

K.W.

SURVEYOR'S OFFICE
Hamilton County

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

December 1, 2020

To: Hamilton County Drainage Board

Re: Stony Creek Drainage Area, Weaver & Hooke Arm

At this time a maintenance work order is being sent out for the dredging of a portion of the open ditch section of the Weaver & Hooke Drain. This section begins at Station 12+43.74 (approximately Station 34+72 of the William Weaver Main Drain per the 1906 description) to Station 40+84.33 (approximately Station 29+98 of the William Weaver Arm 1 per the 1906 description) as shown on the attached plan dated August 28, 2020 prepared by the Hamilton County Surveyor's Office.

In order to protect the drain from siltation I recommend that a twenty (20) foot filter strip be installed on both sides of the Weaver & Hooke Open Ditch on the following tracts:

Irving Materials, Inc.	Tract 12-11-02-00-00-002.000
David & Pamela D. Sweitzer	Tract 12-11-02-00-00-003.000
David & Pamela D. Sweitzer	Tract 12-07-35-00-00-015.000
James R. & Delores L. Galloway	Tract 12-07-35-00-00-014.000
James R. & Delores L. Galloway	Tract 12-11-02-00-00-011.000

The filter strips would be 20 feet in width from the top of bank of the open ditch on both sides of the ditch. They would run from approximately 125 feet west of Pennington Road to approximately 394 feet west of Middletown Avenue.

The cost estimate for this project is as follows:

Seeding 2.61 Acres x \$1,200.00/ac \$3,132.00

Upon review of the proposal I do not believe that any damages shall result to the landowners affected by the proposed project. Therefore, damages shall be set at \$0.00.

At this time the maintenance fund has a balance of \$539,737.60. I recommend the Board transfer the cost estimate amount above for this work to a reconstruction fund to cover the cost of the proposed reconstruction as per IC 36-9-27-45.5. Also, due to the low cost the work should be performed by the Board's maintenance contractor which is completing the dredging work.

I recommend the Board set a hearing for this for January 25, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenton C. Ward". The signature is fluid and cursive, with a large loop at the end.

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/Ilm

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 Drainage Area, Weaver & Hooke Arm

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Stony Creek Drainage Area, Weaver & Hooke Arm** came before the Hamilton County Drainage Board for hearing **on January 25, 2021**, 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.

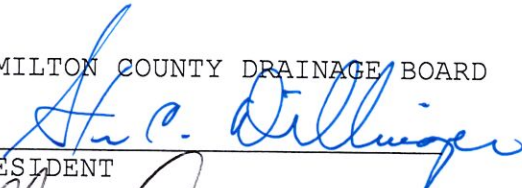
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included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

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, Weaver & Hooke Arm** on **January 25, 2021** 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 **Stony Creek Drain, Weaver & Hooke Arm**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **January 25, 2021** 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