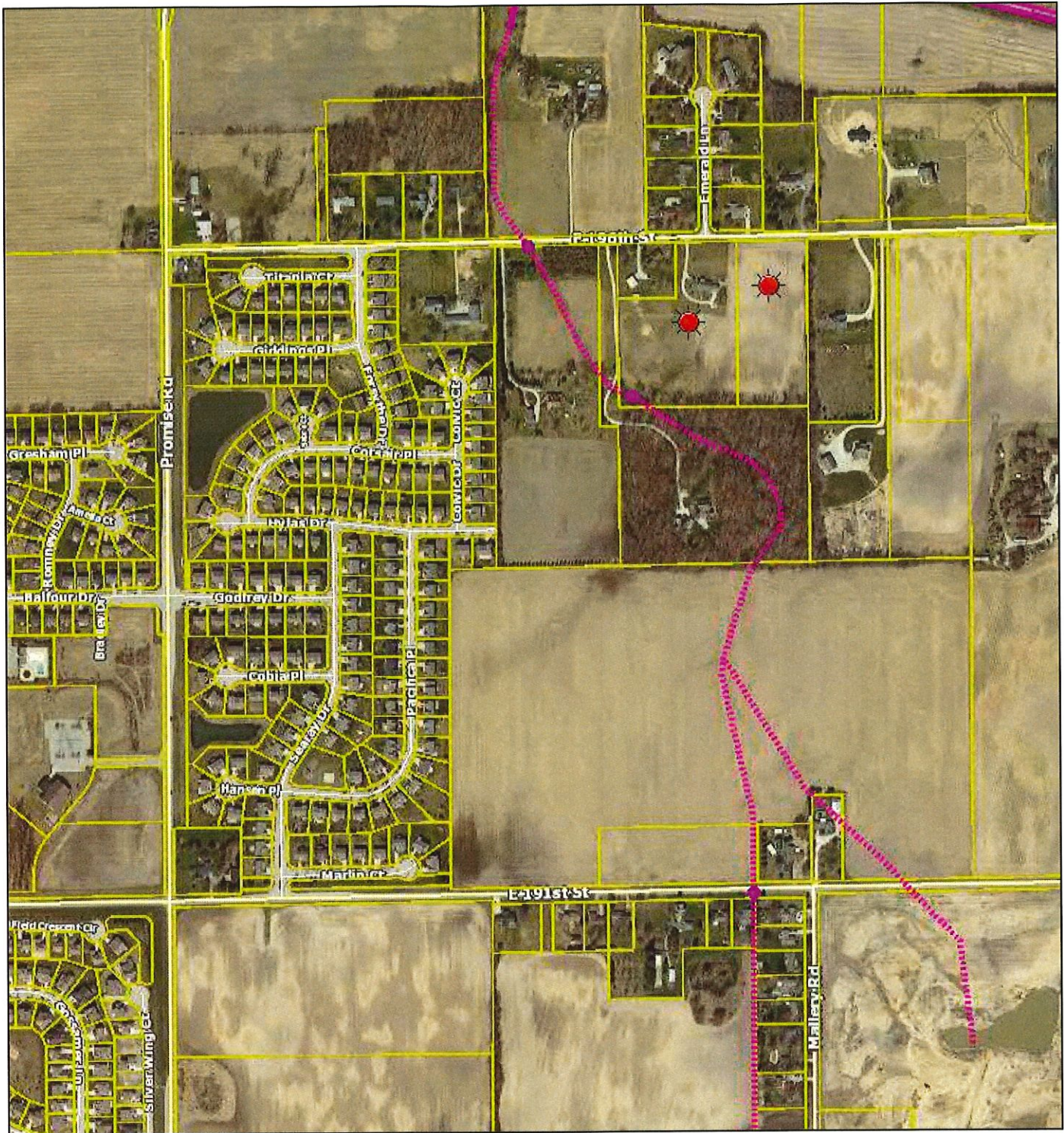
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HAMILTON COUNTY DRAINAGE BOARD
 One Hamilton County Square, Ste. 188
 Noblesville, IN 46060-2230

For a copy of the Surveyor's Report to the Drainage Board and a copy of the map, if applicable, please go to www.hamiltoncounty.in.gov/drainageboardnotices.

\$ 38,526.14

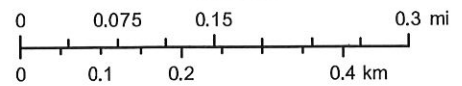
W.S. Burnau Arm - Adams Objection



April 11, 2018

- | | | | |
|----------------------------|----------------------|--|---------------------------------|
| | Bridges | | MUNICIPAL DRAIN |
| Drainage Structures | | | |
| | All Other Structures | | OPEN DRAIN |
| | MUNICIPAL MANHOLE | | SSD |
| | Drain Name | | Regulated Drains Waterways |
| | | | Regulated Drains Drainage Pool |
| Regulated Drains | | | |
| | CLOSED DRAIN | | Subdivision Drainage Structures |

1:9,028



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Hamilton County
USDA FSA |

April 10, 2018

To: Hamilton County Drainage Board

Re: WS Burnau Arm of the FM Musselman Drain

Below are the objections we would like to file on behalf of the proposed reconstruction of the WS Burnau Arm of the FM Musselman Drain:

We feel the cost significantly outweighs the benefits all property owners would receive if this drain was reconstructed. Personally, we currently do not have issues with flooding that affect our property in a negative way. We anticipate seeing absolutely zero benefit of the proposed drain.

It would be a substantial hardship to pay our portion of the drain reconstruction (greater than \$257,000). This assessed amount would most certainly affect our financial future. We also feel others assessed for this reconstruction will be negatively affected and incur a significant financial hardship. We believe only a few will truly benefit from the proposed plan.

Another situation to take into consideration is the Boyce Land (Parcels 10-07-28-00-00-007.001 and 10-07-28-00-00-008.000). It is primed for development. If that development occurs, it could potentially affect the reconstruction work already done - work that property owners would likely still be paying for.

Overall, the costs are excessive. We believe it is unnecessary, unacceptable and should be abandoned. An alternative plan must be considered.

Canterbury Estates

Parcel 12-07-27-00-00-015.000



Kevin D. Burrow

Kevin D. Burrow, Partner

Kim C. Mace

Kim C. Mace, Partner

Kelly L. Burrow

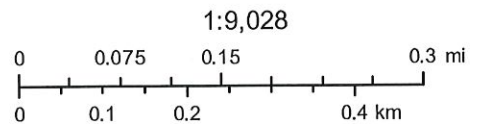
Kelly L. Burrow, Partner

Burnau Arm_Canterbury Estates Objection



April 16, 2018

- | | | | |
|----------------------------|----------------------------|--|---------------------------------|
| | Bridges | | MUNICIPAL DRAIN |
| Drainage Structures | | | |
| | All Other Structures | | OPEN DRAIN |
| | MUNICIPAL MANHOLE | | SSD |
| Drain Name | | | |
| | Regulated Drains Waterways | | Regulated Drains Drainage Pool |
| Regulated Drains | | | |
| | CLOSED DRAIN | | Subdivision Drainage Structures |



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

10-07-28-00-00-006.002

April 9, 2018

Hamilton County Drainage Board
One Hamilton County Square, Ste. 188
Noblesville, IN 46060-2230

To All it May Concern:

This letter is to state our objections to the W.S. Burnau Arm of the FM Musselman Drain improvements. We feel strongly that the costs and expenses we will incur extremely exceed the benefits that might result on our property. In our 10 years of living here we have not had a water issue in our home. Without a water issue we do not see the benefit of the drain improvements on our property. We definitely feel any benefit we could receive could not possibly be valued at \$20,643.40.

We disagree that each parcel within the drainage shed will have equal benefits by land use as provided by the drain based on our last heavy rain on April 2, 2018. Due to how rapidly the water already drains from our property there is no way a new drain will benefit us in the way it may help others. We do not doubt the properties on and around Mallery Road will be benefited by the drain. We however, do not have water issues on our property. Our surface water already drains quickly so the benefit of the drain would be absolutely minimal to us.

Besides the lack of benefit, our next objection is the unreasonable high price. The amount of \$20,643.40 is beyond excessive due to the very slight possibility of helping our property drain. In addition to the very high cost, our property value will not increase even though we would be out \$20,643.40.

We are a family with 4 children. We are not in a position to pay such a high amount for something that is not going to benefit us at the same value we would be spending. We live on a tight budget in order to make ends meet and keep bills paid. We are not willing to go into debt in order to pay for a drain. It is not feasible for us to take on an amount that large and not go into debt. We work and plan in order to pay our bills and provide for our children. An amount this outrageous could easily purchase a vehicle, pay a year's worth of mortgage payments or be the first year of tuition for our oldest to go to college.

We can't fathom anyone would be ok with taking on such an exorbitant bill with a small, if any, benefit in exchange. We would ask that you consider what position it would put you in if you received a whopping \$20K bill in the mail?

Sincerely,

Paul Cook Jackie Cook
Paul and Jackie Cook

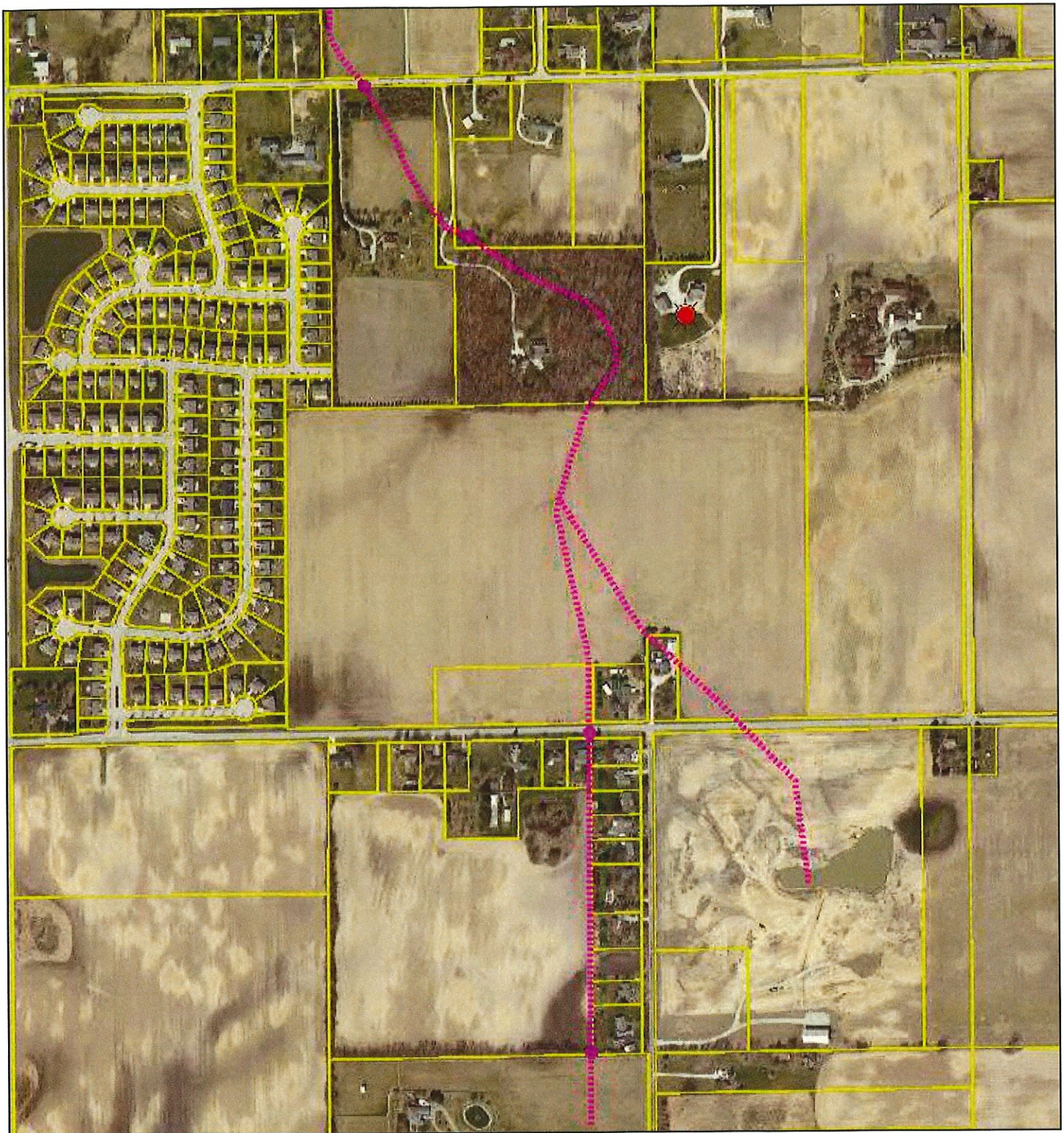
pandjcooke@att.net

Paul- 317-730-0462

Jackie- 317-339-2974



Burnau Arm_Cook Objection



April 12, 2018

1:9,028

Bridges

MUNICIPAL DRAIN

Drainage Structures

OPEN DRAIN

All Other Structures

SSD

MUNICIPAL MANHOLE

Regulated Drains Waterw ays

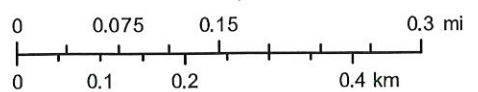
Drain Name

Regulated Drains Drainage Pool

Regulated Drains

Subdivision Drainage Structures

CLOSED DRAIN



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Hamilton County
USDA FSA |

4-11-18

Hamilton County Drainage Board:

Recently, I was informed that several families in the area where I live may be assessed a fee to solve a water shed project on many properties in this area. I understand the amount I will have to pay for a 1.05 acre of land could be \$4,326.46 for my part of the proposed restoration. I am a seventy eight year old person who lives on a modest retirement income each month. I do not feel financially comfortable being assessed \$4,326.46 for the project. I am sure this will be a problem for all families included in this project. Please reconsider the proposal and drop the project. Thank you!!

Sincerely
Robert R. Derwald



Burnau Arm of F.M. Musselman











10-07-21-00-00-032.000

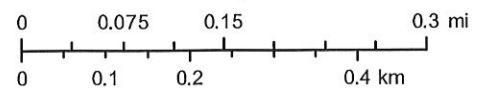
Burnau Arm_Derival Objection



April 16, 2018

1:9,028

- | | |
|--|---|
|  Bridges |  MUNICIPAL DRAIN |
| Drainage Structures |  OPEN DRAIN |
|  All Other Structures |  SSD |
|  MUNICIPAL MANHOLE |  Regulated Drains Water ways |
| Drain Name |  Regulated Drains Drainage Pool |
| Regulated Drains |  Subdivision Drainage Structures |
|  CLOSED DRAIN | |



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

April 10, 2018

To: Hamilton Count Drainage Board

Subject: WS Burnau Arm of the FM Musselman Drain

We would like to object to the proposed reconstruction of the above drain. The \$1.7 million dollar estimated cost is excessive for the few properties that would truly benefit from this reconstruction. The cost outweighs the benefits.

I am semi-retired and planning on fully retiring later this year. Our share (\$59,499.16) of the estimated cost would cause us financial hardship. Paying this over 5 years, even at a reduced interest rate would basically create another mortgage payment that is not budgeted for and would cut into our retirement funds.

The repair work done last year has greatly improved the flow of water when it overflows the drain. It has reduced the amount of time from days to hours that water sits on our property. We feel the repair negates the need for a total reconstruction. Our house was purposely sited to not be in a low spot that could be flooded. The water that currently (since the repair) flows on our property is not causing us issues. Again, we think the cost greatly outweighs the benefits for the majority of property owners.

Outside of the objection, we think the Boyce property will be developed in the future. What happens to the proposed drain at that time? Does the City of Noblesville have drain requirements that would entail reworking that part of the drain? We could still be paying for something that might be redone.

Overall, the costs are excessive. We believe it is unnecessary, unacceptable and should be abandoned. An alternative plan may need to be considered.

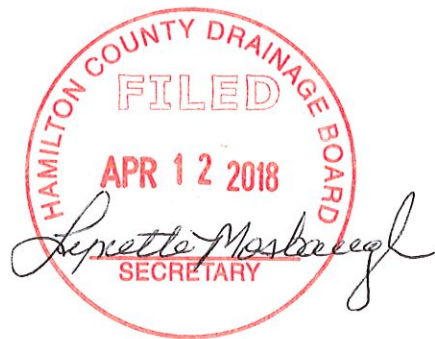


Donald L. Goodwin



Wanda D. Goodwin

11345 E. 196th St.
10-07-28-00-00005.000
S28 T19 R5



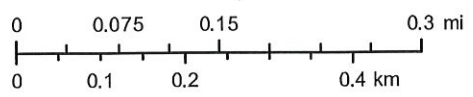
Burnau Arm_Goodwin Objection



April 12, 2018

1:9,028

- | | |
|--|---|
|  Bridges |  MUNICIPAL DRAIN |
| Drainage Structures |  OPEN DRAIN |
|  All Other Structures |  SSD |
|  MUNICIPAL MANHOLE |  Regulated Drains Water ways |
| Drain Name |  Regulated Drains Drainage Pool |
| Regulated Drains |  Subdivision Drainage Structures |
|  CLOSED DRAIN | |



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Hamilton County
USDA FSA |

GRACE ENTERPRISES LLC
2133 E 226th Street
Cicero, IN 46034
317-758-5942



April 12, 2018

Hamilton County Drainage Board
One Hamilton County Square Suite 188
Noblesville, IN 46060-2230

To Whom It May Concern:

I am writing this letter to object to the proposed assessment for drainage issues on the property Grace Enterprises owns – parcel number 10-07-28-00-00-025-000., S28-T19-R5 Kentre Meadows 1st lot 9 as stated in your letter of March 23, 2018.

