

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

To: Hamilton County Drainage Board

Date: March 2, 2010

Re: Stony Creek Drain, State Road 32 Extension

Attached is a drain map for the extension of 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 the drain is practicable, will improve the public health, benefit a public highway, be of public utility and that 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.

This extension shall consist of that portion of Stony Creek which lies within the right of way for State Road 32 located approximately 2600 feet west of Atlantic Road. The total length of the drain is 70 feet.

The nature of maintenance work required is as follows:

- Bank erosion protection and/seeding as might be required;
- Removal of debris and/or blockages from the drain;
- Removal of Beaver Dams;
- 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 feet from top of bank as set out in IC 36-9-27-33. Additional drainage easement will be added to the following tracts:

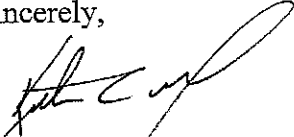
Parcel  
State Road 32 Right of Way

Owner  
State of Indiana

Because this is existing right of way, I do not believe that any damages will result to the property owner.

I recommend that the Board set a hearing for this proposal for April 26, 2010.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenton C. Ward', written in a cursive style.

Kenton C. Ward, CFM



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, State Road 32 Extension***

**FINDINGS AND ORDER FOR RECONSTRUCTION**

The matter of the proposed Reconstruction of the ***Stony Creek Drain, State Road 32 Extension*** came before the Hamilton County Drainage Board for hearing ***on April 26, 2010***, 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.

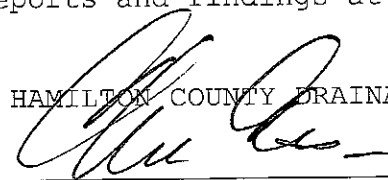
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included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

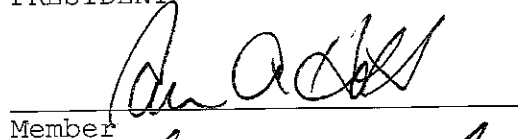
Wherefore, it is ORDERED, that the proposed Reconstruction of the ***Stony Creek Drain, State Road 32 Extension*** be and is hereby declared established.

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:

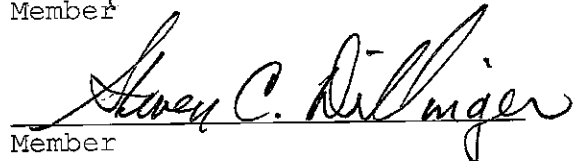
HAMILTON COUNTY DRAINAGE BOARD



PRESIDENT




Member



Member

ATTEST:



Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***Stony Creek Drain, State Road 32 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, State Road 32 Extension** on **April 26, 2010**, 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 **Stony Creek Drain, State Road 32 Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **April 26, 2010** 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: Christine Altman  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY