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August 21, 2008

To: Hamilton County Drainage Board

RE: Elliott Creek Drain, 131st Street – Towne Road to Ditch Road Reconstruction

Attached are petition, plans, and other information for the proposed reconstruction of the Elliott Creek Drain, for the 131st Street project from Towne Road to Ditch Road. The reconstruction was petitioned by the City of Carmel. During this construction several arms of the Elliott Creek Drain will be affected. Those changes are as follows:

Elliott Creek Drain

Elliott Creek Drain – Village of Towne Pointe Arm: The project will remove 48 feet of 12” RCP between Str. 49 and the end section, per the plans for The Village of Towne Pointe, prepared by BCA Group, LLC, and date of 2/12/03. Thus, 48 feet of drain will be removed from the Elliott Creek Drain – Village of Towne Pointe Arm. This is shown on Sheet 7 of the plans prepared by Crossroad Engineers, PC., having City of Carmel Project Number 06-09, and dated April 1, 2008.

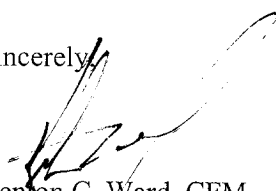
Elliott Creek Drain – The Estates at Clay West Arm: The project will place a new structure about 12 feet north of existing Str. 707, per the plans for The Estates at Clay West, prepared by Paul I. Cripe, Inc., having Job Number 000389-20000, and date of 9/01/00, and remove 12 feet of 12” RCP. The new structure is Str. 96A per the road plans. Also, the project will remove 140 feet (70 feet each side) of SSD at the entrance to The Estate at Clay West Subdivision. Thus, 152 feet of drain will be removed from the Elliott Creek Drain – The Estates at Clay West Arm. This is shown on Sheet 13 of the plans prepared by Crossroad Engineers, PC., having City of Carmel Project Number 06-09, and dated April 1, 2008.

The road project will remove 200 feet of the Elliott Creek Drain and all affected arms.

The cost of the reconstruction is to be paid by the City of Carmel. Because the project is to be paid by the petitioner and is being completed within the right of way owned by the City of Carmel, the project falls under the requirements as set out in IC 36-9-27-52.5. Therefore, a hearing with 30 day notice is not required for the petition.

I recommend the Board approve the project at this time.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN RE: Elliott Creek Drain, Carmel Project No. 06-09)
Hamilton County, Indiana)

PETITION FOR RELOCATION AND RECONSTRUCTION

The City of Carmel (One Civic Square, Carmel, IN 46032) (hereinafter "Petitioner"),
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a
section of the Elliott Creek Drain, and in support of
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Elliott Creek
Drain runs.
2. Petitioner plans to develop its real estate with roads, buildings, utilities, storm drains,
sanitary sewers and other structures.
3. Petitioner's proposed development of its real estate will require relocation and
reconstruction of a portion of the Elliott Creek Drain, as
specifically shown on engineering plans and specifications filed with the Hamilton
County Surveyor.
4. The work necessary for the proposed relocation and reconstruction will be undertaken at
the sole expense of the Petitioner and such work will result in substantial improvement to
the Elliott Creek Drain, without cost to other property owners
on the watershed of the Elliott Creek Drain.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County
Drainage Board authorizing relocation and reconstruction of the Elliott Creek
Drain, in conformance with applicable law and plans and specifications on file with the Hamilton
County Surveyor.


Signed

MICHAEL T. McBRIDE
Printed