There is not a drainage issue on the land we own, and I do not believe that we should be required to pay for something that we do not need.

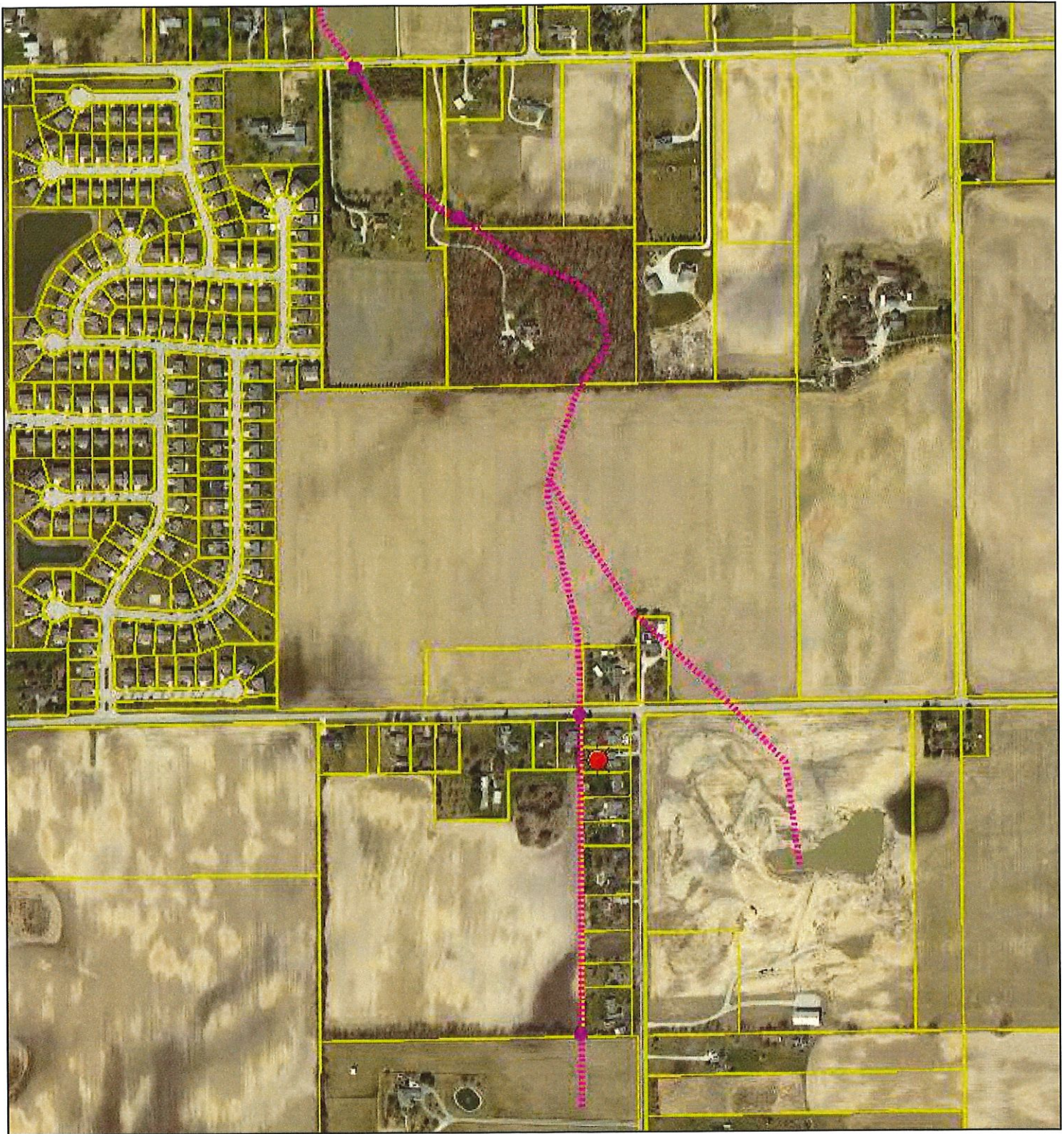
Please contact me at 317-281-1137 to discuss this issue further.

Sincerely,

A handwritten signature in black ink that reads "Todd G. Forth". The signature is written in a cursive style.

Todd G. Forth
President
Grace Enterprises

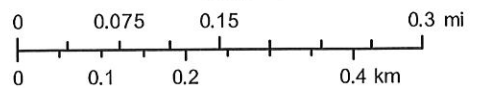
Burnau Arm_Grace Enterprises Objection



April 16, 2018

1:9,028

- | | |
|--|---|
|  Bridges |  MUNICIPAL DRAIN |
| Drainage Structures |  OPEN DRAIN |
|  All Other Structures |  SSD |
|  MUNICIPAL MANHOLE |  Regulated Drains Waterways |
| Drain Name |  Regulated Drains Drainage Pool |
| Regulated Drains |  Subdivision Drainage Structures |
|  CLOSED DRAIN | |



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

April 11, 2018

Hamilton County Drainage Board
One Hamilton County Square, Ste. 188
Noblesville, IN 46060-2230

To Whom It May Concern:

This letter is to state our strong objections to the planned reconstruction of the W.S. Burnau Arm of the FM Musselman Drain. Our primary objection is with the funding of the cost of the drain reconstruction. We do not currently have any drainage issues on our property, so we will receive no benefit from the drain reconstruction. Yet, it is proposed that we will be assessed over \$14,000 for the cost of the reconstruction. We already pay an annual drain maintenance fee, so being asked to fund reconstruction of \$14,000 plus annual maintenance is an unreasonable financial burden that will cause a significant financial hardship for our household.

I request that some cheaper alternative be explored and/or different funding sources be identified for the cost of the proposed reconstruction. An alternative would be to assess for the cost based on benefit received from the reconstruction. My benefit will be negligible from the reconstruction, while others near 191st and Mallery Road will have much greater benefit and should be assessed at a higher rate.

I encourage the drainage board to re-evaluate the project and to especially reconsider how the reconstruction cost will be funded. All of the neighbors with whom I have discussed the reconstruction have expressed similar concerns over the benefits and extremely high cost to property owners that is being contemplated. Please think of the individual land-owner impact and do not move forward with the current reconstruction plan!

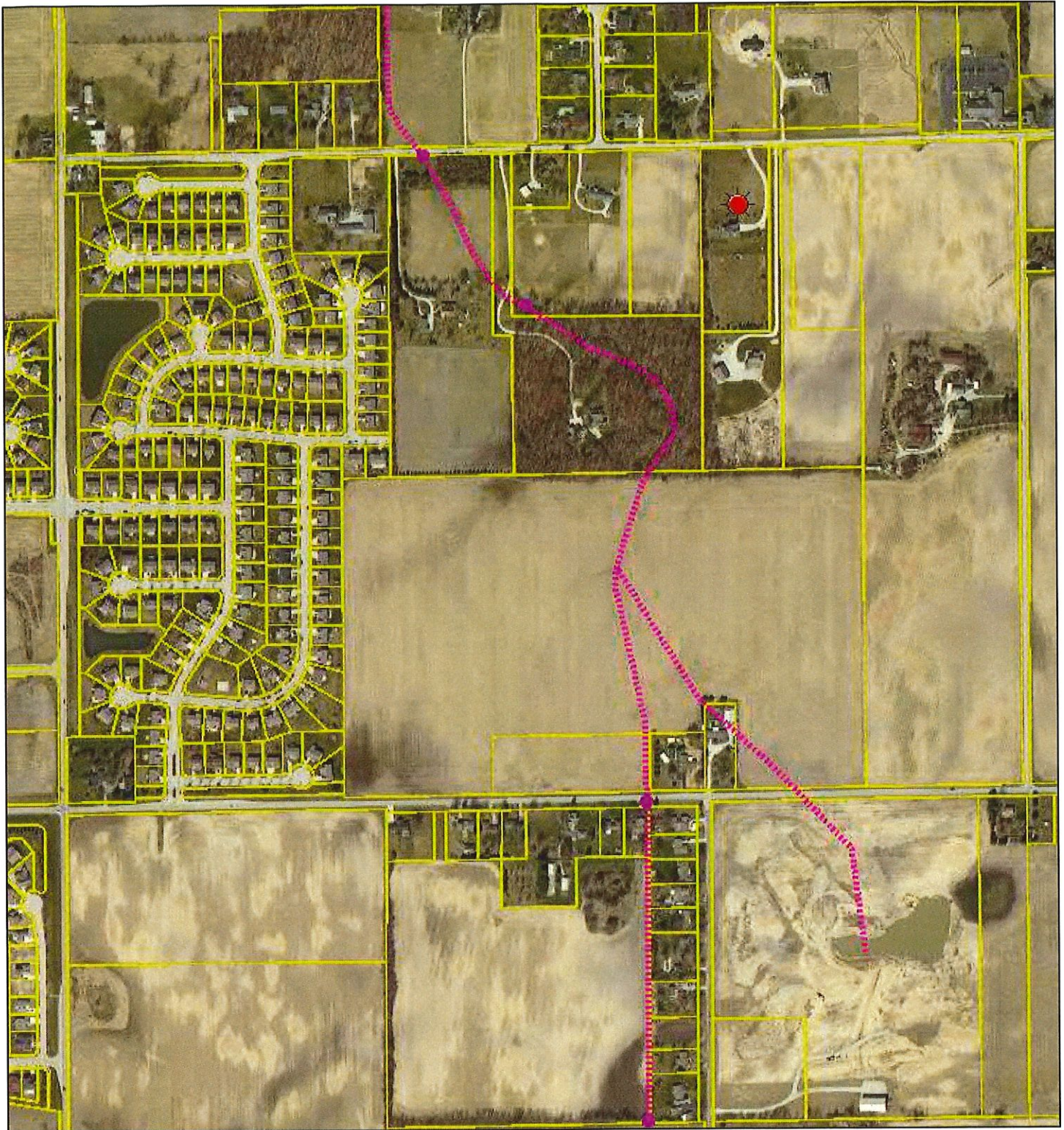
Sincerely,

Terri Graves
Brad Graves

Brad & Terri Graves
11601 E 196th St.



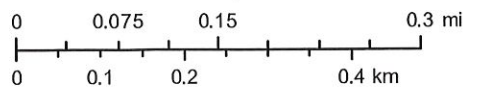
Burnau Arm_Graves Objection



April 16, 2018

1:9,028

- | | |
|--|---|
|  Bridges |  MUNICIPAL DRAIN |
| Drainage Structures |  OPEN DRAIN |
|  All Other Structures |  SSD |
|  MUNICIPAL MANHOLE |  Regulated Drains Waterways |
| Drain Name |  Regulated Drains Drainage Pool |
| Regulated Drains |  Subdivision Drainage Structures |
|  CLOSED DRAIN | |



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

April 3, 2018

HAMILTON COUNTY DRAINAGE BOARD
One Hamilton County Square, Ste 188
Noblesville, IN 46060-2230



RE: W.S. Burnau Arm of the F.M. Mussleman Drain

To Whom it may Concern:

I, Christian Gustin, do object to paying for the proposed work on the W.S. Burnau Arm of the F.M. Mussleman Drain. Since all this work is taking place way south of me it does me no benefit to my property. If this work is needed it should be paid for by the land owner of the people that it affects.

I own the land at 11629 E 196th Street (~~10-01-28-00-00-006-003~~)

10-07-28-00-00-006-003

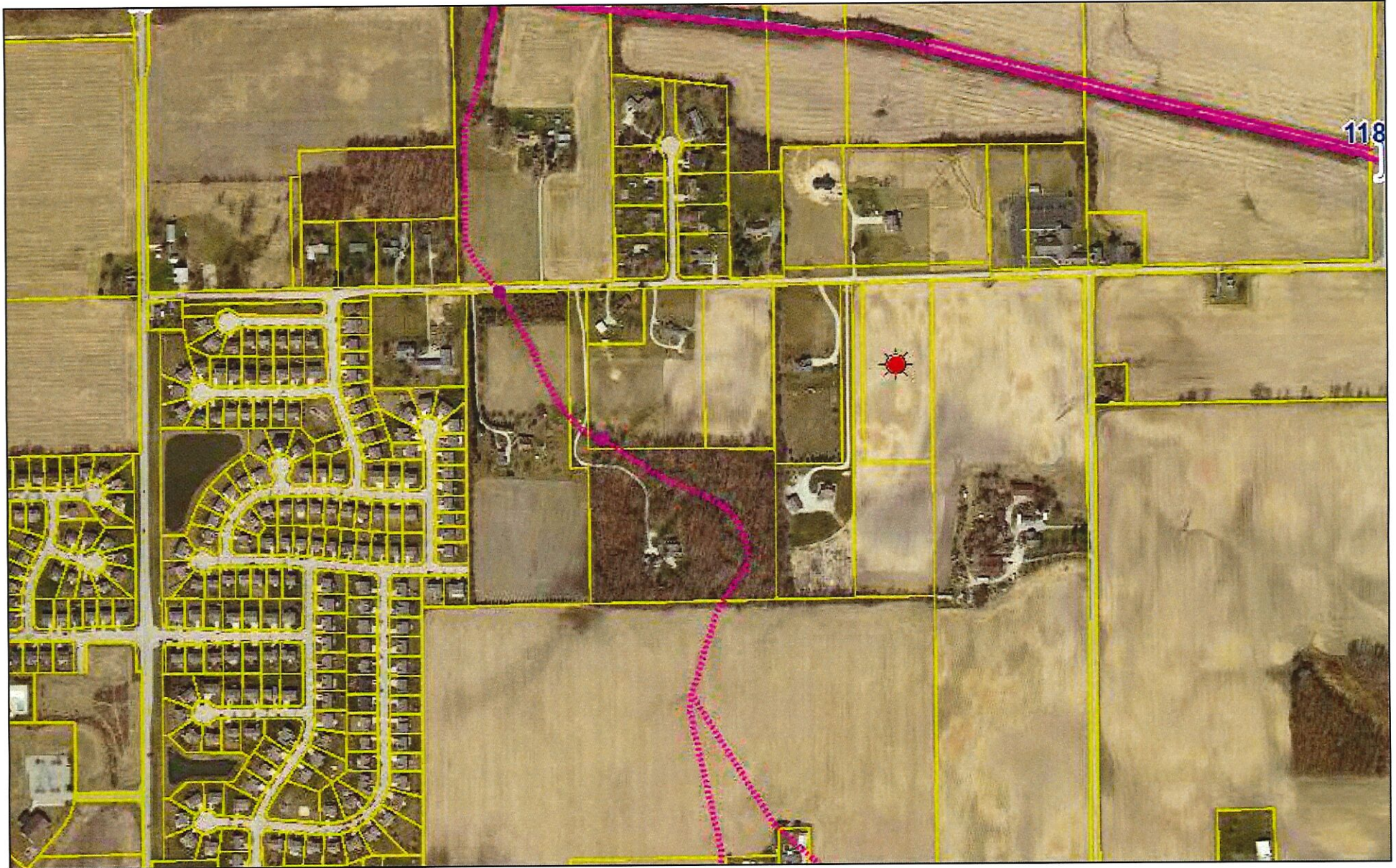
A handwritten signature in blue ink, appearing to read "Christian Gustin". The signature is fluid and cursive.

Christian Gustin

A handwritten signature in black ink, appearing to read "Andrea Gustin". The signature is cursive.

Andrea Gustin

W.S. Burnau Arm - Gustin Objection



April 6, 2018

Bridges

Drainage Structures

All Other Structures

MUNICIPAL MANHOLE

Drain Name

Regulated Drains

CLOSED DRAIN

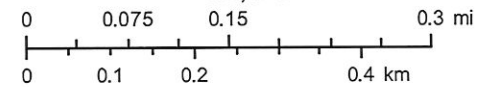
MUNICIPAL DRAIN

OPEN DRAIN

SSD

Regulated Drains Waterways

1:9,028



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Hamilton County
USDA FSA |

April 9, 2018

To: Hamilton County Drainage Board

Re: WS Burnau Arm of the FM Musselman Drain

Below are the objections we would like to file on behalf of the proposed reconstruction of the WS Burnau Arm of the FM Musselman Drain:

We feel the cost significantly outweighs the benefits all property owners would receive if this drain was reconstructed. Personally, we currently do not have issues with flooding that affect our house or property in a negative way. In 2017, work was done to repair a portion of this drainage tile that has helped decrease standing water.

