

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

January 25, 2007

To: Hamilton County Drainage Board

Re: Vestal/Kirkendall Drainage Area, Kirkendall Arm, Hazel Dell Extension

Attached is a drain map, drainage shed map and schedule of assessments for the extension of the Vestal/Kirkendall Drain from the north right of way line of 146th Street to the west right of way line of Hazel Dell Road. 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 the following:

Open Ditch 6,560 ft.

The total length of the drain will be 6,560 feet.

The extension will begin at the west right of way line of Hazel Dell Road at the downstream end of the portion of regulated drain established in 1959. The extension will follow the existing open ditch to the north side of the box culvert under 146th Street which is the terminus point described in my report dated October 11, 2006 and approved by the Board on November 27, 2006 (see Hamilton County Drainage Board Minutes Book 9, Pages 558 to 560).

I have reviewed the plans and drain map and believe, as set out in IC 36-9-27-69 (b) (1) that the parcels described on the attached assessment schedule are within the drainage shed of the Vestal/Kirkendall Drain and therefore benefit from the drain.

The annual maintenance collection for this extension will be \$1,492.16. Collections for this extension will begin in 2008.

The nature of maintenance work for this area will consist of the following:

1. Bank erosion repair and protection as might be required;
2. Removal of beaver dams;
3. Removal of any obstructions within the flowline as might be required;
4. Any other repairs necessary to restore the drain to a serviceable condition.

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

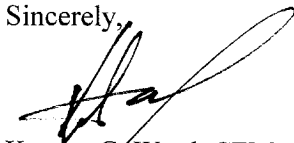
I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, this drain shall be designed as an Urban Drain.

The easements for the drain should be set at 75' from top of bank as set out in IC 36-9-27-33 on the following tracts:

Hazel Dell, LLC	10-10-15-00-00-022.000
Hazel Dell, LLC	10-10-15-00-00-023.000
Hazel Dell, LLC	10-10-15-00-00-023.003
City of Noblesville	10-10-15-00-00-023.007
BDC Cardinal Assoc., LP	10-10-15-00-00-023.004
Hazel Dell, LLC	10-10-15-00-00-024.000
BDC Cardinal Assoc., LP	10-10-15-00-00-021.002
BDC Noble West, LLC	11-10-15-00-00-027.001
Hazel Dell, LLC	10-10-15-00-00-026.000
Hazel Dell, LLC	11-10-15-00-00-027.000
Hazel Dell, LLC	11-10-15-00-00-028.000
East Haven Homeowners Assoc.	11-10-15-00-09-068.000
Hazel Dell, LLC	11-10-15-00-00-001.000
East Haven Homeowners Assoc.	11-10-15-00-09-069.000
East Haven Homeowners Assoc.	11-10-15-00-06-015.000
East Haven Homeowners Assoc.	11-10-15-00-06-014.000
East Haven Homeowners Assoc.	11-10-15-00-08-015.000
East Haven Homeowners Assoc.	11-10-15-00-08-014.000
City of Noblesville	Hazel Dell Road; Midland Ln. Right of Way
Hamilton County Highway	146 th Street Right of Way

I recommend that the Board set a hearing for this extension for March 26, 2007.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/llm

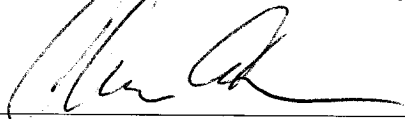
FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE
Vestal/Kirkendall Drainage Area, Kirkendall Arm,
Hazel Dell Extension

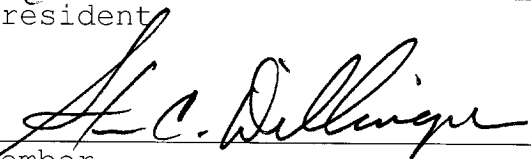
On this **26th day of March 2007**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Vestal/Kirkendall Drainage Area, Kirkendall Arm, Hazel Dell Extension**.

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: 

Secretary

STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Vestal/Kirkendall Drainage Area, Kirkendall Arm, Hazel Dell Extension

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Vestal/Kirkendall Drainage Area, Kirkendall Arm, Hazel Dell Extension* came before the Hamilton County Drainage Board for hearing on **March 26, 2007**, 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 *Vestal/Kirkendall Drainage Area, Kirkendall Arm, Hazel Dell 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

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

Drain-Improvement: Vestal/Kirkendall Drainage Area: Hazel Dell Extension

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
open	—	6560	—	—	\$19 ⁵⁵ /f	\$128,248 ⁰⁰
Sum:		6560				\$128,248 ⁰⁰

Final Report: _____

Comments:

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

***Vestal/Kirkendall Drainage Area, Kirkendall Arm,
Hazel Dell 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 **Vestal/Kirkendall Drainage Area, Kirkendall Arm, Hazel Dell Extension** on **March 26, 2007**, 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 **Vestal/Kirkendall Drainage Area,
Kirkendall Arm, Hazel Dell Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **March 26, 2007** 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
EXECUTIVE SECRETARY