

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 4, 2007

To: Hamilton County Drainage Board

RE: Paulsel, Vance, Paulsel Drain; The Legacy Partial Relocation, Vacation and Shed Change

Attached is a petition and plans for the proposed relocation of the Paulsel, Vance, and Paulsel Drain. The relocation is being proposed by East Carmel, LLC. The proposal is to reconfigure the drain for the new entrance of the Legacy onto 146th Street, which will change storm structure castings on the Paulsel, Vance, and Paulsel Drain and add new footage to the drain. Part of the drain will also be vacated on the Legacy Development from Sta. 0+00 to Sta. 9+17 of the original 1891 legal description and 26 feet of 8" plastic pipe that is part of the 146th Street Reconstruction.

The changes to the drain shall consist of changing the castings on existing Structures 134 and 137 from solid manhole castings to new curb inlet castings. Also, the castings on existing Structure 133 and 136 are being changed from curb inlet castings to flat inlet castings, so that the drainage on 146th Street is maintained. The end section at existing Structure 129C is being removed and replaced with a manhole structure, which is shown in the current plans as Structure 126. This is all shown on sheet C402 of The Legacy Master Infrastructure Phase One plans by Stoepelwerth and Associates, dated 3/3/07 and having job number 55115S1.

The additional new drain shall be the length of pipe between the following structures: existing Str. 137 to new Structure 129, Structure 128, then 124, and ending at Structure 123 on the current plans.

The drain in total will consist of the following lengths:

12" RCP – 152 ft

The total length of new tile shall be 152 feet. The 943 feet of original drain between Sta. 0+00 and approximately Sta. 9+17 and 8" plastic pipe shall be vacated. This proposal will remove 791 feet from the drains total length.

The following tracts should be removed from the Paulsel, Vance, and Paulsel Drain maintenance assessments and added to the Tunis Gerard Drain maintenance assessment.

| <u>Parcel Number</u> | <u>Owner</u> | <u>Paulsel Old Asmt.</u> | <u>Tunis Gerard Old Asmt.</u> | <u>Tunis Gerard New Asmt.</u> | <u>Total Acreage</u> |
|------------------------|-----------------|------------------------------|-----------------------------------|-----------------------------------|--------------------------|
| 17-10-23-00-00-001.003 | East Carmel LLC | \$56.00 | \$305.00 | \$361.00 | 180.50 |

This change will result in a decrease of \$56.00 to the Paulsel, Vance, and Paulsel Drain maintenance assessment and a net increase of \$56.00 to the Tunis Gerard Drain maintenance assessment.

The cost of the relocation is to be paid by the East Carmel, LLC.

The petitioner has provided the Performance Bond to the Hamilton County Highway Department as follows:

Name of Bonding Co.: Bond Safeguard Insurance Company

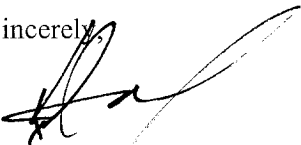
Bond Number: 5028582

Bond Date: August 8, 2007

Bond Amount: \$73,000.00

I recommend the Board set a hearing for this proposed drain for February 25, 2008.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

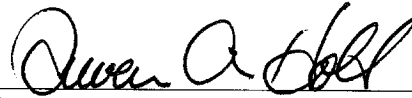
KCW/pll

FINDINGS AND ORDER
CONCERNING THE MAINTENANCE OF THE
Tunis Garard Drain, The Legacy

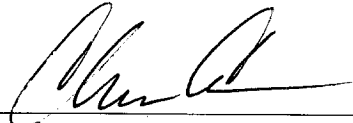
On this **25th day of February 2008**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Tunis Garard Drain, The Legacy**.

Evidence has been heard. Objections were presented and considered. The Board then adopted the original/amended Schedule of Assessments. The Board now finds that the annual maintenance assessment will be less than the benefits to the landowners and issues this order declaring that this Maintenance Fund be established.

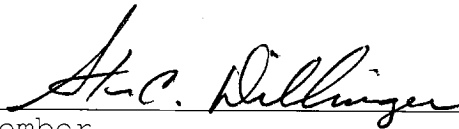
HAMILTON COUNTY DRAINAGE BOARD



President




Member



Member

Attest:

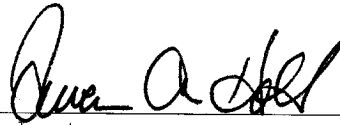


FINDINGS AND ORDER
CONCERNING THE MAINTENANCE OF THE
Paulsel, Vance, Paulsel Drain, The Legacy

On this **25th day of February 2008**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Paulsel, Vance, Paulsel Drain, The Legacy**.

Evidence has been heard. Objections were presented and considered. The Board then adopted the original/amended Schedule of Assessments. The Board now finds that the annual maintenance assessment will be less than the benefits to the landowners and issues this order declaring that this Maintenance Fund be established.


HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

**Paulsel, Vance, Paulsel Drain, The Legacy Partial Vacation
Sta. 0+00 to Sta.9+17**

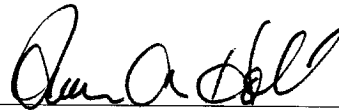
And

8" Plastic Pipe (Part of 146th Street Reconstruction)

On this *25th day of February 2008*, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Paulsel, Vance, Paulsel Drain, The Legacy Partial Vacation, Sta. 0+00 to Sta. 9+17 and 8" Plastic Pipe (Part of 146th Street Reconstruction)**.

Evidence has been heard. Objections were presented and considered. The Board then adopted an order of action. The Board now finds that the costs of continued maintenance to the portion of the above drain exceed the benefits to the real estate benefited by the portion of the drain to be abandoned and issues this order vacating the above section of the **Paulsel, Vance, Paulsel Drain, The Legacy Partial Vacation**.

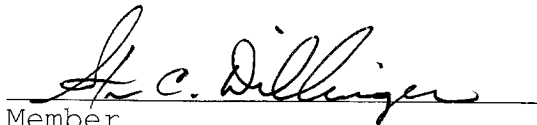
HAMILTON COUNTY DRAINAGE BOARD



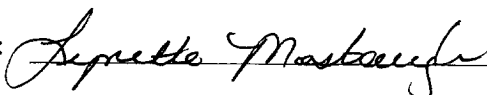
President



Member



Member

Attest: 

STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
*Paulsel, Vance, Paulsel Drain, The Legacy Partial Relocation, Vacation
and Shed Change*

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Paulsel, Vance, Paulsel Drain, The Legacy Partial Relocation, Vacation and Shed Change* came before the Hamilton County Drainage Board for hearing on **February 25, 2008**, 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 *Paulsel, Vance, Paulsel Drain, The Legacy Partial Relocation, Vacation and Shed Change* be and is hereby declared established.

Thereafter, the Board made inspection for the purpose of determining whether or not the lands of any owners had been erroneously included or excluded from the Schedule of Assessments. The Board finds on the basis of the reports and findings at this hearing as follows:

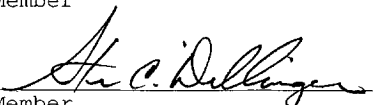
HAMILTON COUNTY DRAINAGE BOARD



PRESIDENT



Member



Member

ATTEST:


Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

*Paulsel, Vance, Paulsel Drain,
The Legacy Partial Relocation, Vacation and Shed Change*

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 **Paulsel, Vance, Paulsel Drain, The Legacy Partial Relocation, Vacation and Shed Change** on **February 25, 2008**, at **9:05 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed by the Drainage Board have been filed and are available for public inspection in the office of the Hamilton County Surveyor.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

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

IN THE MATTER OF **Paulsel, Vance, Paulsel Drain, The Legacy**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **February 25, 2008** adopted the reconstruction report of the Surveyor and the Amended Schedule of damages and assessments including annual assessment for periodic maintenance, finding that the costs, damages and expense of the proposed improvement would be less than the benefits which will result to the owner of lands benefited thereby.

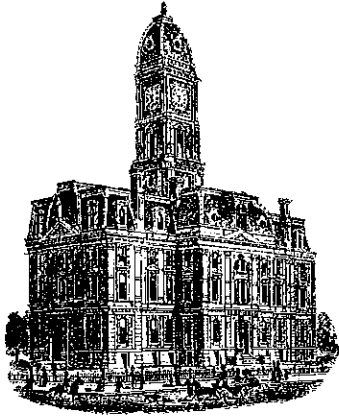
The Board issued an order declaring the proposed improvement established. Such findings and order were marked filed and are available for inspection in the Office of the Hamilton County Surveyor.

If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

HAMILTON COUNTY DRAINAGE BOARD

BY: Steven A. Holt
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY



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

To: Hamilton County Drainage Board

April 19, 2012

Re: Paulsel, Vance, Paulsel Drain: The Legacy Partial Relocation

Attached are as-builts, certificate of completion & compliance, and other information for The Legacy Partial Relocation. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated December 4, 2007. The report was approved by the Board at the hearing held February 25, 2008. (See Drainage Board Minutes Book 11, Pages 52-55)

The changes are as follows:

The length of 12" RCP was lengthened from 152 feet to 218 feet.

The length of the drain due to the changes described above is now **218 feet**.

A non-enforcement was not requested for this project. The surety for this project was guaranteed by Bond Safeguard and released by the Board on its September 8, 2008 meeting.

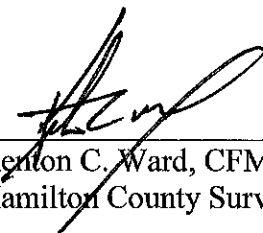
Bond-LC No: 5028582

Amount: \$73,000.00

Issue Date: August 8, 2007

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/slm

