

SURVEYOR'S OFFICE
Hamilton **C**ounty

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

April 20, 2009

To: Hamilton County Drainage Board

Re: Stony Creek Drain, Stony Creek Golf Club Extension

Attached is a drain map for the extension of the Stony Creek Drain. This proposed drain is located in Noblesville Township.

I have made a personal inspection of the land described below. 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. The drain will consist of 690 feet of open ditch.

This extension will consist of the section of Stony Creek which runs across the northeastern portion of the Stony Creek Golf Club. This section begins at the east line of tract 11-11-04-00-00-021.000 which is the terminus of the Highlands at Stony Creek Extension as described in my report to the Board dated February 15, 2008 and approved by the Board on June 9, 2008 (Hamilton County Drainage Board Minutes Book 11, Pages 198-200). The drain will run 690 feet in an westerly direction, downstream following the existing creek to the north line of the above referenced tract which is the beginning of the Stony Creek Estates Extension as described in my report dated February 15, 2008 and approved by the Board on May 27, 2008 (Hamilton County Drainage Board Minutes Book 11, Pages 155-158).

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, this drain shall be designated as an Urban Drain.

The nature of maintenance work required is as follows:

1. Bank erosion protection and/or seeding as might be required;
2. Removal of debris and/or blockages from existing open drain;
3. Removal of beaver dams;
4. Any other repairs necessary to restore proper flow to the open ditch.

The frequency with which maintenance work should be performed is annually as required by the condition of the drain.

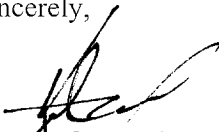
The easements for the drain should be set at 75' from top of bank as set out in IC 36-9-27-33. Additional drainage easement will be added to the following tracts:

<u>Parcel</u>	<u>Owner</u>
11-11-04-00-00-021.000	Stony Creek, Golf Club, Inc.
11-11-04-00-07-026.000	Stoney Creek Estates LLC

By the creation of this drain, I do not believe that any damages will result to property owners.

I recommend that the Board set a hearing for this proposal for June 22, 2009.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

**Gasb 34 Asset Price &
Drain Length Log**

Drain-Improvement: Stony Creek: Stony Creek Golf Club Extension

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
Open		690	690	0	\$19.55 lf	\$13,489.50

Sum: _____ 690 _____ \$13,489.50

Final Report: 690 _____

Comments:

Stony Creek #349

Stony Creek Golf Club Extension

Hearing: June 22, 2009

Will add 75' easement that will affect 2 parcels.

Will add 690 feet of open ditch to the total length.

*No cost for extension. Adding footage only.

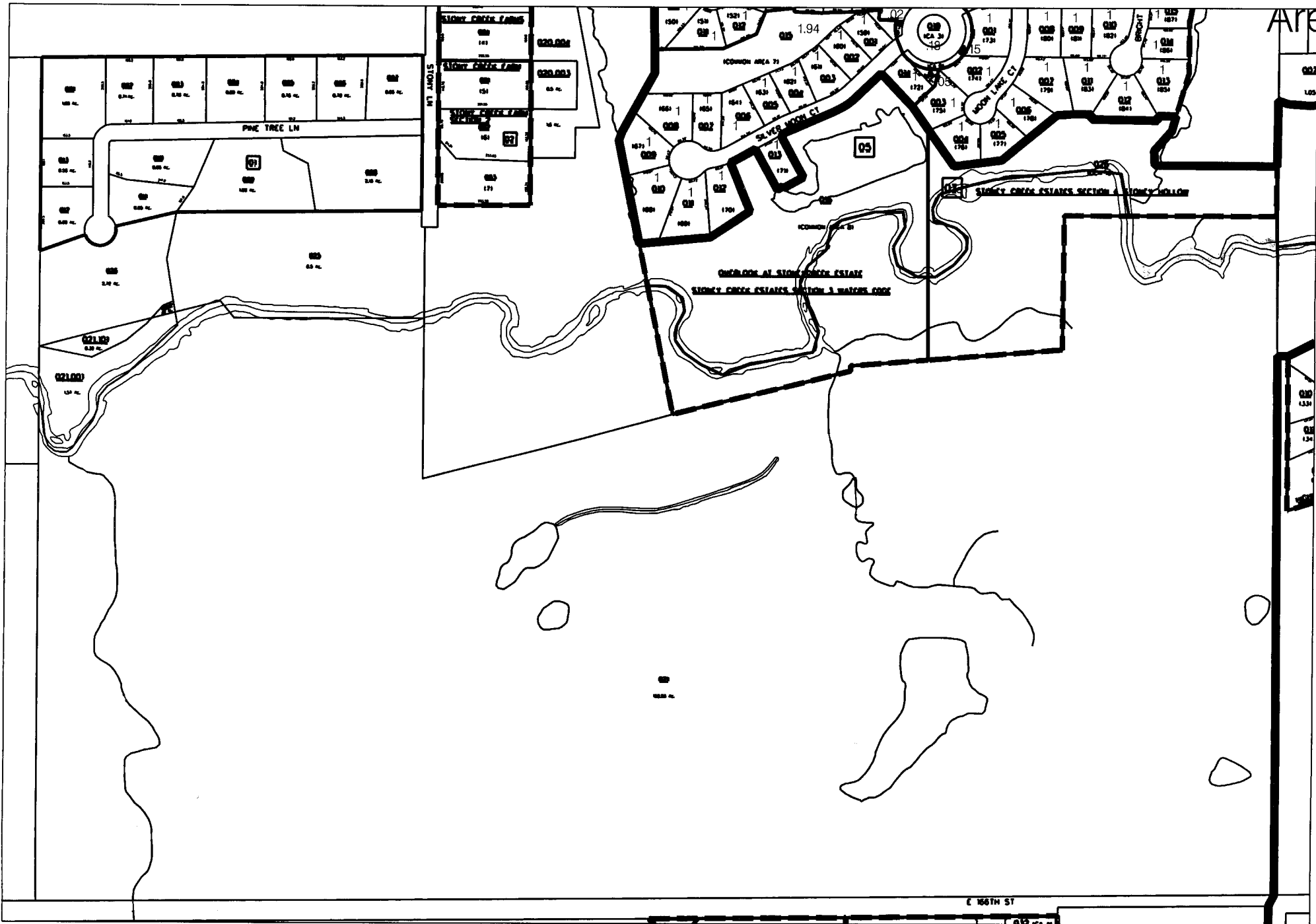
*No change in current maintenance assessment.

Parcel	Owner
11-11-04-00-00-021.000	Stony Creek Golf Club Inc.
11-11-04-00-07-026.000	Stoney Creek Estates LLC

Address	City	Description
11800 E. 166th St	Noblesville, IN 46060	S4 T18 R5 152.93 Ac
136 Ninth St S Ste 206	Noblesville, IN 46060	S4 T18 R5 9.73 Ac

Maintenance	Rate	Minimum
Ag & Res	2.00	15.00
Un-Reg Sub	5.00	35.00
Reg Sub	10.00	65.00
Commercial	10.00	75.00
Roads	10.00	

Rate	Benefit	MntAsmt	% of Total	Rec.
Residential/Ag	*	*	*	*
Un-Reg Subd	*	*	*	*



STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Stony Creek Drain, Stony Creek Golf Club Extension

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Stony Creek Drain, Stony Creek Golf Club Extension* came before the Hamilton County Drainage Board for hearing *on June 22, 2009*, 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.

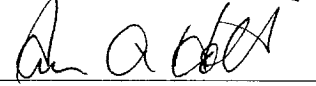
Wherefore, it is ORDERED, that the proposed Reconstruction of the *Stony Creek Drain, Stony Creek Golf Club Extension* be and is hereby declared established.

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

Stony Creek Drain, Stony Creek Golf Club Extension

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 **Stony Creek Drain, Stony Creek Golf Club Extension** on **June 22, 2009**, at **9:25 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 **Stony Creek Drain, Stony Creek Golf Club
Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **June 22, 2009** 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 C. Dillinger
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY