



SURVEYOR'S OFFICE  
**Hamilton County**

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

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

February 2, 2009

To: Hamilton County Drainage Board

Re: Stony Creek Drain, Roudebush/Sweitzer Extension

Attached is a ~~map~~, drain map, drainage shed map and schedule of assessments for the extension of the Stony Creek Drain. This proposed drain is located in Wayne 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 2,240 feet of open ditch,

This extension will consist of two (2) sections as Stony Creek crosses property owned by Ronald L. Roudebush and David L. & Pamela Denise Sweitzer. The first section shall begin at the east property line of parcel 12-07-34-00-00-018.002, thence run downstream approximately 2,033 feet to the south line of parcel 12-07-34-00-00-018.000. The second section shall begin at the east line of parcel 12-11-03-00-00-001.001, thence run downstream approximately 207 feet to the south line of said parcel. Both areas lie between the sections described in my report to the Board dated October 13, 2008 for the Stony Creek Drain, Irving Materials Extension.

The current rates for Stony Creek are:

1. Maintenance assessment for roads and streets are set at \$10.00 per acre.
2. Maintenance assessments for agricultural tracts are set at \$2.00 per acre with a \$15.00 minimum.
3. Maintenance assessment for non-platted residential tracts are set at \$2.00 per acre with a \$15.00 minimum.
4. Maintenance assessment for commercial, institutional and multi-family residential tracts are set at \$10.00 per acre with a \$75.00 minimum.

5. Maintenance assessments for platted lots in subdivisions whose drainage systems will not be considered part of the regulated drain are set at \$35.00 per lot /minimum. Common areas within non-regulated drain subdivisions are assessed at \$5.00 per acre with a \$35.00 minimum.
6. Maintenance assessments for platted lots within subdivisions whose drainage system will be part of the regulated drain are set at \$65.00 per lot/minimum. Common areas within the regulated drain subdivisions are set at \$10.00 per acre with a \$65.00 minimum.

The annual maintenance collection for this extension will be \$62.00

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.

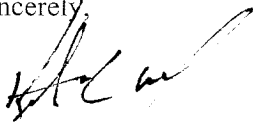
The easements for the drain should be set at 75' from top of bank as set out in IC 36-9-27-33. Additional drainage easement will be added to the following tracts:

<u>Parcel</u>	<u>Owner</u>
12-07-34-00-00-018.002	Ronald L. Roudebush
12-07-34-00-00-018.000	Ronald L. Roudebush
12-11-03-00-00-001.001	David L. & Pamela Denise Sweitzer

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 April 27, 2009.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll



BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***Stony Creek Drain, Roudebush/Sweitzer Extension***

NOTICE

To Whom It May Concern and: Vasquez, Michael R.  
\_\_\_\_\_  
\_\_\_\_\_

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **Stony Creek Drain, Roudebush/Sweitzer Extension** on **April 27, 2009**, at **9:15 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, Roudebush/Sweitzer  
Extension**

NOTICE

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

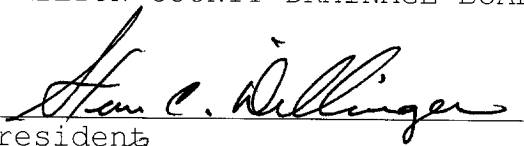
ATTEST: Lynette Mosbaugh  
SECRETARY

FINDINGS AND ORDER  
CONCERNING THE MAINTENANCE OF THE  
Stony Creek Drain, Roudebush/Sweitzer Extension

On this 27<sup>th</sup> day of April 2009, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Stony Creek Drain, Roudebush/Sweitzer Extension*.

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: 

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, Roudebush/Sweitzer Extension*

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Stony Creek Drain, Roudebush/Sweitzer Extension* came before the Hamilton County Drainage Board for hearing on *April 27, 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.

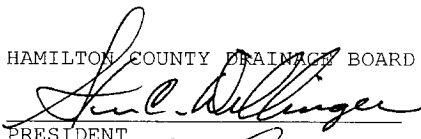
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included 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, Roudebush/Sweitzer 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