

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

June 16, 2020

To: Hamilton County Drainage Board

Re: Sly Run Drainage Area, Bliss Johnson Arm, Shafer Woods Partial Vacation

Attached is a petition to vacate a portion of the Sly Run Drain, Bliss Johnson Arm by Shafer Park, LLC to facilitate the construction of proposed Shafer Woods Subdivision. The proposal is to vacate a remaining portion of the original Bliss Johnson Arm that is located at the southwest corner of the proposed subdivision. The adjacent subdivision, Conner Crossing of Noblesville, previously relocated the drain upstream and downstream of proposed Shafer Woods subdivision. This proposal affects the following parcels: Parcel No. 11-06-28-00-00-014.000 owned by Shafer Park LLC; Parcel No: 11-06-28-00-05-021.000, owned by Diane Kebabjian (Lot 149 of Conner Crossing of Noblesville -- Brookston Sec. 2); and Parcel No: 11-06-28-00-05-020.000 owned by Joni Gale Brown and Fredrick Martin (Lot 148 of Conner Crossing of Noblesville -- Brookston Sec. 2).

The portion of the Bliss Johnson Arm to be vacated will be 363' of 12" tile installed in 1940 between existing stations 32+47 and 36+10.

This request will remove 363 feet of existing drain from the drain's total length.

The vacation of this part of the drain will not change the assessed watershed. The parcels affected by this vacation will continue to drain within the watershed of the Sly Run Drainage Area, Bliss Johnson Arm. When the parcel is platted, the change to a residential subdivision will affect the assessments. This will be the subject of a future report to the Board.

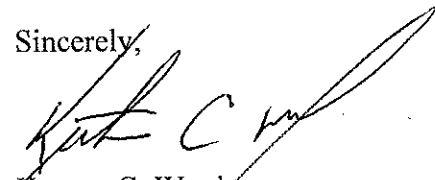
The Bliss Johnson Drain was established by the Hamilton County Circuit Court per the viewers report dated July 27, 1940. In 2011, the drain was made an arm to the Sly Run Drain. See Drainage Board Minutes Book 13, pages 280-282. The drain immediately downstream (south) of proposed Shafer Woods was previously relocated per the Board's approval on March 24, 2003 as the "Bliss Johnson Drain, Conner Crossing of Noblesville, Brookstone Phase One Relocation."

(See Minutes Book 7 pages 16-17). The drain immediately upstream (west) of Shafer Woods was previously relocated per the Board's approval on May 29, 2018 as part of the "Sly Run Drain, Bliss Johnson Arm - Conner Crossing of Noblesville Cottage Grove, Sec. 2 Relocation." (See Minutes Book 18 pages 143 - 146). That previous relocation shifted the regulated drain around the Shafer Woods site. Therefore, this portion of the original tile is no longer needed at this location. The storm sewer system in Shafer Woods subdivision will be maintained by the City of Noblesville and is not proposed to be regulated drain.

Upon review of the request, I believe the above portion of the drain meets the requirements for vacation as set out in IC-36-9-27-34(d). In my opinion, the vacation will not adversely affect other property owners within the drainage shed.

I recommend the Board set a hearing date for August 24, 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenton C. Ward", written over a diagonal line that extends from the signature down towards the typed name below.

Kenton C. Ward
Hamilton County Surveyor

KCW/stc

Shafer Park LLC
17451 Natchez Ct
Noblesville, IN 46062
219-628-6164

June 15, 2020

Mr. Steve T. Cash
Hamilton County Surveyor's Office
1 Hamilton County Square
Suite 188
Noblesville, IN 46060

FILED

JUN 16 2020

OFFICE OF HAMILTON COUNTY SURVEYOR

Subject: Shafer Woods Subdivision
Vacation of Bliss Johnson Drain
Noblesville, Indiana

Mr. Cash:

Shafer Park, LLC as owner and developer of the property at the southwest corner of Little Chicago Road and 191st Street hereby requests the Bliss Johnson Drain be vacated within the subject property. It is our understanding the regulated drain immediately upstream of our site has been re-routed and no longer discharges into the existing drain tile. The existing 136' +/- of 15" CPP drain tile on the property is proposed to be removed as shown on the engineering plans by Stoepelwerth dated 4/21/2020. Please proceed with vacating the drain within our property in combination with our permit submittal for an outlet permit which will allow a modified direct connection for drainage from our site. Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Edward Hamilton, PE
Managing Member, Shafer Park LLC

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

Sly Run Drain, Bliss Johnson Arm, Shafer Woods Partial Vacation

Station 32+47 to Station 36+10


On this **24th day of August, 2020**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Sly Run Drain, Bliss Johnson Arm, Shafer Woods Partial Vacation (Station 32+47 to Station 36+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 **Sly Run Drain, Bliss Johnson Arm, Shafer Woods Partial Vacation (Station 32+47 to Station 36+10)**.

HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest:



BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD IN THE MATTER OF THE

**Sly Run Drainage Area, Bliss Johnson Arm
Shafer Woods Partial Vacation**

NOTICE is hereby given that a petition to vacate has been received by the Hamilton County Surveyor for the **Sly Run Drainage Area, Bliss Johnson Arm, Shafer Woods Partial Vacation** across Shafer Park LLC (Parcel No. 11-06-28-00-05-021.000), across Diane Kebabjian (Lot 149 of Conner Crossing of Noblesville, Brookston Section 2) and across Joni Gale Brown and Fredrick Martin (Lot 148 of Conner Crossing of Noblesville, Brookston Section 2) due to the proposed Shafer Woods Subdivision. The portion of the Bliss Johnson Drain to be vacated will be between existing Structures 32+47 and 36+10 of the 1940 description has been filed and that a hearing is scheduled for August 24, 2020 at 9:00 A.M. on that request.

Objections to the VACATION of the drain must be filed in writing not less than five (5) days before the date of the hearing.

The Board will consider whether the drain performs the function for which it was designed and constructed; whether the expense of maintenance outweighs the benefits to be derived therefrom, and whether the abandonment thereof will not be detrimental to the public welfare.

HAMILTON COUNTY DRAINAGE BOARD

ATTEST: Lynette Mosbaugh
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

**Sly Run Drainage Area, Bliss Johnson Arm
Shafer Woods Partial Vacation**

NOTICE

Notice is hereby given pursuant to Indiana Code 36-9-27-63 (before codification in 1981) that this Board, prior to final adjournment on **August 24, 2020** issued an order adopting the partial vacation, filed the same and made public announcement thereof at the hearing and ordered publication. Copies of the schedule of assessments and order are on file in the office of the Hamilton County Surveyor. If judicial review of the findings and order of the Board is not requested pursuant to Indiana Code 36-9-27-65(f) within twenty (20) days from the date of this publication, the order shall be conclusive.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY