

*Kenton C. Ward, CFM*  
*Surveyor of Hamilton County*  
*Phone (317) 776-8495*  
*Fax (317) 776-9628*

*Suite 188*  
*One Hamilton County Square*  
*Noblesville, Indiana 46060-2230*

April 11, 2011

To: Hamilton County Drainage Board

Re: John Osborne Drain, Bridlebourne Reconstruction

Attached are plans, specifications and drain map for the reconstruction of the Bridlebourne Drain. This drain is located in Clay Township, more specific on the east side of Shelborne Road between 106<sup>th</sup> and 116<sup>th</sup> Streets.

The Bridlebourne Drain was established as an arm to the John Osborne Drain by the Board through a petition by the developer. My report to the Board for sections 2 and 3 dated January 7, 1988 was approved by the Board at hearing on February 8, 1988 (see Hamilton County Drainage Board Minutes Book 2, pages 254 – 255). The portion across Section 5 was included in my report dated February 21, 1989 for Larkspur Drain, Section 1 which was approved by the Board at hearing on April 24, 1989 (see Hamilton County Drainage Board Minutes Book 2, page 357). The remainder of the drain is covered in my report for the John Osborne Drain dated December 22, 1994 which was approved by the Board at hearing on February 27, 1995 (see Hamilton County Drainage Board Minutes Book 4, pages 72-75).

Over the period of time that Larkspur and Bridlebourne have been completed, this office has had many complaints regarding high water. Because of the complaints the Board contracted American Consulting, Inc. (now American Structurepoint, Inc.) at the meeting on August 23, 2004 through a RFP process (see Hamilton County Drainage Board Minutes Book 7, page 549). Three options were submitted to this office for review on April 18, 2005. Those options were as follows:

1. Drop north pond by 1.64 feet, drop south pond by 0.5 feet, add 27 inch pipe between ponds.
2. Drop north pond by 0.5 feet, drop south pond by 0.5 feet, add 27 inch pipe between ponds.
3. Drop north pond by 0.5 feet, drop south pond by 0.5 feet, add 27 inch pipe between ponds and add a third pond.

Upon review and discussion it was decided in correspondence dated October 6, 2006 to utilize Option 2. During the course of developing the plans it was found that the Panhandle Pipeline prohibited the placement of the 27 inch pipe between ponds. Therefore, the plan was modified. The final plans were filed in this office on March 1, 2007. The plans call for the following improvements:

1. The existing 24" RCP between the north inlet on Hintocks Circle and the Larkspur pond to be removed and replaced with a 30" RCP.
2. The normal pool elevation for the Bridlebourne north pond (Pond 1) to be lowered 1.3 feet below the current normal pool elevation.
3. The existing 12" RCP between the Bridlebourne north pond (Pond 1) and the south inlet on Hintock Circle to be removed and replaced with a 24" RCP.
4. The normal pool elevation for the Bridlebourne south pond (Pond 2) to be lowered 1.0 feet below the current normal pool elevation.
5. The current 18" RCP outlet pipe for the Bridlebourne south pond (Pond 2) to be removed and replaced with an 18" PVC pipe.
6. The current outlet channel between the Bridlebourne south pond (Pond 2) and Sedgemoor Circle Road will be cleared of large woody vegetation and regraded as needed.

The above improvements are outlined in the report submitted by American Structurepoint dated February 22, 2007 and the accompanying plans dated February 28, 2007. The cost estimate prepared by American Structurepoint dated February 22, 2007 for this work is as follows:

<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
1. Mobilization, Demobilization	LS	1	\$8,100.00	\$8,100.00
2. Clearing & Grubbing	LS	1	\$5,000.00	\$5,000.00
3. Tree Removal	LS	1	\$7,000.00	\$7,000.00
4. Utility Coordination	LS	1	\$10,000.00	\$10,000.00
5. Pond Dewatering	LS	1	\$17,000.00	\$17,000.00
6. Curb Removal	LFT	58	\$15.00	\$870.00
7. Pipe Removal	LFT	515	\$25.00	\$12,875.00
8. Storm Structure Removal	Each	4	\$700.00	\$2,800.00
9. Paver Salvage & Replacement	SYD	78	\$200.00	\$15,600.00
10. Salvage & Reuse Casting	Each	4	\$200.00	\$800.00
11. Common Excavation	CYD	70	\$12.00	\$840.00
12. Granular Backfill	CYD	73	\$15.00	\$1,100.00
13. Concrete Curb	LFT	58	\$20.00	\$1,160.00
14. Concrete Encasement	Each	2	\$1,000.00	\$2,000.00
15. 60-Inch Diameter Manhole	Each	2	\$5,500.00	\$11,000.00
16. 48-Inch Diameter Manhole	Each	2	\$4,500.00	\$9,000.00
17. 30-Inch RCP Pipe	LFT	151	\$85.00	\$12,835.00
18. 24-Inch RCP Pipe	LFT	341	\$75.00	\$25,575.00
19. 18-Inch Double Wall PVC Pipe	LFT	140	\$45.00	\$6,300.00
20. Core & Patch Existing Manhole	Each	1	\$1,200.00	\$1,200.00

21. End Section	Each	2	\$600.00	\$1,200.00
22. Rip-Rap	SYD	50	\$60.00	\$3,000.00
23. Erosion Control	LS	1	\$6,000.00	\$6,000.00
24. Seeding	SYD	2,050	\$1.50	\$3,075.00
25. Maintenance of Traffic	LS	1	\$5,000.00	\$5,000.00
Contingency			15%	\$25,400.00
Grand Total				\$194,730.00

The work shall be conducted in existing platted easements for Larkspur and Bridlebourne. Those easements are shown on the following secondary plats:

- Larkspur Phase 1                      Instrument Number 8905082
- Bridlebourne Section 2              Instrument Number 8742244
- Bridlebourne Section 3              Instrument Number 8804920
- Bridlebourne Section 5              Instrument Number 9026131
- Bridlebourne Section 6              Instrument Number 9134257

The above listed secondary plats are on file in the office of the Hamilton County Recorder.