The report also states there will be no damages for any property owner. We do not believe that will be the case. We lost a large number of trees on our wooded property during the repair work done last year. There is a possibility we could lose more during reconstruction.

It would be a substantial hardship to pay our portion of the estimated cost of the drain reconstruction (\$50,351.78). My husband is currently retired. I had planned to retire next year. This assessed amount would most certainly affect our financial future. We also feel others assessed for this reconstruction will be negatively affected and incur a significant financial hardship. We believe only a few will truly benefit from the proposed plan.

Another situation to take into consideration is the Boyce Land (Parcels 10-07-28-00-00-007.001 and 10-07-28-00-00-008.000). It is primed for development. If that development occurs, it could potentially affect the reconstruction work already done - work that property owners would likely still be paying for.

Overall, the costs are excessive. We believe it is unnecessary, unacceptable and should be abandoned. An alternative plan may need to be considered.

Michael D. Latty 4-9-18

Michael D. Latty

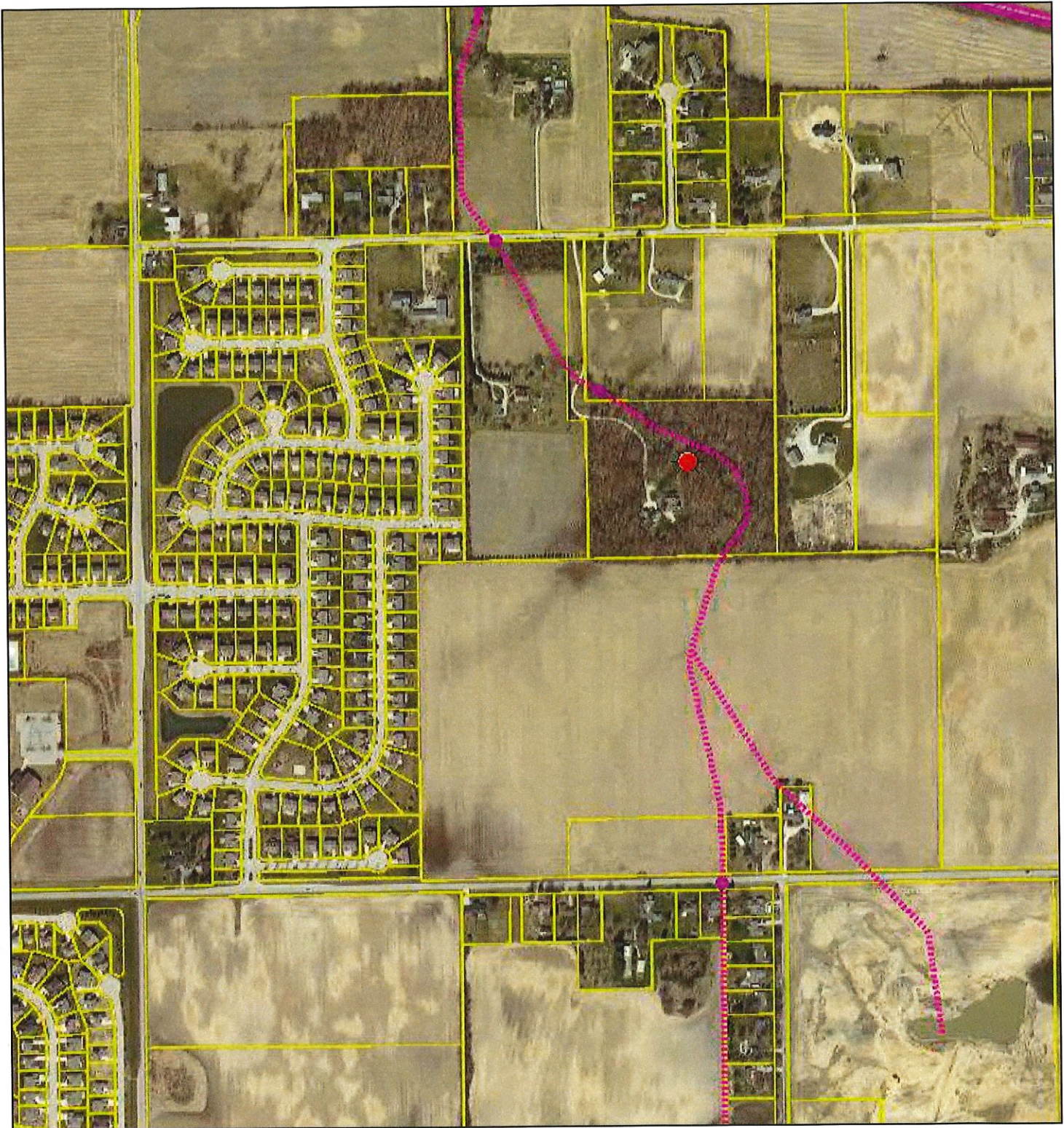
Cynthia R. Latty 4-9-18

Cynthia R. Latty

Parcel 10-07-28-00-00-005.002

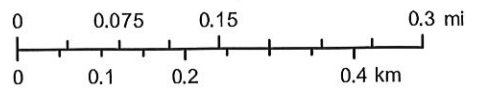


Burnau Arm_Latty Objection



April 10, 2018

1:9,028



- Bridges
- Drainage Structures**
 - All Other Structures
 - MUNICIPAL MANHOLE
 - Drain Name
 - OPEN DRAIN
 - SSD
 - Regulated Drains Waterways
 - Regulated Drains Drainage Pool
 - CLOSED DRAIN
 - Subdivision Drainage Structures
- Regulated Drains**
 - CLOSED DRAIN
- MUNICIPAL DRAIN

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Wednesday, April 11, 2018

Hamilton County Drainage Board
One Hamilton Square, Ste. 188
Noblesville, IN 46060-2230



**RE: Notice of Hearing on Reconstruction & Assessments and Damages
W.S. Burnau Arm of the F.M. Musselman Drain**

To whom it may concern

We Terry and Rene' May owners of parcels 10-07-21-00-00-031.000 and 10-07-21-00-00-031.001 object for cause as specified by:

- (2) The objector is the owner of the land accessed as benefited, and the benefits assessed against his land are excessive.

Taken from the page of material made available at the Surveyor's Office as advised in the two letters of March 23, 2018 we received notifying us of our portion of the proposed reconstruction assessment.

It is our contention that the aggregate value of our two parcels cannot support the proposed reconstruction assessment and would place a serious financial hardship upon us. One so serious that may force us to rethink our position as a homeowner.

The following chart quantifies the current assessed value of the property and expresses the proposed reconstruction assessment as a percentage of that value. We would like to point out that the majority of the proposed reconstruction assessment is incurred by unimproved property. That property is unimproved because it cannot be accessed and is awkwardly shaped making its utilization for anything other than a scenic wooded expanse infeasible. The requirement to invest an amount that is more than a third of its total appraised value is not acceptable.

Parcel	Assessed Value			Rec. Asmt	% of Assessed Value		
	Land	Improvements	Total		Land	Improvements	Total
10-07-21-00-00-031.000	\$28,200	\$0	\$28,200	\$9,559.42	34%	N/C	34%
10-07-21-00-00-031.001	\$40,000	\$127,500	\$167,500	\$4,120.44	10%	3%	2%
Total	\$68,200	\$127,500	\$195,700	13,679.86	20%	11%	7%

The following chart illustrates the same issue from the payment side. The proposed reconstruction assessment is expressed as a percentage of 2018 property taxes. The chart shows that the proposed reconstruction assessment is roughly 2 ½ times the one-year tax bill and the property tax still must be paid. The aggregated effect is a 3 ½ one time increase in annual cost. Even if it is amortized over 5 years it is a 149% annual increase. The unimproved property is 16 ½ plus its normal annual assessment making it 17 ½ times more expensive for one-year or a little less than 4 ½ times for 5 years.

Parcel	2018 Property Tax				Total	% of 2018 Property Tax	5 Year Amort.
	Spring		Fall				
	Property	Ditches	Property	Ditches			
10-07-21-00-00-031.000	\$276.54	\$12.50	\$276.54	\$12.50	\$578.08	1654%	331%
10-07-21-00-00-031.001	\$833.36	\$12.50	\$833.36	\$12.50	\$1,691.72	244%	49%
Total	\$1,109.90	\$25.00	\$1,109.90	\$25.00	\$2,269.80	603%	121%

Lack of communication and public disclosure has significantly exacerbated the situation. Aside from receiving the two previously mentioned letters we have no knowledge of the issues involved. It might be helpful to have an understanding of the proposed project's necessity and its benefits. At this point, our only understanding is that this proposed reconstruction assessment is a form of taxation that will significantly reduce the value of our property by simultaneously increasing the cost of its ownership. If the benefits do not, in a significant and tenable way, offset the adverse effect of their cost then understanding them becomes a moot point. However, it may facilitate planning to help deal with the consequences.

Our purpose in presenting these numbers is not intended to be presumptuous by providing information that, in one form or another, the Board has already studied. Our intent is only to personalize the effect they would have on the May Family and other individual property owners who are socioeconomically like us. Working people with families and obligations to those families that are trying to live the "American Dream". People, who by community standards, do not live in luxury homes, but do take pride in what they have and responsibility in what they do. It is our hope and belief that the Hamilton County Drainage Board will understand our position and mercifully execute its fiduciary responsibilities in a way that would not inflict a financial burden of this magnitude on such a small portion of its citizenry.

Sincerely,



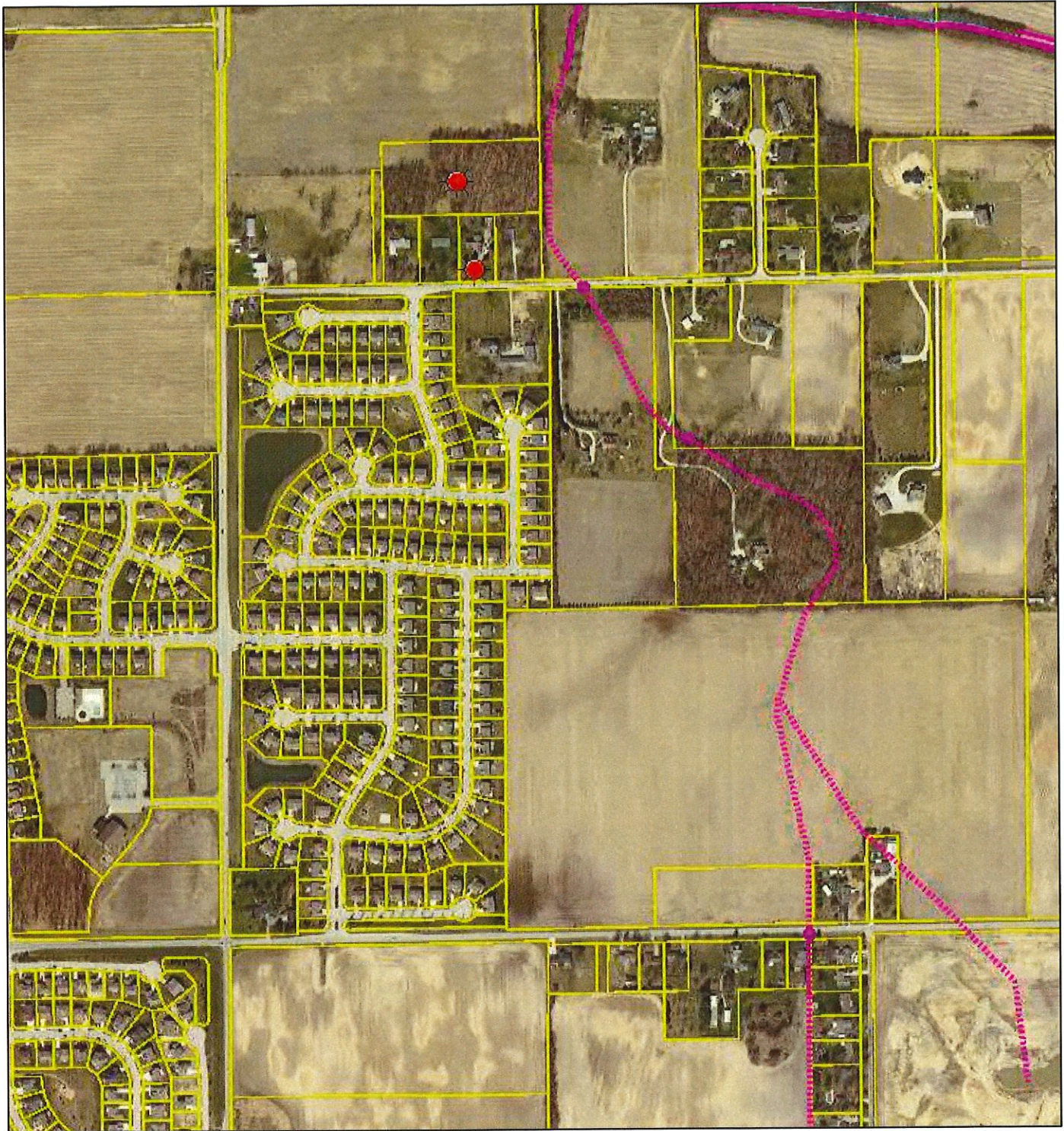
Rene May



Terry May

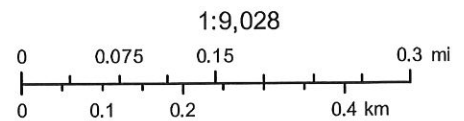
11218 E 196TH ST
Noblesville, IN 46060

Burnau Arm_May Objection



April 18, 2018

- | | |
|--|---|
|  Bridges |  MUNICIPAL DRAIN |
| Drainage Structures |  OPEN DRAIN |
|  All Other Structures |  SSD |
|  MUNICIPAL MANHOLE |  Regulated Drains Waterw ays |
| Drain Name |  Regulated Drains Drainage Pool |
| Regulated Drains |  Subdivision Drainage Structures |
|  CLOSED DRAIN | |



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Hamilton County
USDA FSA |

Musselman drainage ditch

OBJECTION TO THE RECONSTRUCTION

I am completely against the reconstruction of the Musselman drainage ditch. The enormous cost to this project is unaffordable. Our property will have no benefit from this reconstruction. Being at the end of the line we already get all the drain water no matter what pipe it travels through. Beneficiary's will be upstream on the line where new drains are planned. I do not want to pay to for the removal of other properties water shed just because it crosses our ground. The "farm ground drain" needs to be addressed by the landowners who are and have changed the usage of their properties from agriculture to development or housing.

Thank you for your consideration

Larry Murdock *Larry Murdock* 4/12/18

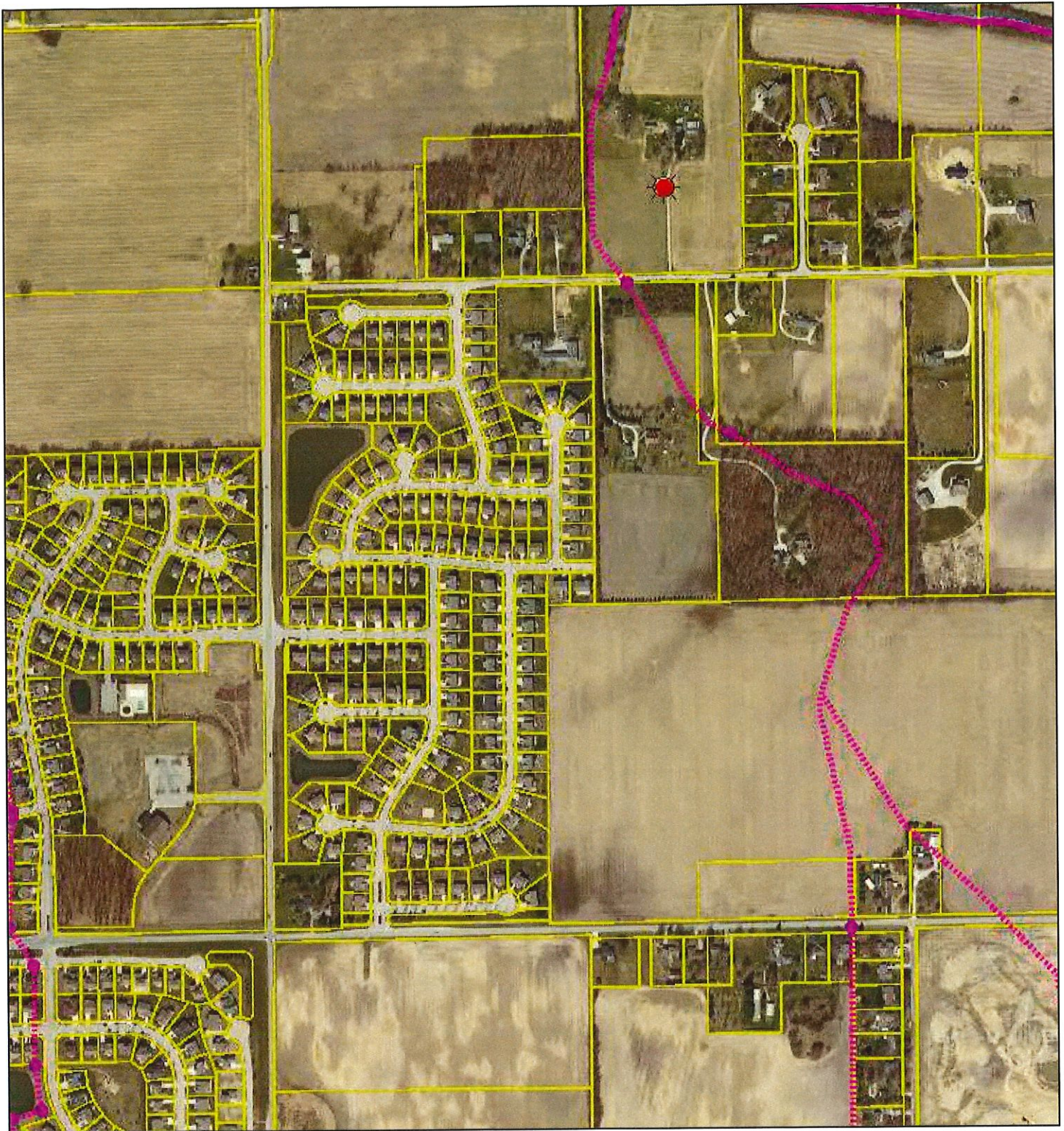
Matt Murdock *Matthew C. Murdock* 4/12/18
11390 East 196st

Noblesville, IN 46060













10-07-21-00-00 -027.000

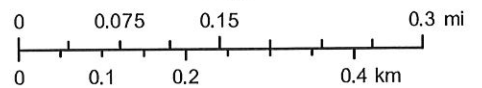
Burnau Arm_Murdock Family Trust



April 13, 2018

1:9,028

- | | |
|--|---|
|  Bridges |  MUNICIPAL DRAIN |
| Drainage Structures |  OPEN DRAIN |
|  All Other Structures |  SSD |
|  MUNICIPAL MANHOLE |  Regulated Drains Waterways |
| Drain Name |  Regulated Drains Drainage Pool |
| Regulated Drains |  Subdivision Drainage Structures |
|  CLOSED DRAIN | |



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Musselman-Burnau Drain

OBJECTING TO THE RECONSTRUCTION

I strongly disagree and do not support the Burnau – Musselman drainage reconstruction plan. The cost to the land owners is not be feasible. My wife and I have owned property located near 196st and Summer Rd. for 34 years and see no benefit to the proposed construction to our property finically or physically.

If the upstream property land owners want or need this construction, shouldn't those that benefit – developers, county, investors, and current property owners pay for this proposal. This drain was stated in the county records as a farm ground drain when constructed. So those who have since altered the areas affected are responsible. In which case we have nothing to do with.

Thank you for the consideration

Larry Murdock

Larry Murdock 4/12/18

Sue Murdock

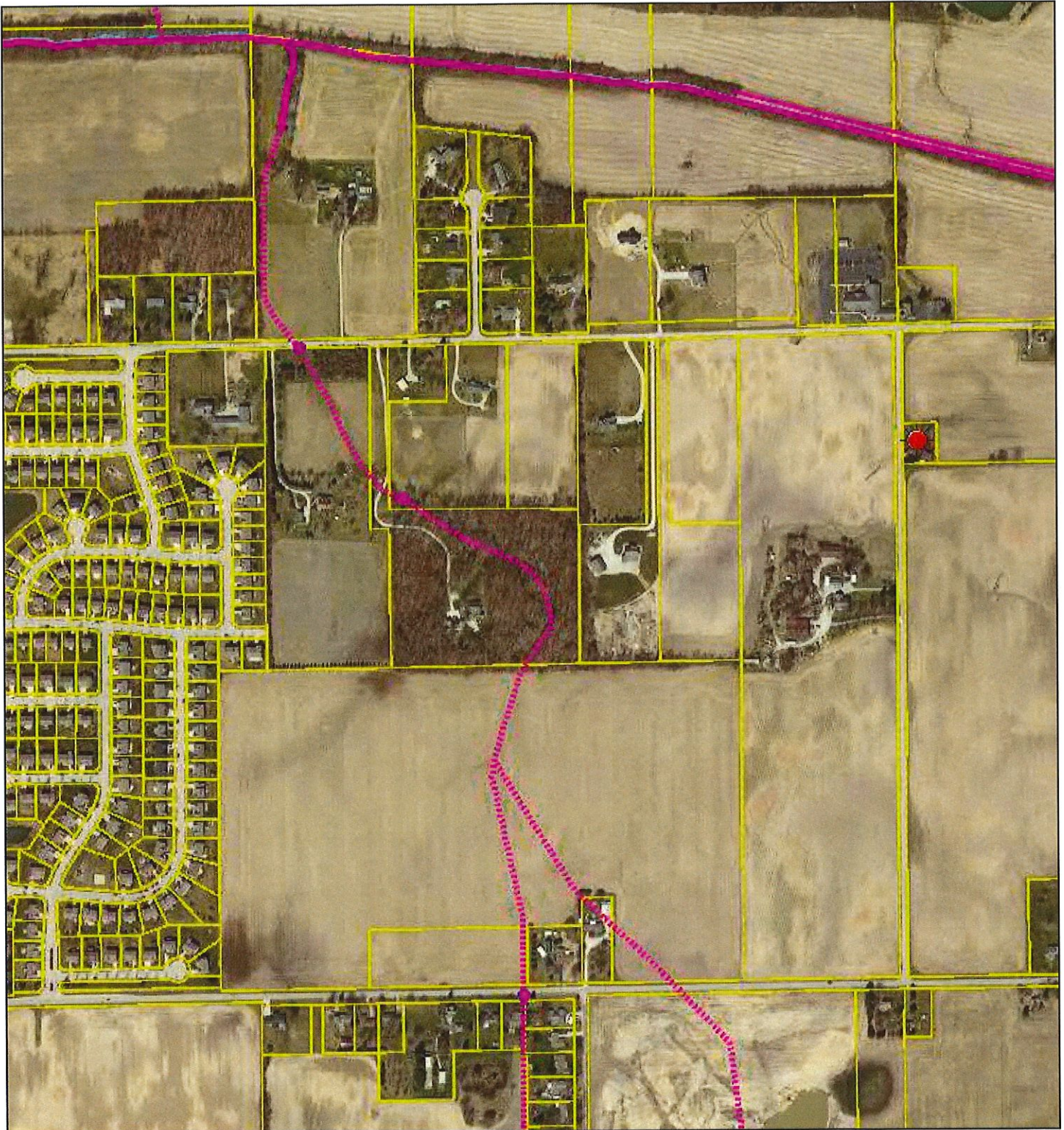
19506 Summer Rd

Noblesville, IN



1R-07-27-00-00-001.000

Burnau Arm_Murdock Objection



April 13, 2018

1:9,028

Bridges

MUNICIPAL DRAIN

Drainage Structures

All Other Structures

OPEN DRAIN

SSD

MUNICIPAL MANHOLE

Regulated Drains Waterways

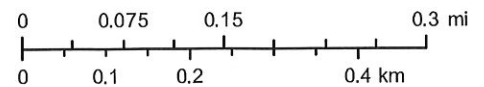
Drain Name

Regulated Drains Drainage Pool

Regulated Drains

Subdivision Drainage Structures

CLOSED DRAIN



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

To The Hamilton County Drainage Board

Jeffrey and Mary Ogle at parcel 10-01-28-00-014, object to the amount of the apposal for the reconstruction of the W.S. Burnan Arm of the F.M. Musselman Drain. No one can guarantee us that this project will keep the water out of our yard. We have always had trouble, but it has gotten extremely worse since Steven Brent Wampler was allowed to alter the ground and change the lay of the land.

Sincerely,

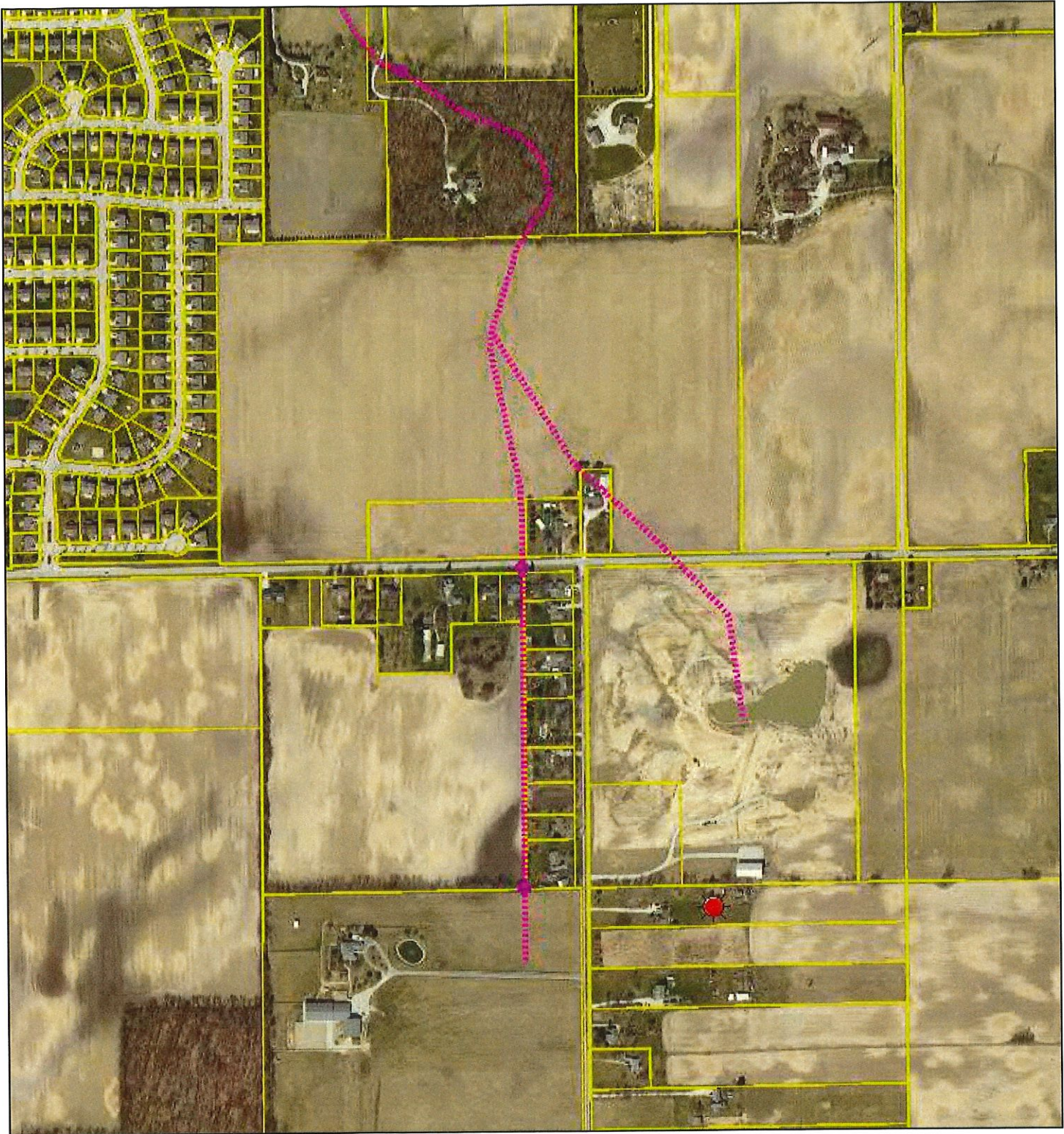
Jeffrey Ogle / Mary Ogle

Jeffrey Ogle Mary Ogle



10-07-28-00-00-014.003

Burnau Arm_Ogle Objection



April 16, 2018

1:9,028



Bridges

--- MUNICIPAL DRAIN

Drainage Structures

● All Other Structures

— OPEN DRAIN

⊕ MUNICIPAL MANHOLE

--- SSD

Drain Name

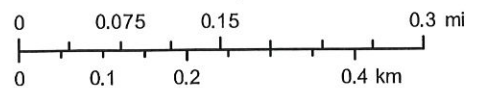
— Regulated Drains Waterways

— Regulated Drains Drainage Pool

Regulated Drains

--- CLOSED DRAIN

● Subdivision Drainage Structures



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Hamilton County Drainage Board
One Hamilton County Square, Ste.188
Noblesville, 46060-2230
4/7/2018



Dear Madams and Sirs,

Please find our objection to the proposed assessment as well as the actual proposed work and the need for it in association to our property at 18751 Mallery Rd.

When we purchased this property in 2015 it was clear there was some areas of standing water on the north side of property line, roughly .25 acres for a period after heavy rains. The old fence /tree line is a higher elevation and doesn't allow the water to flow to the north from that low point as you can see in what we will call Exhibit A and you will find attached. It was also understood that on the south side of the property there was a very large area of roughly 2 acres that holds water and being that it was pasture land, though not desirable it was acceptable. We have completed some work in this area to help with water containment for most of the seasons.

Next you will find Exhibit B which is Hamilton County Mapping of drains and watershed for our location. As we found in while building our small retention pond to try and contain the water sitting in area #1 as showed on the map we found that the county's plotting and mapping of drainage system was not correct. Before starting the process, we received approval from the surveyor's office in writing as long we allowed for the setbacks based off the existing drains. While digging we found that the drain did not exit our property as it was mapped but roughly another 200' feet to the west. I only bring this up to show our level of confidence in the information supplied by the county. Also, for you review on the same map is shown the drain #2 that supposedly extends into the north pasture. We have little to no confidence that this drain exists or exists that far into the property based on mature tree size between it and the north field as well as this area was open trenched in early 2016 by installers of high speed cable network and we never found said drain. Labeled as #3 is the water shed used by survey to asses. Based on elevations and

10-07-28-00-00-015-000

actual water flow we strongly disagree with findings as will be shown on Exhibit C attached.

On Exhibit C you will find a highlighted area shown as #1 that is what we would consider potential water shed to the north that is roughly 3.5 acres. You will also find arrows showing drainage flow into our retention pond that then drains out to the south. #2-3 Show intake drain from the north pasture and #4 show the overflow/discharge drain to the south.

We sympathize for the few residences that live to the north were houses were set at a low elevation that have water issues. Unfortunately, you look around the county from our recent record rainfall on 4/3 there are many areas that experienced water standing issues. Our position is if those residence, or the farmers who would experience higher yields and higher profits wish to have drainage work done and it benefits them then they should be responsible for the cost associated with such. With one child in college and one on the way soon that \$33k assessment will pay for a year and half of in state school.

I recently called the surveys office to discuss and spoke with Gary. After giving him my contact information, he indicated he would come up with a time to walk and review on the property. To date I have not heard back from him.

Happy to discuss at any time and will plan to attend the meeting on 4/23.

Respectfully

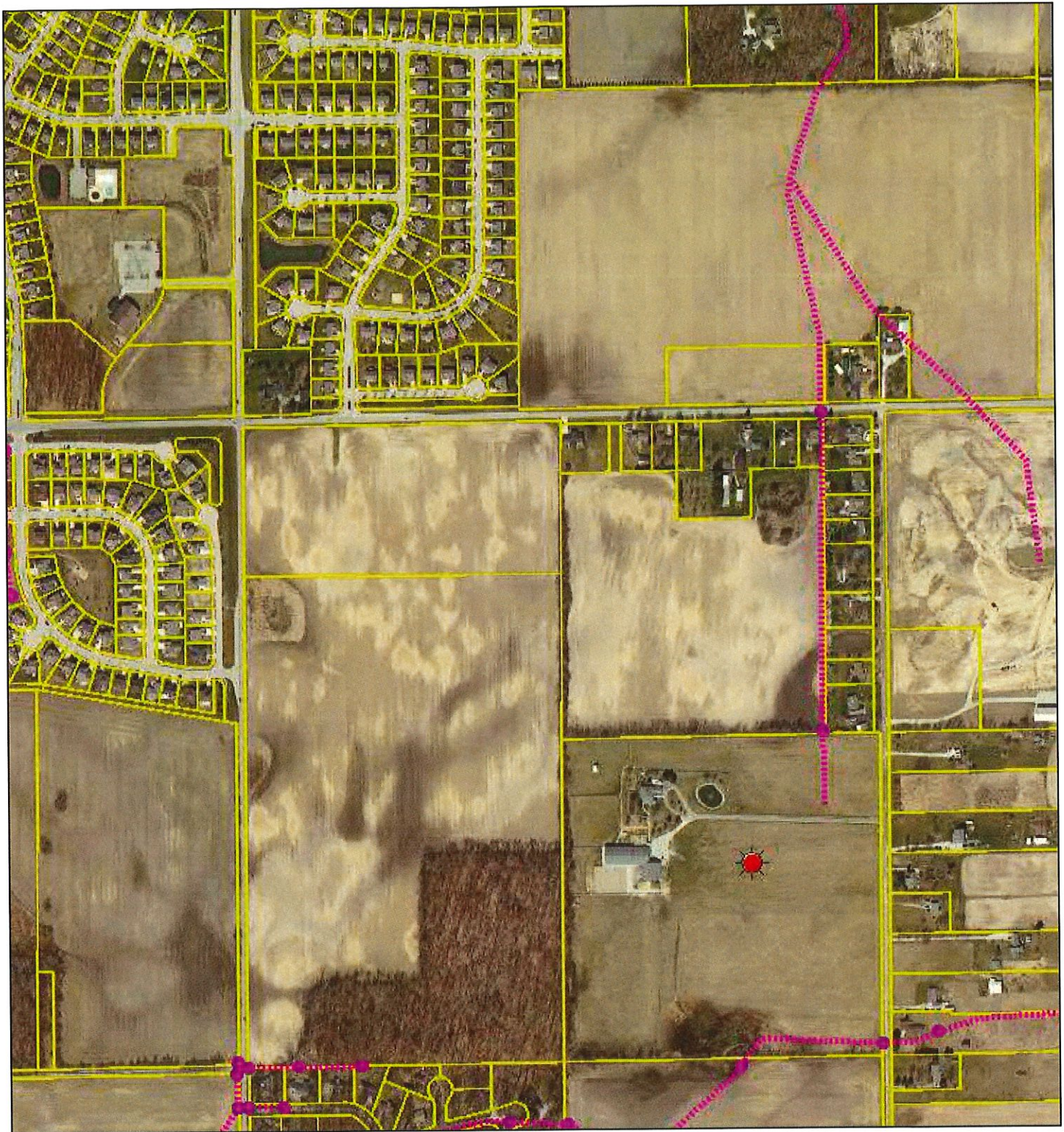
Brian & Stephanie Spear

18751 Mallery RD

Noblesville, IN 46060

317-491-3559

Burnau Arm_Spear Objection



April 13, 2018

1:9,028

 Bridges

 MUNICIPAL DRAIN

Drainage Structures

 All Other Structures

 OPEN DRAIN

 MUNICIPAL MANHOLE

 SSD

Drain Name

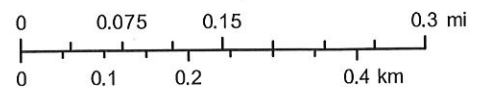
 Regulated Drains Waterways

 Regulated Drains Drainage Pool

Regulated Drains

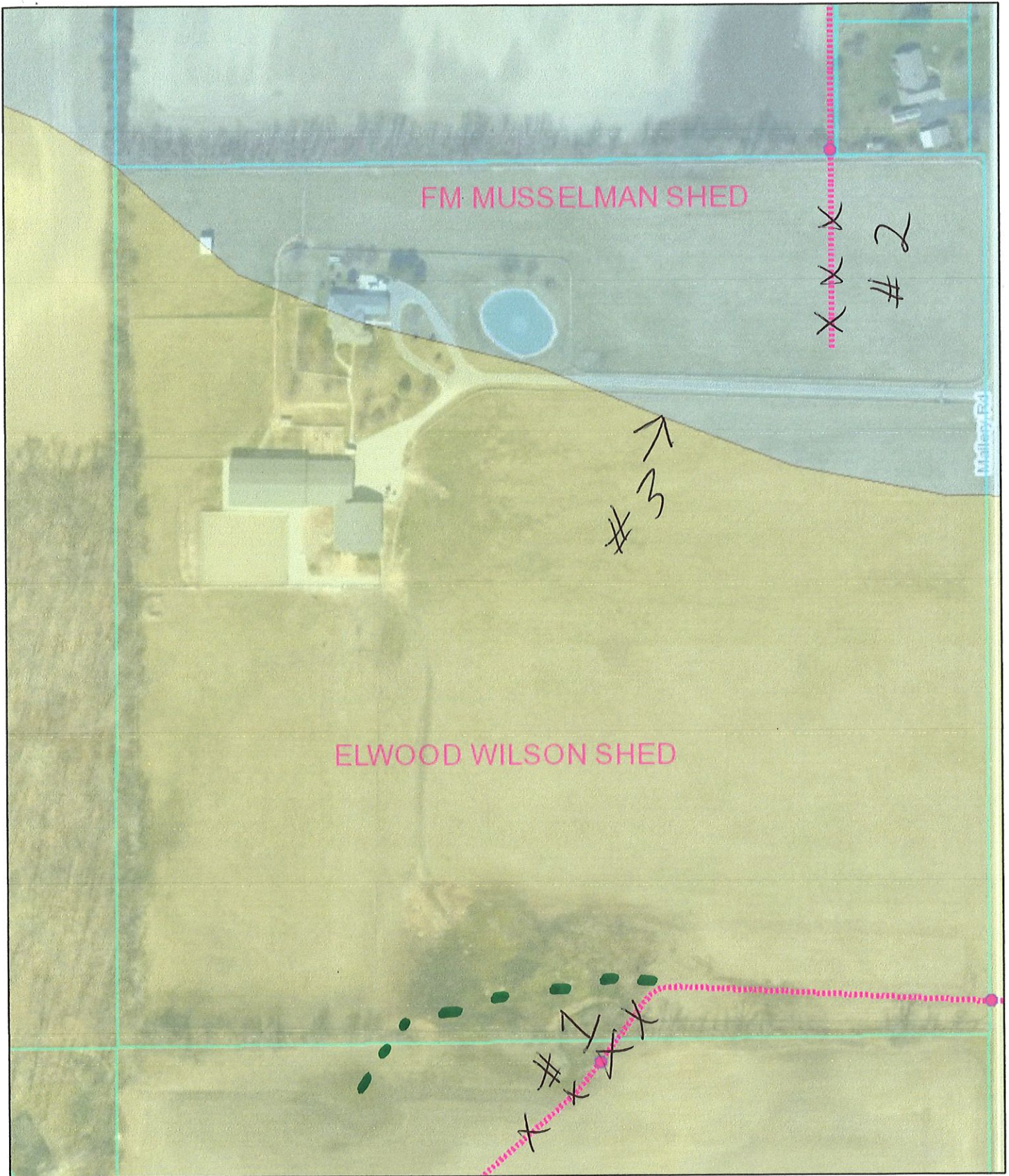
 CLOSED DRAIN

 Subdivision Drainage Structures



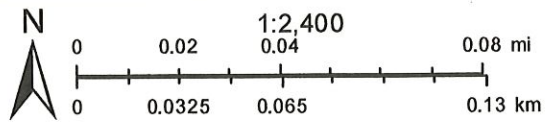
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





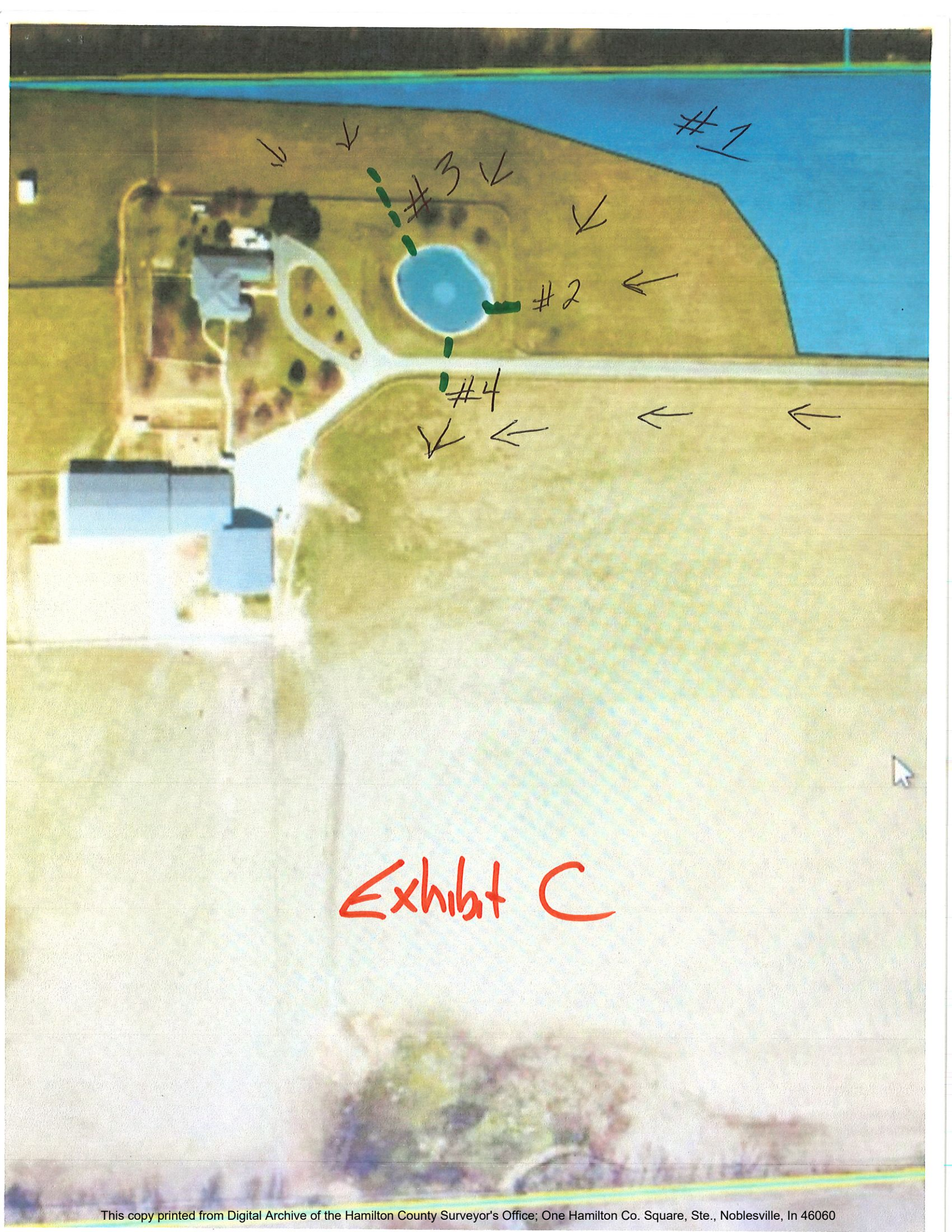
April 4, 2018

Exhibit B



- All Other Structures
- ⊕ MUNICIPAL MANHOLE
- Drain Name
- - - - - CLOSED DRAIN
- - - - - MUNICIPAL DRAIN

Basemap information here



#1

#3

#2

#4

Exhibit C

To whom it may concern on the Hamilton County
Drainage Board and at the Hamilton County Surveyors
office;

In regards to parcel number **10-07-28-00-00-011.000**
address 11655 E. 191st Street Noblesville, IN 46060.

I am the owner of 11655 E. 191st Street; this is
a written objection to the reconstruction of the
WS Burnau Arm of the FM Musselman Drain. The
cost, damages; & expenses far out way/exceed
the benefit of the reconstruction of the WS Burnau
Arm of the FM Musselman Drain. My property will
not benefit from this reconstruction therefore
I object to it. The properties that flood on &
around 191st & Mallery Rd are flood areas or
wetlands & the property owners of the affected
flood areas will not see a change from this drain
reconstruction.




39. Holdings, LLC

Friday; April 13th, 2018

To whom it may concern on the Hamilton County
Drainage Board and at the Hamilton County
Surveyors Office;

In regards to parcel number **10-07-28-00-00-012.00**
address 18882 Mallery Rd. Noblesville, IN. 46060.

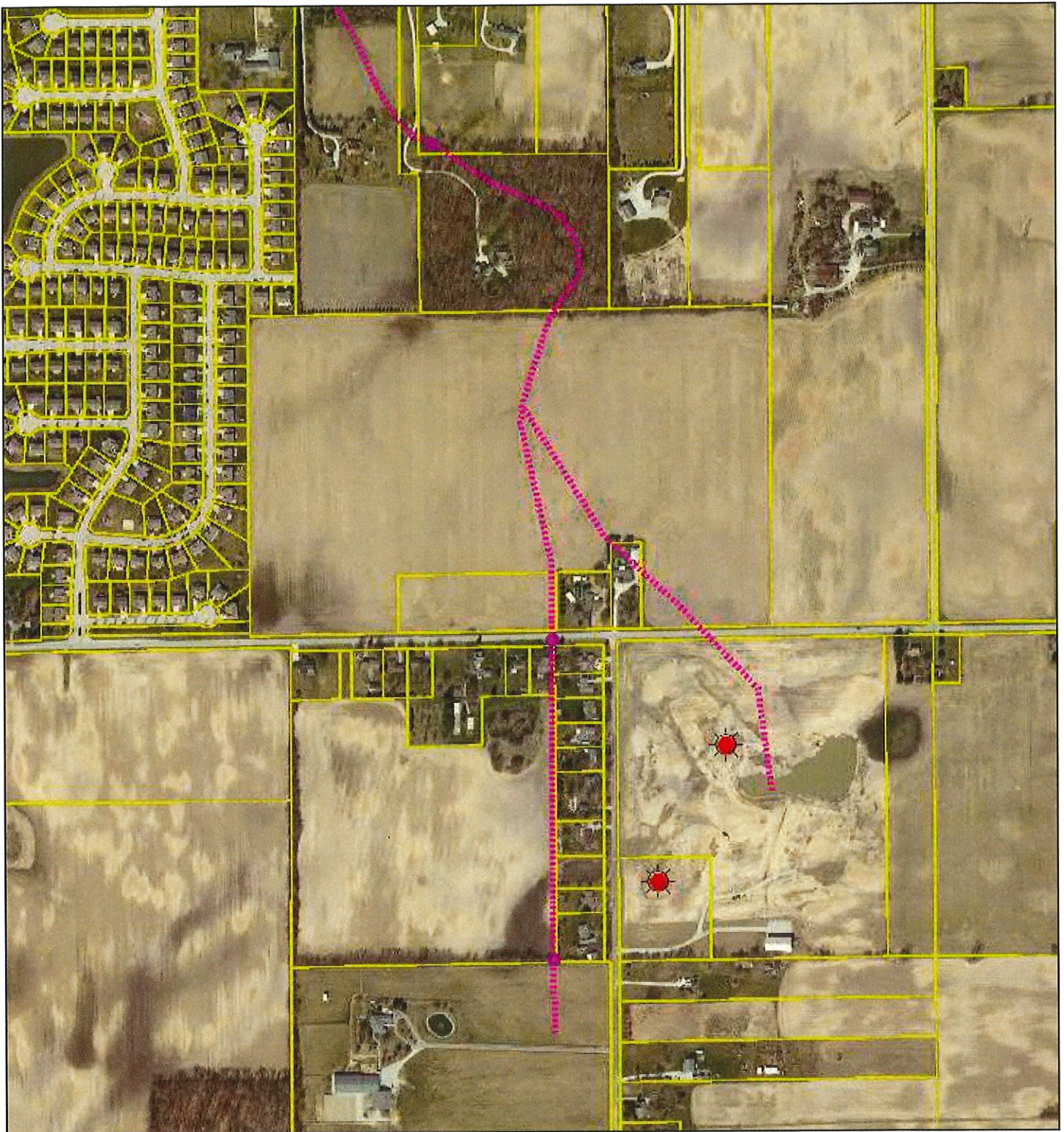
I am the owner of ~~18882 Mallery Rd.~~ 18882 Mallery Rd. &
this is a written objection to the reconstruction
of the WS Burnau Arm of the FM Musselman
Drain. The cost, expenses, & damages far outway/
exceed the benefit of the reconstruction of the
WS Burnau Arm of the FM Musselman Drain.
My property will not benefit from this reconstruct-
ion therefore I object to it. The properties that
flood on & around 191st & Mallery Rd. are
flood areas & wetlands; the property owners
of the affected flood areas will not see
a change from this drain reconstruction.




37 Holdings, LLC











Friday; April 13th, 2018

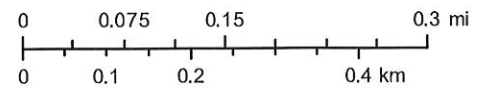
Burnau Arm_Three Percent Holdings



April 13, 2018

1:9,028

- | | | | |
|---|----------------------|---|---------------------------------|
|  | Bridges |  | MUNICIPAL DRAIN |
| Drainage Structures | | | |
|  | All Other Structures |  | OPEN DRAIN |
|  | MUNICIPAL MANHOLE |  | SSD |
| Drain Name | |  | Regulated Drains Water ways |
| Regulated Drains | |  | Regulated Drains Drainage Pool |
|  | CLOSED DRAIN |  | Subdivision Drainage Structures |



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Wethington Ellen J.
to Ivan O. Roubesh TC
18620 Mallery Rd.
Noblesville, In 46060



To Hamilton County Drainage Board

We are against the reconstruct
of the W.S. Burnau Arm of the F.M.
Musselman Drain.

The cost of this drain is too
expensive. There is no way this
little farm can pay 67,575.22. The
farm can barely pay for the
property taxes, insurance and
money to put out the crops.

The drain is not going to
help us. When their go hook
up to the drain. It will have
to drain by it's self.

My husband has a disability
and cannot farm the farm. We
live on a limited income.

Ellen J. Wethington
Donald Wethington

10-07-28-00-00-013.000











014.000

12-07-27-0000-012.000

W.S. Burnau Arm - Wethington Objection



April 11, 2018

- | | |
|--|---|
|  Bridges |  MUNICIPAL DRAIN |
| Drainage Structures |  OPEN DRAIN |
|  All Other Structures |  SSD |
|  MUNICIPAL MANHOLE |  Regulated Drains Waterways |
| Drain Name |  Regulated Drains Drainage Pool |
| Regulated Drains |  Subdivision Drainage Structures |
|  CLOSED DRAIN | |

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Hamilton County
USDA FSA |

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

W. S. Burnau Arm of the F. M. Musselman Drain

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 **W. S. Burnau Arm of the F. M. Musselman Drain** on **April 23, 2018 at 9:20 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

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

F. M. Musselman Drain, W. S. Burnau Arm 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 **F. M. Musselman Drain, W. S. Burnau Arm Reconstruction** on **January 27, 2020** at **9:30 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

10-07-28-00-00-009.000

Property Type: Real Estate
Taxing District: Noblesville Twp
State Parcel #: 29-07-28-000-009.000-012
Duplicate #: 0319729

Deeded Owner - Billing Address
Evans, Scott N & Deena J h&w
Mail to: Evans, Scott N & Deena J h&w
11480 E 191st St
Noblesville, IN 46060

—**Locations**—
Primary
11480 E 191st St
Noblesville, IN 46060

—**Legal Description**—
Acreage: 1.30
Section: 28 Township: 19 Range: 5

—**Document**—
Number: Personal Representatives Deed 2018-31370
Date: 7/11/2018
Sale Date: 6/29/2018

10-07-28-00-00-019.000

Property Type: Real Estate
Taxing District: Noblesville Twp
State Parcel #: 29-07-28-000-019.000-012
Duplicate #: 0254941

Deeded Owner - Billing Address
RZS Properties LLC Series 18953 Mallery Road
Mail to: RZS Properties LLC Series 18953 Mallery Road
17W220 22nd St Ste 250B
Oakbrook Terrace, IL 60181

—**Locations**—
Primary
18953 Mallery Rd
Noblesville, IN 46060
Dimensions: 145.0 X 200.0

—**Legal Description**—
Acreage: .67
Section: 28 Township: 19 Range: 5
KENTRE MEADOWS
Section: 1
Lot: 15

—**Document**—
Number: Quit Claim Deed 2019-44811
Date: 9/18/2019
Sale Date: 9/13/2019

10-07-28-00-00-025.000

Property Type: Real Estate
Taxing District: Noblesville Twp
State Parcel #: 29-07-28-000-025.000-012
Duplicate #: 0296738

Deeded Owner - Billing Address
Bonvino, Leonardo
Mail to: Bonvino, Leonardo
19063 Mallery Rd
Noblesville, IN 46060

—**Locations**—
Primary
19063 Mallery Rd
Noblesville, IN 46060

—**Legal Description**—
Acreage: .46
Section: 28 Township: 19 Range: 5
KENTRE MEADOWS
Section: 1
Lot: 9

—**Document**—
Number: Warranty Deed 2020-00420
Date: 1/3/2020
Sale Date: 1/2/2020

10-07-28-00-00-026.000

Property Type: Real Estate
Taxing District: Noblesville Twp
State Parcel #: 29-07-28-000-026.000-012
Duplicate #: 0240444

Deeded Owner - Billing Address
Peyton Properties LLC
Mail to: Peyton Properties LLC
25525 Eagletown Rd
Sheridan, IN 46069

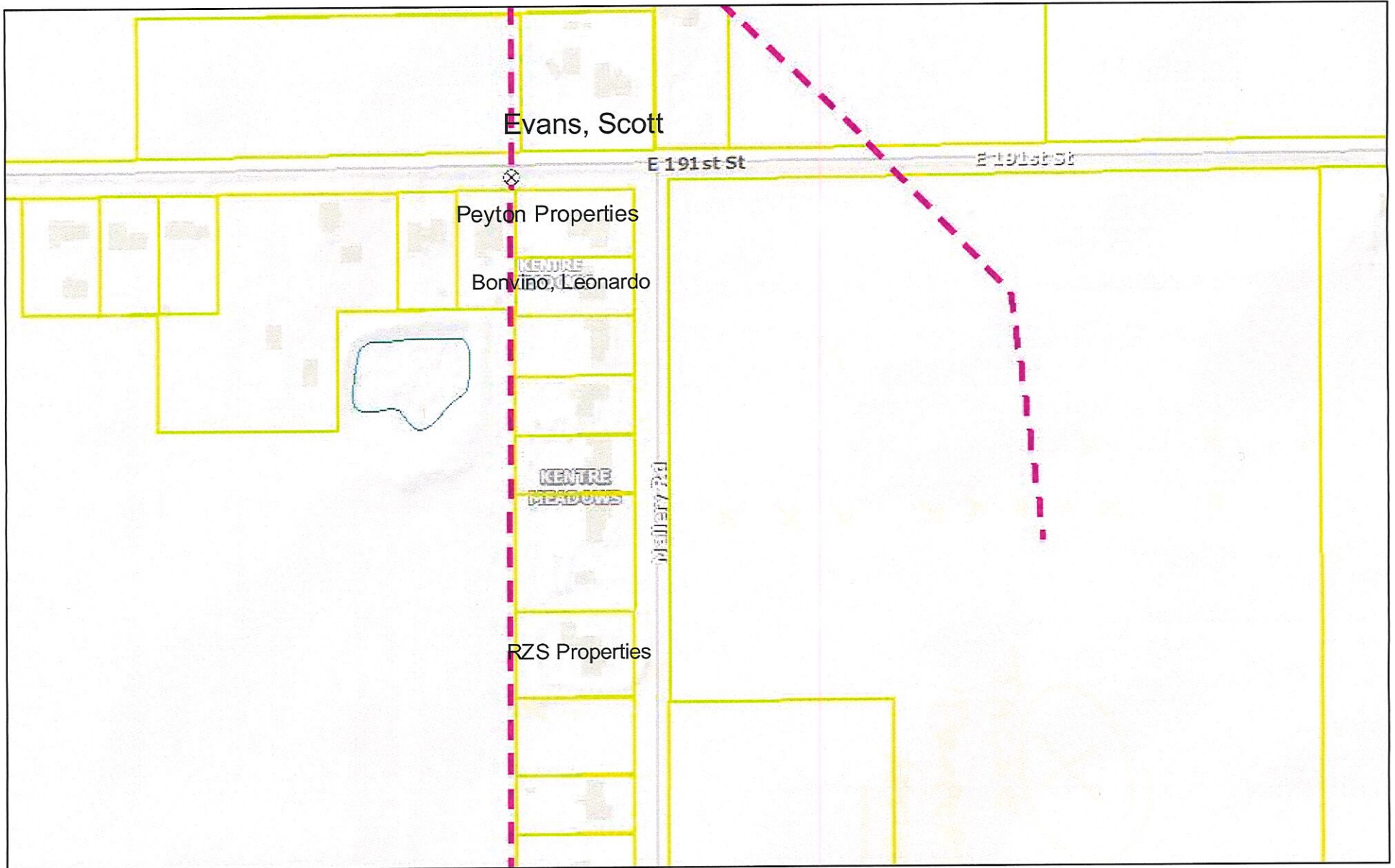
—**Locations**—
Primary
19077 Mallery Rd
Noblesville, IN 46060
Dimensions: 110.0 X 200.0

—**Legal Description**—
Acreage: .51
Section: 28 Township: 19 Range: 5
KENTRE MEADOWS
Section: 1
Lot: 8

—**Document**—
Number: Warranty Deed 2019-07035
Date: 2/27/2019
Sale Date: 2/25/2019

The 4 parcels above had new owners but notices mailed to old owners and none came back.

Burnau Arm, 4 new owners



February 28, 2020

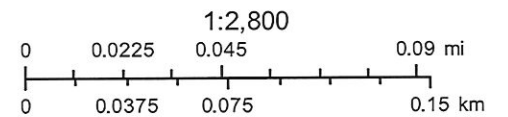
Drains - Drainage Structures
 ⊗ CATCH BASIN

Drains - Regulated Drains
 — CLOSED DRAIN
 Parcels (Internal)

Subdivisions
 Interstates & US Highways
 State Highways

Major Roads
 Minor Roads
 Lakes & Reservoirs

Rivers & Streams



OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD

December 27, 2019 1/7/20

RETURNED

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the F.M. Musselman Drain, W.S. Burnau Arm (Continuation of public hearing)

Canterbury Estates
~~12290 E 196TH ST~~ 12318 E. 196th St.
Noblesville, IN 46060

RETURNED
No Forwarding Address

No Change in Ownership

JAN 07 2020

Under the Indiana Drainage Code, all land which drains directly, or indirectly, may be assessed for either maintenance cost or reconstruction cost within the drain. In making the calculation for each parcel, the Drainage Board must calculate the percentage of the cost attributable to each parcel of land benefitted. The Drainage Board has received a reconstruction report and schedule of assessments which affects your land. The purpose of the reconstruction project is to perform work which will substantially improve the drainage for the entire watershed served by the drain.

You are hereby notified that the reconstruction report of the County Surveyor and the schedule of assessments made by the Drainage Board have been filed and are available for public inspection in the office of the County Surveyor. The chart below contains your proposed assessment and your percentage of the total reconstruction assessment.

The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the F.M. Musselman Drain, W.S. Burnau Arm have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Parcel: 12-07-27-00-00-015.000, S27 T19 R5 77.68Ac

Acres Benefitted for entire Burnau Arm	Option 1 Construction Cost & Soft Cost to entire Burnau Arm	% of Total Option 1	Option 2 Soft Cost to entire Burnau Arm	Acres Benefitted South Area	Option 2 Construction Cost to South Area only	Total Option 2	% of Total Option 2
62.39	\$73,051.20	13.40%	\$16,694.32	n/a	n/a	\$16,694.32	3.06%

Damages are set at zero. No change in current maintenance assessment.

Option 1 is for the construction cost & soft cost to be spread over the entire W.S. Burnau drainage shed.

Option 2 is for the construction cost to be to the South Area only and the soft cost to be spread over the entire W.S. Burnau drainage shed.

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at 9:30 A.M. on January 27, 2020, in the Commissioner's Court. The law provides that objections must be written and filed not less than 5 days before the date of the hearing. Objections may be for causes as specified by law and which are available at the Surveyor's Office. Written evidence in support of objections may be filed. The failure to file objections constitutes a waiver of your right to thereafter object, either before the Board or in court on such causes, to any final action of the Board. On or before the day of the hearing before the Board, the Surveyor shall and any owner of affected lands may cause written evidence to be filed in support of or in rebuttal to any filed objections.

HAMILTON COUNTY DRAINAGE BOARD
One Hamilton County Square, Ste. 188
Noblesville, IN 46060-2230

For a copy of the Surveyor's Report to the Drainage Board and a copy of the map, if applicable, please go to www.hamiltoncounty.in.gov/drainageboardnotices.

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

IN THE MATTER OF **F. M. Musselman Drain, W. S. Burnau Arm
Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **January 27, 2020** 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.

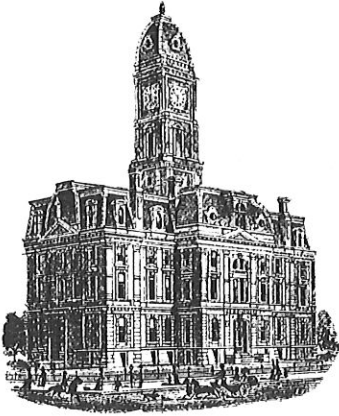
The Board issued an order declaring the proposed improvement established. Such findings and order were marked filed and are available for inspection in the Office of the Hamilton County Surveyor.

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: Mark Heirbrandt
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY



Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
Fax (317) 776-9628

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

March 11, 2021

TO: Hamilton County Drainage Board

RE: F. M. Musselman Drain, W.S. Burnau Arm Reconstruction

Please regard this as the Inspector's Final Report on the F. M. Musselman Drain, W.S. Burnau Arm Reconstruction located in Section 28, Township 19 North, Range 5 East in Noblesville Township, Hamilton County, Indiana.

The initial hearing for the F. M. Musselman Drain, W. S. Burnau Arm reconstruction was held April 23, 2018 for the Surveyor's Report dated February 13, 2018. The hearing was tabled with instructions from the Board to downsize the scope of the project (HCDB Minute Book 18, Pages 110 – 126). At the January 27, 2020 meeting of the Hamilton County Drainage Board the hearing for the F. M. Musselman, W.S. Burnau Arm Reconstruction was un-tabled and the revised Surveyor's Report dated December 20, 2019 was approved and the Findings and Orders signed (HCDB Minute Book 19, Pages 125 – 132).

At the January 27, 2020 meeting of the Hamilton County Drainage Board the contract for the F. M. Musselman Drain, W. S. Burnau Arm Reconstruction was awarded to Hoosier Pride Excavating for \$387,735.92 (HCDB Minute Book 19, Page 132).

The cost estimate for the F. M. Musselman Drain, W. S. Burnau Arm Reconstruction was \$445,896.31.

The F. M. Musselman Drain, W. S. Burnau Arm reconstruction provided an improved drainage outlet for areas in the vicinity of the intersection of 191st Street and Mallory Road. The project included the installation of 925' of 12" HDPE pipe (new drain arm to the Ogle property east of Mallory Road), 8' of 8" HDPE pipe, 685' of 6" SSD with 2 risers, 39' of 12" RCP Pipe under Mallory Road, Six 48" MH Structures with Castings, approximately 690' of new detention area,

255' of Outlet Channel, new 8' x 3' concrete box culvert crossing under 191st Street, 730' of Grass Waterway, implementation of erosion control measures on the project, leveling of spoil material from the dredging and seeding.

During the reconstruction of the F. M. Musselman Drain, W. S. Burnau Arm there were two notable changes during the reconstruction and that was the elimination of 885 feet of 10" Dual Wall HDPE Tile and the elimination of 10.32 ton of riprap.

There was One (1) Change Order on this project for additional work or field revision on the project as allowed by IC 36-9-27-80.5. The change orders is as follows.

Change Order # 1 - Dated August 27, 2020, Approved September 14, 2020 (HCDB Minute Book 19, Page 326)

The following items are an addition to the F. M. Musselman Drain, W. S. Burnau Arm Reconstruction being done by Hoosier Pride Excavating.

Item 4 – 48" Manhole w/ Casting and Marker	\$2,596.00
Item 14 – 6" SSD Riser w/ Concrete Collar	\$ 200.00
#53 Stone Farm Crossing	\$1,601.60
#8 Stone	\$ 900.00
12" CMP	\$ 960.00
6" Dual Wall HDPE SSD	\$1,340.55
Erosion Control Blanket	<u>\$ 645.00</u>
Total Cost of Change Order # 1	\$8,252.15

The following items were not billed for on the contract and therefore their costs were deducted from the contract with Change Order #1.

Item 15 – 10" Dual Wall HDPE Tile	\$13,500.00
Item H3 – Rip Rap (10.32 Ton)	<u>\$ 464.40</u>
Total Cost of Deductions from this Contract	(-\$13,964.40)

The following is a breakdown of all costs associated with the F. M. Musselman Drain, W. S. Burnau Arm Reconstruction completed by Hoosier Pride.

Pay Application # 1 Total	\$180,609.60
Retainage	<u>\$27,091.44</u>
Amount Paid to Hoosier Pride (05/27/2020)	\$153,518.16

Pay Application # 2 Total	\$201,414.07
Retainage	<u>\$30,212.11</u>
Amount Paid to Hoosier Pride (09/29/2020)	\$171,201.96

Pay Application # 3 Retainage (10/13/2020)	<u>\$57,303.55</u>
Total of Pay Applications 1 – 3	\$382,023.67
Professional Services - Engineering/Staking/As-builts	<u>\$99,130.00</u>
Total Reconstruction Costs	\$481,153.67

	Cost Estimate	Actual Final Cost
Soft Cost for Engineering & Easements	\$99,130.00	\$99,130.00
Construction (\$387,735.92 + \$58,160.30 Contingency)	<u>\$445,896.31</u>	<u>\$382,023.67</u>
	\$545,026.31	\$481,153.67

The soft cost is being assessed to the entire W.S. Burnau Arm. At the January 27, 2020 hearing the Hamilton County Drainage Board deferred the assessments for the area to the north that are not benefitted by the current reconstruction. This affected 20 parcels with 202.48 acres total. Those 20 parcels will be added to Proper Tax as a deferred assessment with a rate of \$267.58 per acre so the future assessments will be found by title searchers. If the parcels are developed within the next 20 years, the assessment will be collected and placed into the F. M. Mussulman Drain maintenance fund since that is where the original cost were paid from. The total deferred assessment totals \$54,179.72. The remaining \$44,950.28 will be added to the construction cost for the parcels in the south area of the W. S. Burnau Arm. There has been 3 right-of-way splits for 196th Street since the original hearing and 0.64 acres will be removed from the deferred assessment and added to County Highways current assessment. This makes the final defered area 201.84 acres with future assessments of \$54,008.46.

The area benefitted by the construction is the south area of the W. S. Burnau Arm. There are 32 parcels benefitted by the construction that will for the construction cost. They will be assessed \$382,023.67 for construction and \$44,950.28 for their portion of the soft coast for a total of \$426,973.95. The rate of assessment was proposed at \$267.58 per acre for soft cost and \$2,144.23 for construction cost for a total rate of \$2,411.81. The new rate based on the actual cost will be \$267.58 per acre for soft cost and \$1,834.33 for construction cost for a total rate of \$2,101.91. The assessment roll includes \$171.26 from right-of-way split in deferred area to make the total certified assessment \$427,145.98. These assessments will be certified to start collections for Spring 2021.

The Hamilton County Highway Department will have an assessment as follows. The cost for crossing 191st Street and Mallory Road will be assessed to them. The cost estimate was \$111,247.34; Hoosier Pride's bid was \$96,736.82; but change order #1 reduced that cost by \$464.40 for 10.32 tons of riprap that was not needed. The final lump sum is \$96,272.42. The County Highway has 9.93 acres of roads assessed to the north shed and it has a \$2,657.08 assessment for the soft cost. That assessment will be added to the current assessment roll instead of being deferred until developed. They have 15.60 acres of roads affected by the construction and the assessment for that portion is \$32,789.80. There was a right-of-way split that removed \$171.26 for 0.64 acres from 3 parcels and that will be added to their assessment. Their total assessment is \$ \$131,890.56.

The \$427,145.98 will be collected starting Pay 2021 and may be paid over a 10-year period with a 3% interest. The total to collect including the \$54,008.46 deferred assessment will be \$481,154.44.

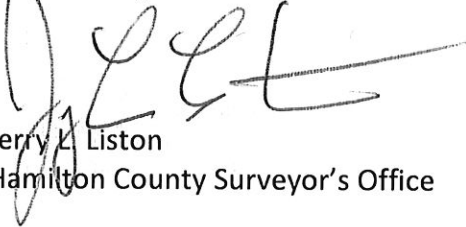
Statement of all Incurred Expenses Paid signed by the contractor as required in IC 36-9-27-82(b) was received on August 24, 2020.

Engineering, Construction Staking and As-built Drawings were done by VS Engineering. As-built Drawings were submitted by VS Engineering. Revised as-built drawings were approved March 2, 2021.

As of March 11, 2021, I hereby attest to and agree that the reconstruction was completed according to specified plans and have approved such work under IC 36-9-27-82(a). All inspections have been completed with Hoosier Pride.

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

Respectfully,



Jerry L. Liston
Hamilton County Surveyor's Office

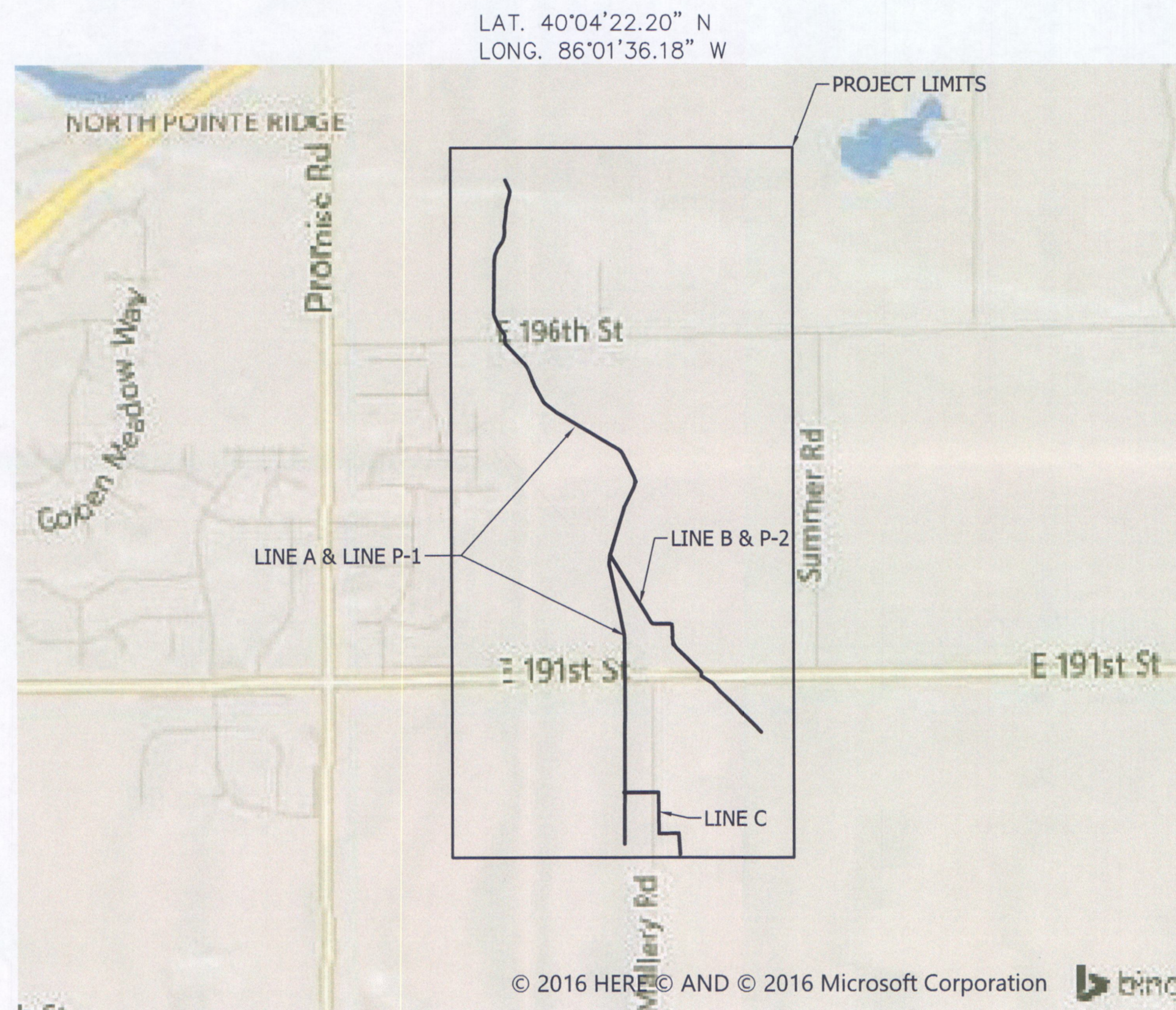


HAMILTON COUNTY SURVEYOR
KENTON C. WARD, COUNTY SURVEYOR

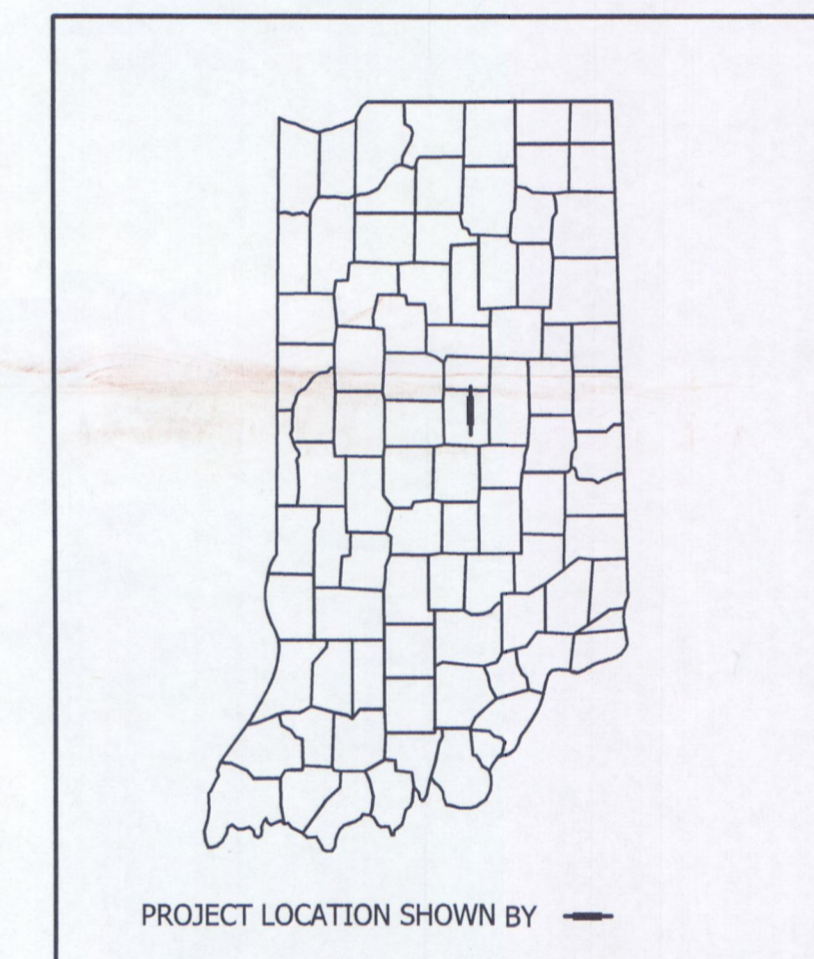
HAMILTON COUNTY DRAINAGE BOARD
CHRISTINE ALTMAN, PRESIDENT
MARK HEIRBRANDT, VICE PRESIDENT
STEVE C. DILLINGER, MEMBER

HAMILTON COUNTY F.M. MUSSELMAN DRAIN W.S. BURNAU ARM RECONSTRUCTION

DRAWING INDEX	
NUMBER	DESCRIPTION
01	TITLE SHEET
02	EXISTING TOPOGRAPHY
03	OVERALL SHEET
04	TYPICAL SECTIONS
05 - 14	EROSION CONTROL
15 - 29	PLAN & PROFILE
30 - 31	MISCELLANEOUS DETAILS
32 - 57	CROSS SECTIONS



LOCATION MAP
HAMILTON COUNTY, INDIANA



This information was gathered for input into the Hamilton County Geographic Information System (GIS). This document is considered an official record of the US.
Entry Date: 2021
Entered By: SLM

RECORD DRAWING

As-Built Survey Data collected in June and October 2020 and February 2021 is reflected in this plan set.



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 PLOTTED BY: C.Bertram
 DATE: Mar 04, 2021 3:54pm

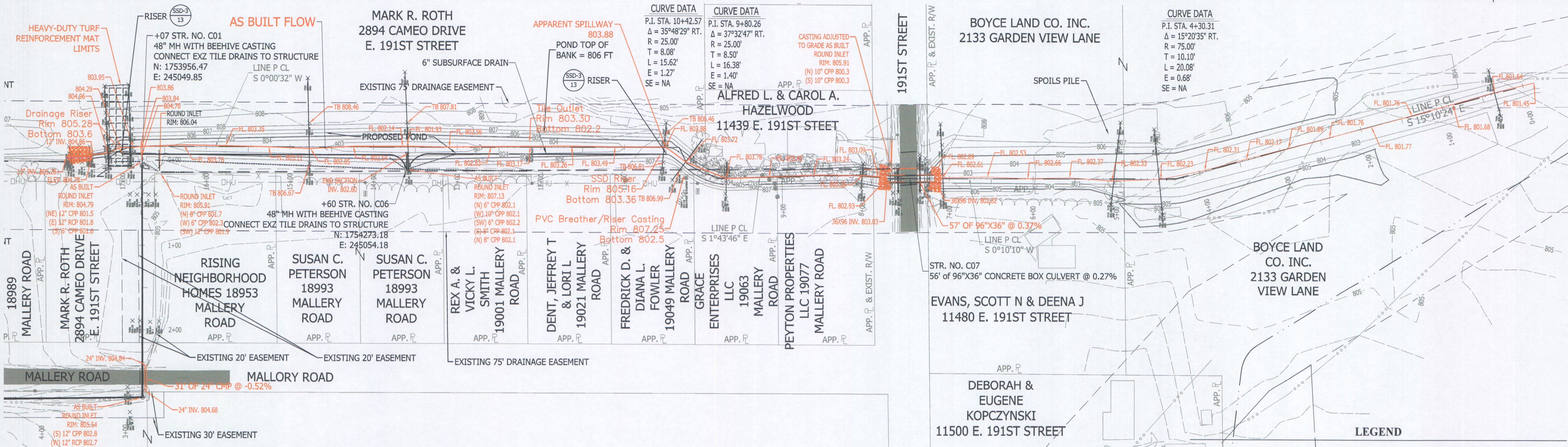
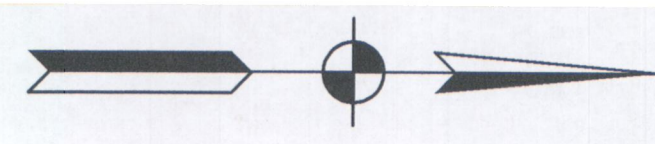
VS ENGINEERING, INC.
 4275 North High School Road Indianapolis, Indiana 46254
 vseil@vsengineering.com www.vsengineering.com
 Phone: (317) 293-3542 Fax: (317) 293-4737

PLANS PREPARED BY: VS ENGINEERING, INC. FAX: (317) 293-4737 TEL: (317) 293-3542 PHONE NUMBER
 CERTIFIED BY: *Matthew R. Healy* 01/05/2021 DATE
 MATTHEW R. HEALY P.E., INDIANA REG. NO. 21000201

MATTHEW R. HEALY REGISTERED No. 21000201 STATE OF INDIANA PROFESSIONAL SURVEYOR

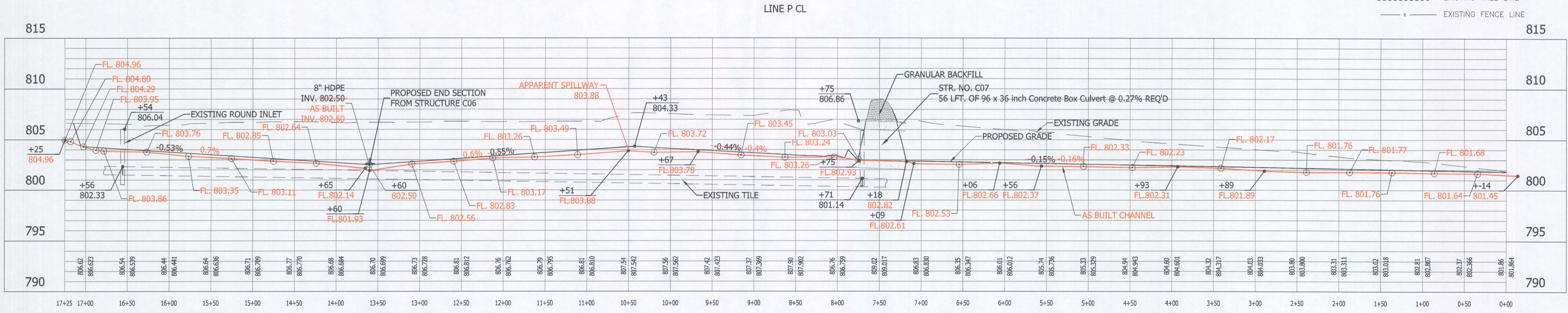
FILED
MAR 02 2021
OFFICE OF HAMILTON COUNTY SURVEYOR

BRIDGE FILE	N/A
DESIGNATION	N/A
SHEETS	01 of 57
PROJECT	15-3412



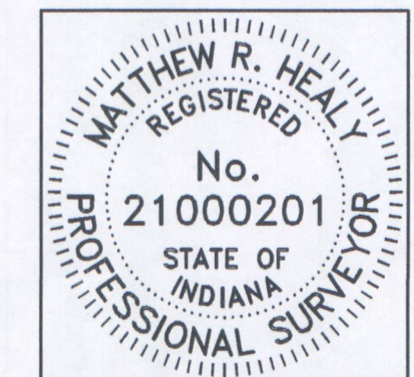
LEGEND

	PROPOSED DRAINAGE EASEMENT		PROPOSED TOP OF BANK
	EXISTING DRAINAGE EASEMENT		PROPOSED FLOW LINE
	EXISTING PROPERTY LINE		EXISTING RIGHT OF WAY
	BENCH MARK		EXISTING FLOWLINE
	EXISTING CONTROL POINT		EXISTING OVERHEAD UTILITY
	EXISTING UTILITY POLE		EXISTING TELEPHONE
	EXISTING GUYWIRE		EXISTING ELECTRIC
	EXISTING TREE		EXISTING GAS
			EXISTING WATER MAIN
			EXISTING TREE LINE
			EXISTING FENCE LINE



RECORD DRAWING

As-Built Survey Data collected in June and October 2020 and February 2021 is reflected in this plan set.



