

Drain: KIRKENDALL Drain #: 292
Improvement/Arm: EXTENSION / ARM
Operator: J. LIVINGSTON Date: 4-26-04
Drain Classification: Urban/Rural Year Installed: 2003

GIS Drain Input Checklist

- Pull Source Documents for Scanning JL
- Digitize & Attribute Tile Drains _____
- Digitize & Attribute Storm Drains _____
- Digitize & Attribute SSD _____
- Digitize & Attribute Open Ditch JL
- Stamp Plans _____
- Sum drain lengths & Validate JL
- Enter Improvements into Posse JL
- Enter Drain Age into Posse JL
- Sum drain length for Watershed in Posse JL
- Check Database entries for errors JL

Mr. Abbenhaus stated that to leave 25 feet to get in allows him plenty of room. He stated that he owns both sides that they could come in on; he was just looking at the western side.

Mr. Howard stated that they are not making the recommendation today; they will need to go on site to do that.

The Surveyor stated that he kind of knows the geometry of the situation, but he would like to review it a little bit.

Mr. Howard stated that they need a motion to reconsider and table if that is the direction they are going.

Mrs. Altman made the motion to reconsider this non-enforcement, seconded by Mr. Dillinger and approved.

Mrs. Altman made the motion to table the non-enforcement, seconded by Mr. Dillinger.

Mr. Kole stated that the item he presented was signed.

Mrs. Altman stated that they have reconsidered it so it is not to be recorded.

Mr. Abbenhaus stated that the tree house has been there for a long time.

The Surveyor stated that this will allow them time to go back and look at the whole thing again and make sure that everything is in order.

Mrs. Altman stated that the long and short of it is if he wanted 35 feet with the playhouse they would give it to him today and if he wants 25 feet then they need to reconsider it at the next meeting.

Mr. Abbenhaus asked when the next meeting was.

The Surveyor stated that the next meeting was August 11.

The motion had been made and seconded to table the non-enforcement request and approved.

Mr. Kole presented a non-enforcement request for the Springs of Cambridge Drain filed by Precedent Development for Parcel #13-15-11-00-00-005.000 for Offsite Sanitary Sewer for Fox Hollow at Geist Section 1 Subdivision. The Surveyor's Office recommends approval.

Mrs. Altman made the motion to approve the non-enforcement, seconded by Mr. Dillinger and approved.

Mr. Kole presented a non-enforcement request for the Park Northwestern Drain filed by Schneider Corporation for Parcel #17-13-07-00-01-005.000 for existing asphalt parking lot. The Surveyor's Office recommends approval.

Mrs. Altman made the motion to approve the non-enforcement, seconded by Mr. Dillinger and approved.

Surety Release:

The Surveyor stated that at the afternoons Commissioner's Meeting they would be releasing the following sureties: Standby Letter of Credit #L025528 in the amount of \$35,945.25 for Sedgwick Subdivision, Erosion Control; Standby Letter of Credit #L025530 in the amount of \$111,808.95 for Sedgwick Subdivision, Storm Sewers.

Kirkendall Drain - Mary Cox Arm:

There were neither landowners present nor objections on file.

The Surveyor presented his report to the Board for approval.

June 23, 2003

To: Hamilton County Drainage Board

Re: Kirkendall Drain, Mary Cox Drain Arm

Attached is a petition filed by Throgmartin Henke, LLP along with a drain map and assessment roll for the Mary Cox Arm, Kirkendall Drain to be located in Washington Township. I have reviewed the submittals and petition and have found each to be in proper form.

I have made a personal inspection of the land described in the petition. 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 reconstruction will consist of the following: An extension of the

Kirkendall Drain, acceptance of the Mary Cox Drain as part of the Kirkendall Drain and an arm described as follows:

Beginning at the south side of the box culvert under 161st Street, which is the present terminus of the Kirkendall Drain (See my report dated January 24, 2001; hearing date February 26, 2001, Drainage Board Minutes Book 5, pages 562 & 563), the Kirkendall open drain shall be extended south along the existing open ditch south of the box culvert under 161st Street, 150 feet to a point where it shall convert to the existing Mary Cox Drain at Sta. 24+00 of that drain per it's 1891 description. From that point the drain will continue in the existing Mary Cox Drain to the east line of the tract 08-10-08-00-00-029.000 which is approximately Sta 49+00 of the Mary Cox Drain.

Arm 1 shall begin at the main drain and run west along the south right of way of 161st Street 1,085 feet terminating at an existing 48"x42" CMP under 161st Street.

This line will consist of the following:

Mary Cox Drain	2,500 ft	New Main	150 ft
		Arm 1	1,085 ft

The total length of the extension shall be 1,235 feet of new drain.

