



SURVEYOR'S OFFICE
Hamilton County

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To: Hamilton County Drainage Board

February 20, 2003

Re: Elizabeth Warner Drain

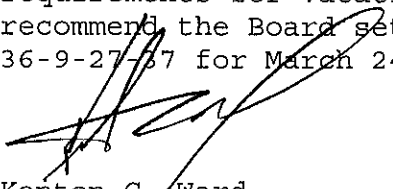
Attached is a partial vacation request submitted by Brenwick Development Company, Inc. The request is for that portion of the drain that will be within the limits of the Lochaven of Noblesville subdivision now being developed.

The Elizabeth Warner Drain is a combination of the Joseph Dawson Drain, which was constructed in 1879 and the George Warner Drain, which was a 1895 reconstruction of the Dawson Drain. The drain is currently on a maintenance program per my request dated April 17, 1980, which was approved at hearing on July 7, 1980.

The portion of the Warner Drain to be vacated is that portion from Sta. 0 to Sta. 26, which is the breather located within the right of way on the north side of 146th Street.

The vacation is being proposed due to the construction of the drainage facilities for the Lochaven of Noblesville Subdivision. This construction will be changing the drainage flow from the Warner to the Paulsel & Vance Drain. The maintenance of the new facilities will be done by the City of Noblesville. The proposed vacation will vacate 2,600 feet of regulated drain.

I believe that the requested partial vacation meets the requirements for vacation as set out in IC 36-9-27-34(d). I recommend the Board set a hearing for this item as set out in IC 36-9-27-37 for March 24, 2003.


Kenton C. Ward
Hamilton County Surveyor

KCW/llm

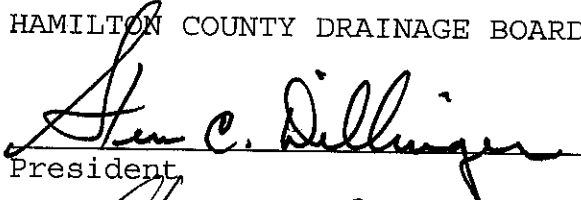
FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE
Elizabeth Warner Drain, Sta. 0 to 26

On this **24th day of March 2003**, the Hamilton County Drainage Board has held a hearing on the Partial Vacation of the **Elizabeth Warner Drain, Sta. 0 to 26**.

Evidence has been heard. Objections were presented and considered. The Board then adopted an order of action. The Board now issues this order vacating the above section of the **Elizabeth Warner Drain**.

HAMILTON COUNTY DRAINAGE BOARD



President

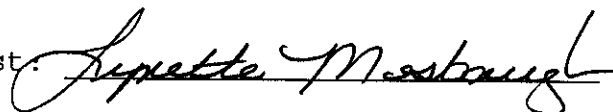


Member



Member

Attest:



Lynette Mastromaglio