RECOMMENDED FOR APPROVAL		01/05/2021	DATE
DESIGNED:	JLV	DRAWN:	JLV
CHECKED:	BSH	CHECKED:	BSH

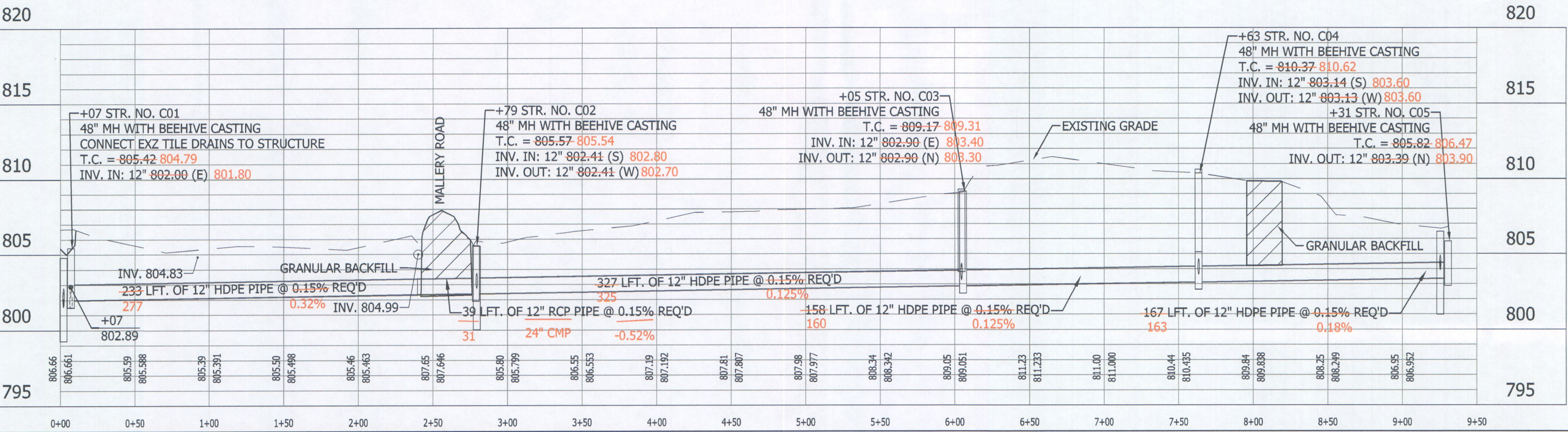
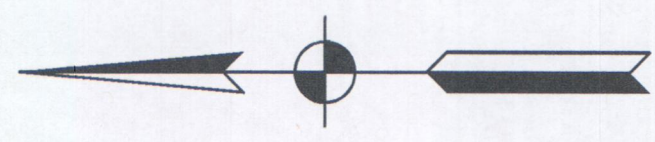
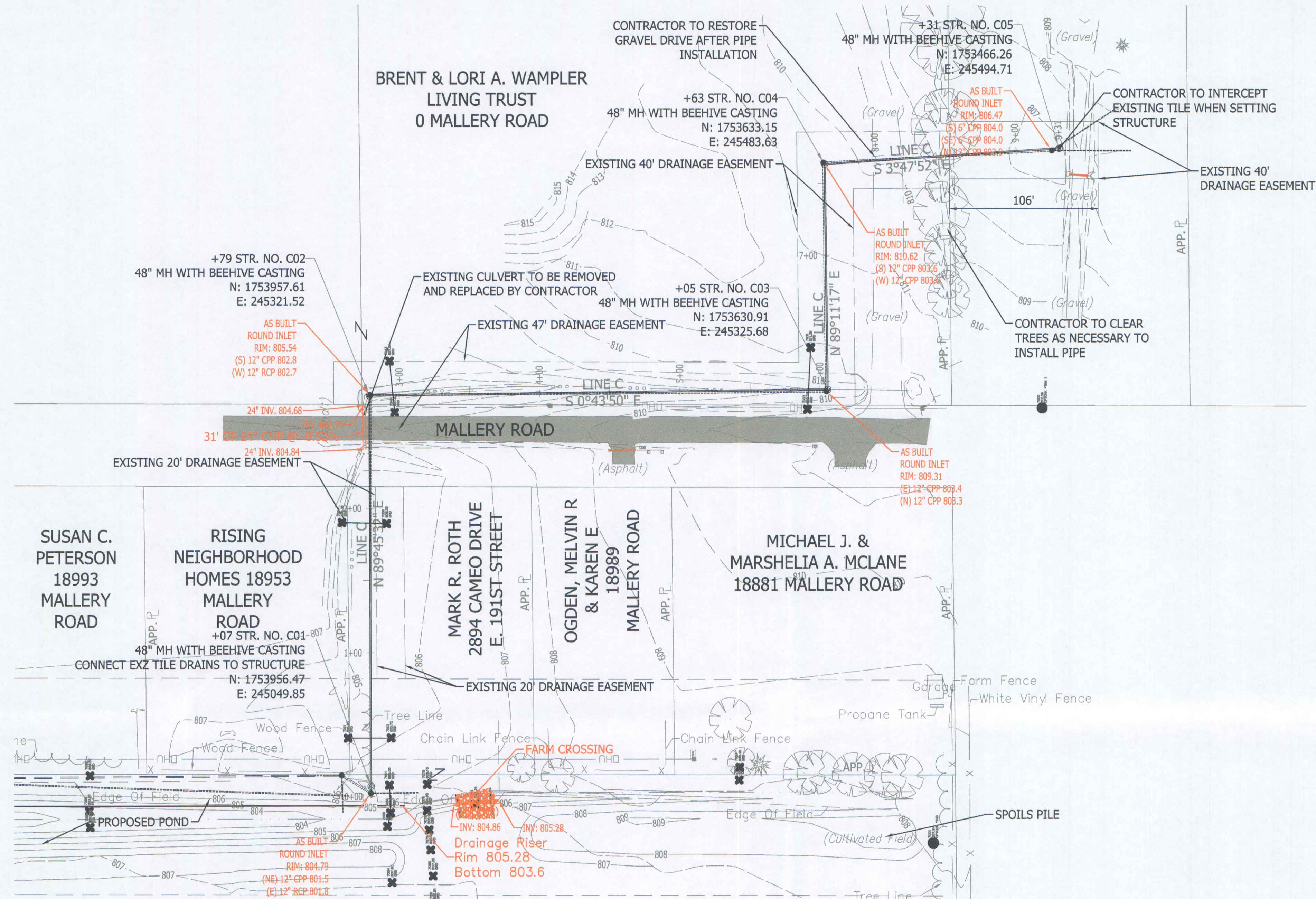
F.M. MUSSELMAN DRAIN, W.S. BURNAU ARM
HAMILTON COUNTY, INDIANA

LINE P PLAN AND PROFILE

HORIZONTAL SCALE	1" = 60'	BRIDGE FILE	N/A
VERTICAL SCALE	1" = 5'	DESIGNATION	N/A
SURVEY BOOK	9	SHEETS	of 33
CONTRACT		PROJECT	15-3412

DIRECTORY: F:\2015\15-3412 F.M. Musselman Drain, W.S. Burnau Arm\Design\Drawings\As Builts\
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 PLOTTED BY: C.Bertram
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 FILE.....15-3412 10-PP LINE C.dwg
 DIMSCALE.....1 LTSCALE.....50
 PLOTTED BY.....CBedtram
 DATE.....Mar 01, 2021 - 5:03pm



LEGEND

—	PROPOSED DRAINAGE EASEMENT	—	PROPOSED TOP OF BANK
—	EXISTING DRAINAGE EASEMENT	—	PROPOSED FLOW LINE
—	BENCH MARK	—	EXISTING PROPERTY LINE
—	EXISTING CONTROL POINT	—	EXISTING RIGHT OF WAY
—	EXISTING UTILITY POLE	—	EXISTING FLOWLINE
—	EXISTING GUYWIRE	—	OHU
—	EXISTING TREE	—	EXISTING OVERHEAD UTILITY
—		—	UGT
—		—	EXISTING TELEPHONE
—		—	UGE
—		—	EXISTING ELECTRIC
—		—	G
—		—	EXISTING GAS
—		—	W
—		—	EXISTING WATER MAIN
—		—	—
—		—	EXISTING TREE LINE
—		—	—
—		—	EXISTING FENCE LINE

RECORD DRAWING

As-Built Survey Data collected in June and October 2020 and February 2021 is reflected in this plan set.



RECOMMENDED FOR APPROVAL	<i>M. Heath</i>	DESIGN ENGINEER	01/05/2021	DATE
DESIGNED:	JLV	DRAWN:	JLV	
CHECKED:	BSH	CHECKED:	BSH	

F.M. MUSSELMAN DRAIN, W.S. BURNAU ARM
HAMILTON COUNTY, INDIANA

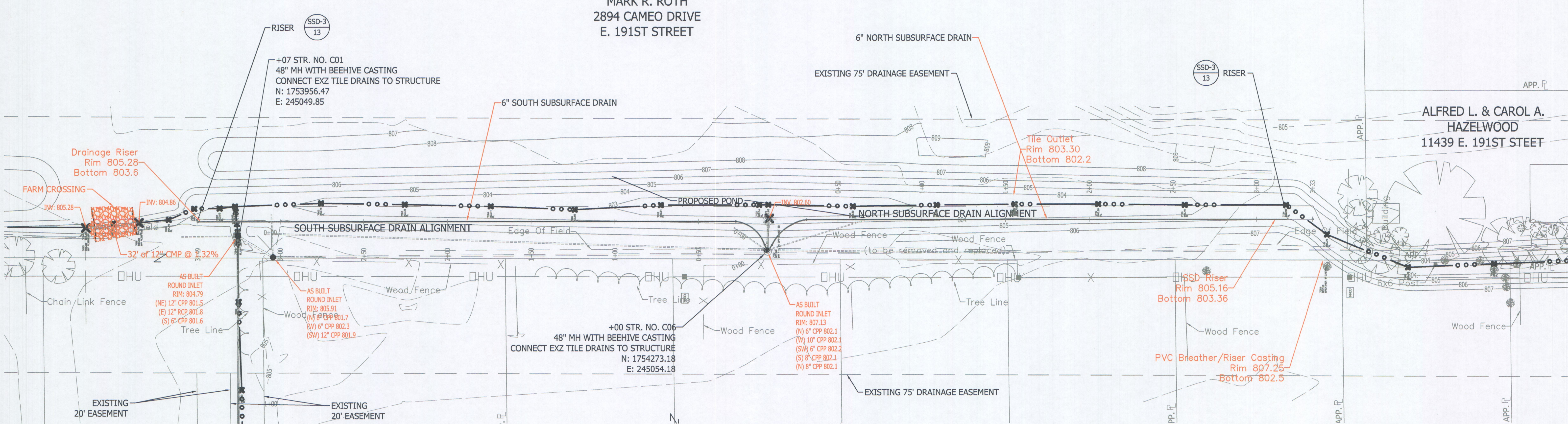
LINE C
PLAN AND PROFILE

HORIZONTAL SCALE	BRIDGE FILE
1" = 50'	N/A
VERTICAL SCALE	DESIGNATION
1" = 5'	N/A
SURVEY BOOK	SHEETS
	10 of 33
CONTRACT	PROJECT
	15-3412



MARK R. ROTH
2894 CAMEO DRIVE
E. 191ST STREET

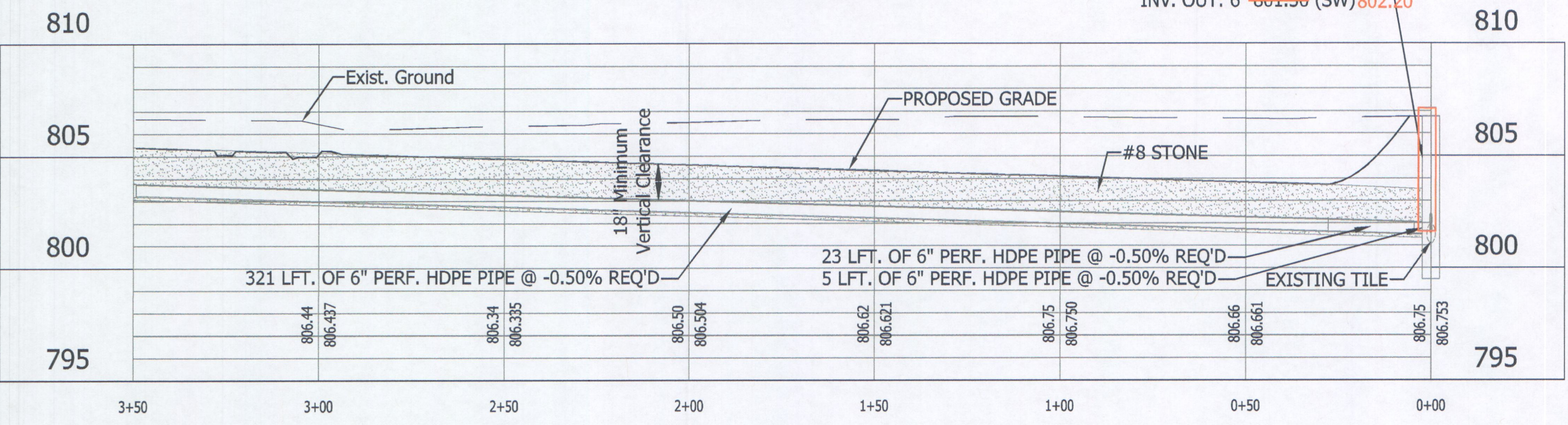
ALFRED L. & CAROL A.
HAZELWOOD
11439 E. 191ST STREET



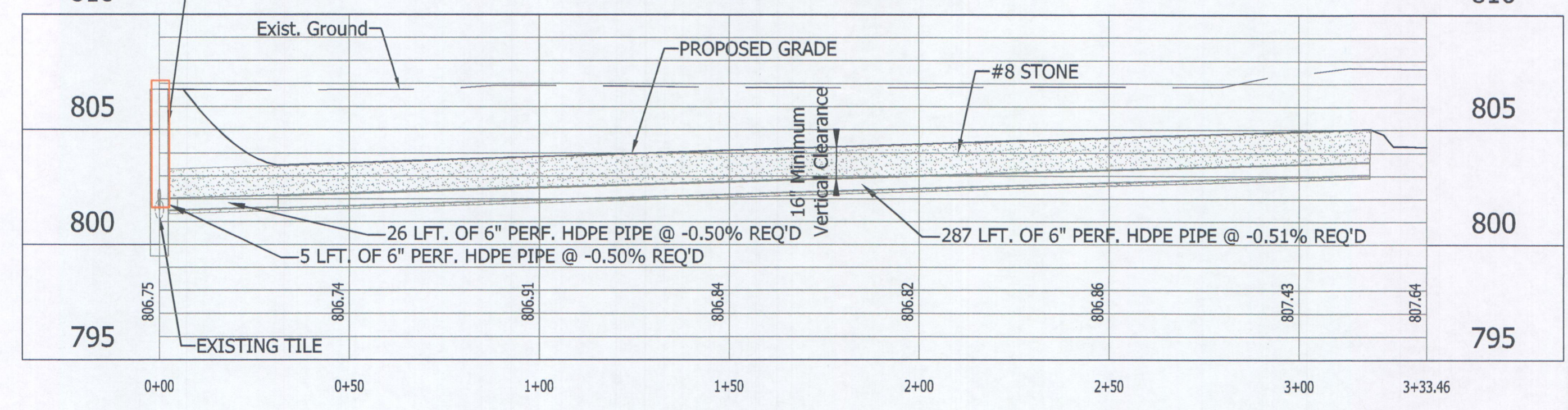
LEGEND

- PROPOSED DRAINAGE EASEMENT
- EXISTING DRAINAGE EASEMENT
- ⊕ BENCH MARK
- ⊙ EXISTING CONTROL POINT
- ⊠ EXISTING UTILITY POLE
- EXISTING GUYWIRE
- ⊙ EXISTING TREE
- PROPOSED TOP OF BANK
- APP P PROPOSED FLOW LINE
- EXISTING PROPERTY LINE
- EXISTING RIGHT OF WAY
- EXISTING FLOWLINE
- OHU EXISTING OVERHEAD UTILITY
- UGT EXISTING TELEPHONE
- UGE EXISTING ELECTRIC
- G EXISTING GAS
- W EXISTING WATER MAIN
- EXISTING TREE LINE
- x — EXISTING FENCE LINE

SOUTH SUBSURFACE DRAIN PROFILE



NORTH SUBSURFACE DRAIN PROFILE



RECORD DRAWING

As-Built Survey Data collected in June and October 2020 and February 2021 is reflected in this plan set.



RECOMMENDED FOR APPROVAL	<i>M. Roth</i>	DESIGN ENGINEER	01/05/2021	DATE
DESIGNED:	JLV	DRAWN:	JLV	
CHECKED:	BSH	CHECKED:	BSH	

F.M. MUSSELMAN DRAIN, W.S. BURNAU ARM
HAMILTON COUNTY, INDIANA

**SUBSURFACE DRAIN PLAN
AND PROFILE**

HORIZONTAL SCALE	BRIDGE FILE
1" = 30'	N/A
VERTICAL SCALE	DESIGNATION
1" = 5'	N/A
SURVEY BOOK	SHEETS
	11 of 33
CONTRACT	PROJECT
	15-3412

DIRECTORY: F:\2015\15-3412 F.M. Musselman Drain, W.S. Burnau Arm\Drawings\As Built\1
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 PLOTTED BY: CBertram
 DATE: Mar 01, 2021 - 4:05pm