This proposal will place easement under IC 36-9-27-33 on the following tracts:

08-10-08-00-00-032.000
08-10-08-00-00-032.001
08-10-08-00-00-033.000

The proposed extension shall increase the current drainage shed for the Kirkendall Drain by 238.31 acres and 52 lots. The existing assessment rates were established by the Board at hearing on May 1996.

I have reviewed the proposal and believe the drain will benefit each tract equally. Therefore, I recommend each tract be assessed at the established assessment rates equally. I also believe that no damages will result to landowners by the extension of this drain. I recommend the maintenance assessment of \$2.00 per acre, with a \$10.00 minimum. With this assessment the total annual assessment for this drain extension will be \$1,095.86.

I do not believe that damages will occur to any of the properties included with this proposal. Therefore, damages for all tracts shall be set at \$0.00.

There is no cost of improvements for this extended length of drain as it is to be accepted as is, other than the work for the Bridgewater Club Section E being done by Throgmartin Henke LLP, developer of the proposed subdivision. This work consists of grading and installation of the pipe under Bridgewater Club Boulevard for Arm 1. Therefore, reconstruction costs shall be set at \$0.00.

Parcels assessed for this drain may be assessed for the Emily Vestal Drain at sometime in the future.

The drain has already been classified as an Urban Drain as set out in IC 36-9-27-67 to 69. This was done at hearing before the Board in May 1996.

I recommend the Board set a hearing for this proposed drain for July 28, 2003.

Sincerely,

Kenton C. Ward
Hamilton County Surveyor

KCW/llm"

Mr. Dillinger opened the public hearing; seeing no one present Mr. Dillinger closed the public hearing.

Mrs. Altman made the motion to approve the Surveyor's report, seconded by Mr. Dillinger and approved unanimously.

"FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Kirkendall Drain, Mary Cox Drain Arm

On this 28th day of July, 2003, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Kirkendall Drain, Mary Cox Drain Arm.

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

Steven C. Dillinger
President

Christine Altman
Member

Steven A. Holt
Member

Attest: Lynette Mosbaugh "

Commissioner Altman and Commissioner Dillinger adjourned for a 20 minute recess.

The Drainage Board meeting was called back to order at 10:33 a.m.

Thistlewaite Drain:

Mr. Dave Tudor, attorney for the Town of Sheridan, stated that approximately 6 weeks ago or so these citizens of Sheridan came to the Town Council Meeting talking about their homes on Second Street. The Council told them that they have had some conversations with the Surveyor and that the Town had filed a petition with the Drainage Board for the improvement of the West Leg of the Thistlewaite. They are generally familiar with the improvements that were done to the East Leg of the Thistlewaite Drain two or three years ago. They had one big rain since they were there and he went out and had water on the road come about half way up his car door; this was his personal experience on it. He stated that the Police Chief and the Fire Chief from the Town of Sheridan were present to tell them a little about it from their perspective and then they have some citizens who live in the area who would also like to talk to the Board about their experiences.

Mr. Jeff Weir, Police Chief with the Town of Sheridan, stated that his biggest concern with the problem is the health and welfare. The water stands as high as two to three feet. There is not only a health hazard to the folks that live there, but it's a serious problem for him and his department to try and get down in that area. They have two choices, one is West Road that connects Second Street to S. R. 47 and the next crossover is clear down at the County Line. There is only one or two ways in; they have to come from Main Street all the way down; the next cross road would be West Road. He stated that he has stalled a car on the road trying to get down through there. Over the last few years the water stands and it takes longer and longer and longer for it to go away. The work that was done on the East Leg of the Thistlewaite was fantastic; they don't have any more problems there.

Mr. Dillinger stated that he grew up on Second Street and is well aware of where they are talking about.

Mr. Brad Merriman, Fire Chief with the Town of Sheridan, stated that the only thing that he could add to what Mr. Weir stated was that they take alternate routes if they know that area is flooded at the time; that could add two to three minutes to their response time if they have to go west of that and not be able to have direct access to Second Street.

Mr. Shawn Feeney, resident on Second Street, stated that he has lived in Sheridan since 1996 and ever since he has lived there it has been flooding on that road. Everybody around tells him that it has been flooding for years, but gradually over the last five to six years it has been getting steadily worse in coming up. In the last two years it has been really bad. He stated that they lived right at the lowest part and one year ago Mothers Day the water was in their crawl space all the way to the floor joists. The issue is that it's not coming off of their land; it's coming off of the street. They have contemplated putting a 'No Wake Zone' up there; when the cars come through there they come through fast because they know if