



Kenton C. Ward, CFM
Surveyor of Hamilton County
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Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

January 20, 2023

TO: Hamilton County Drainage Board

RE: John Roe Drain
U.S. 31 and 276th Street Reconstruction
INDOT – Greenfield District

Included are a petition, plans, and other information for the proposed vacated drain of the John Roe Drain, for the U.S. 31 and 276th Street Reconstruction. The reconstruction was petitioned by the Indiana Department of Transportation being filed April 8, 2022. The work is shown on the plans titled Indiana Department of Transportation Route: US-31 from: RP 141+0.74 to RP 142 + 0.55, Project No. 1901797 P.E., 190797 R/W, 1901797 Construction by CMT Engineering dated June 2, 2022. During the road reconstruction, the John Roe Drain will be affected, and those changes are as follows.

The original John Roe Drain was installed in 1929 and was reconstructed in 2012-2013 as the Reynolds Farm Equipment Relocation. The road improvement project will require the vacation of a portion of the original John Roe Drain. The vacation request will remove 450 linear feet of 14" tile from Sta. 18+60 to Sta. 23+10. Along with this the installation of 58 feet of 36x54 elliptical reinforced concrete pipe along with manhole will be added to the Reynolds Relocation to accommodate the reconfigured entrance for Reynolds Farm Equipment. This is shown on sheet 55 and 91 of the above-mentioned U.S. 31 and 276th Street construction plans.

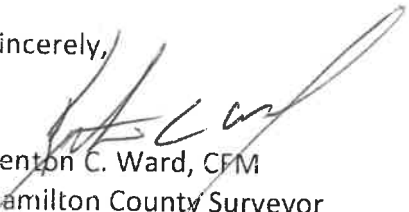
The total reduction in length shall be 392 feet.

Since the petitioner is the Indiana Department of Transportation and is being performed under the public bid process, no surety bond is required for the tile to be vacated.

The cost of the reconstruction is to be paid by the Indiana Department of Transportation.

I recommend the Drainage Board set a hearing for this item for February 27, 2023.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

12/11/22

Revised June 1997

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN RE: John Roe Regulated Drain)
Hamilton County, Indiana)



PETITION FOR RELOCATION AND RECONSTRUCTION

Indiana Department of Transportation (hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the John Roe Drain, and in support of

said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the John Roe Drain runs.
2. Petitioner plans to develop its real estate with roads, buildings, utilities, storm drains, sanitary sewers and other structures.
3. Petitioner's proposed development of its real estate will require relocation and reconstruction of a portion of the John Roe Drain, as specifically shown on engineering plans and specifications filed with the Hamilton County Surveyor.
4. The work necessary for the proposed relocation and reconstruction will be undertaken at the sole expense of the Petitioner and such work will result in substantial improvement to the John Roe Drain, without cost to other property owners on the watershed of the John Roe Drain.
5. Proposed relocation and reconstruction will not adversely affect other land owners within the drainage shed.
6. Petitioner requests approval of the proposed relocation and reconstruction under IC 36-9-27-52.5.

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

Jennifer Beck
Signed
Jennifer Beck, INDOT PM
Printed

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

John Roe Drain, U.S. 31 and 276th Street Reconstruction

Station 18+60 to Station 23+10

On this 27th day of February, 2023, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the John Roe Drain (Station 18+60 to Station 23+10).

Evidence has been heard. Objections were presented and considered. The Board then adopted an order of action. The Board now finds that the costs of continued maintenance to the portion of the above drain exceed the benefits to the real estate benefited by the portion of the drain to be abandoned and issues this order vacating the above section of the John Roe Drain (Station 18+60 to Station 23+10).

HAMILTON COUNTY DRAINAGE BOARD



President



Member

Member

Attest:



STATE OF INDIANA)
)
COUNTY OF HAMILTON)

ss:

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
John Roe Drain, U.S. 31 and 276th Street Reconstruction

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **John Roe Drain, U.S. 31 and 276th Street Reconstruction** came before the Hamilton County Drainage Board for hearing **on February 27, 2023**, 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.

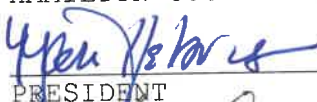
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included 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 **John Roe Drain, U.S. 31 and 276th Street Reconstruction** be and is hereby declared established.

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

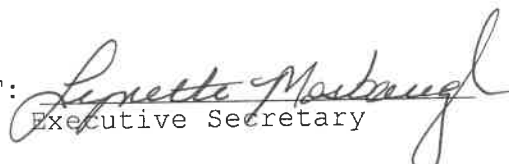
HAMILTON COUNTY DRAINAGE BOARD


PRESIDENT


Member

Member

ATTEST:


Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

John Roe Drain, US 31 and 276th Street 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 **John Roe Drain, US 31 and 276th Street Reconstruction** on **February 27, 2023** at **9:00 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed by the Drainage Board have been filed and are available for public inspection in the office of the Hamilton County Surveyor.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

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

IN THE MATTER OF **John Roe Drain, US 31 & 276th Street
Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **February 27, 2023** 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