The following lots will be affected with the removal and replacement of pipe and the clearing and regrading of the open ditch:

<u>Owner</u>	<u>Lot</u>	<u>Parcel Number</u>
Larkspur HOA	Common Area A	17-13-05-00-06-009.000
Bridlebourne HOA	Common Area G	17-13-05-00-08-015.000
Yagnesh & Vibhu Patel	Lot 16	17-13-05-00-07-011.000
Kenneth W. & Peggy A. Beckley	Lot 17	17-13-05-00-07-012.000
James S. & Mary B. Adams	Lot 61	17-13-05-00-04-012.000
William F. Conour	Lot 62	17-13-05-00-04-011.000
William F. Conour	Pt. Lot 63	17-13-05-00-02-003.001

Since the submission of the 2007 report the area of southwest Clay has been annexed into the City of Carmel. Prior to this time Carmel passed Ordinance C-263 which annexed Southwest Clay on November 24, 2004. This was remonstrated against in Hamilton County Superior Court, Cause No. 29D03-0502-MI-188. After the filing negotiations between the residents of Southwest Clay and the City of Carmel produced a settlement agreement dated September 6, 2005. This agreement is attached as Exhibit B to the annexation ordinance, Ordinance No. C-263-A which was passed on October 7, 2005, Instrument No. 200500011849. In this agreement the drainage problems associated with Bridlebourne and Larkspur are set out as items to be addressed with the annexation. The project is mentioned in the Southwest Clay Township Annexation Master Drainage Plan dated July 20, 2009. This plan was prepared for the City of Carmel by Cross Roads Engineers, Inc. In that plan the proposed project for Bridlebourne / Larkspur is considered a first level priority.

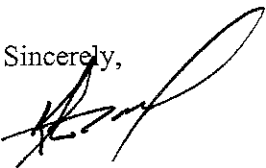
On February 8, 2011 the City of Carmel passed a bond issue with the Bridlebourne / Larkspur project, Interlocal Agreement C-266-11, Instrument No. 2011012198, that included in the funding package. On November 8, 2010 the Hamilton County Drainage Board approved an Interlocal Agreement for the construction by the Drainage Board of the improvements with the funding for the improvements to come from Carmel. On February 7, 2011 this agreement was approved by the City of Carmel.

Therefore, the funding of the proposed reconstruction project will be provided by the City of Carmel. Property Owners within the drainage shed will not be assessed for the reconstruction. The current maintenance assessments will not change with this proposal. No damages will result to property owners by the work, therefore, all damages shall be set at \$0.00.

No state or federal permits are required for this reconstruction.

I recommend that this item be set for hearing for May 23, 2011.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/lm

STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**John Osborne Drain, Bridlebourne Reconstruction**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **John Osborne Drain, Bridlebourne Reconstruction** came before the Hamilton County Drainage Board for hearing **on May 23, 2011**, 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 **John Osborne Drain, Bridlebourne Reconstruction** 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:

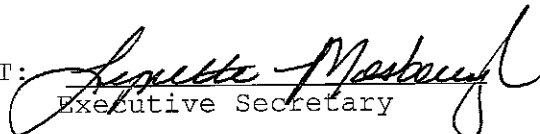
HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

ATTEST:

  
Executive Secretary

OFFICE OF

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the **John Osborn Drain, Bridlebourne Reconstruction.**

Careskey, Joshua M & Nancy Lee  
 11031 Sedgemoor Cir  
 Carmel, IN 46032

Under the Indiana Drainage Code, all land which drains directly, or indirectly, is assessed for either maintenance cost or reconstruction cost within the drain. In making the calculation for each parcel, the Drainage Board must calculate the percentage of the cost attributable to each parcel of land benefitted. The Drainage Board has received a reconstruction report and schedule of assessments which affects your land. The purpose of the reconstruction project is to perform work which will substantially improve the drainage for the entire watershed served by the drain.

You are hereby notified that the reconstruction report of the County Surveyor and the schedule of assessments made by the Drainage Board have been filed and are available for public inspection in the office of the County Surveyor. The chart below contains your proposed assessment and your percentage of the total reconstruction assessment.

The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the **John Osborn Drain, Bridlebourne Reconstruction** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Description of Land	Acres Benefitted	Damages	Reconst. Assmt.	% of Total	Maint. Assmt.
17-13-05-00-04-002.000 BRIDLEBOURNE 3RD LOT 31 1.04A	1.04 Ac	Zero	*	0.55%	*
*Reconstruction to be paid by City of Carmel. No change in current maintenance assessment.					

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at **9:30 A.M. on May 23, 2011**, in the Commissioner's Court. The law provides that objections must be written and filed not less than 5 days before the date of the hearing. Objections may be for causes as specified by law and which are available at the Surveyor's Office. Written evidence in support of objections may be filed. The failure to file objections constitutes a waiver of your right to thereafter object, either before the Board or in court on such causes, to any final action of the Board. On or before the day of the hearing before the Board, the Surveyor shall and any owner of affected lands may cause written evidence to be filed in support of or in rebuttal to any filed objections.

HAMILTON COUNTY DRAINAGE BOARD  
 One Hamilton County Square, Ste. 188  
 Noblesville, IN 46060-2230

*For a copy of the Surveyor's Report to the Drainage Board and a copy of the map, if applicable, please go to [www.hamiltoncounty.in.gov/drainageboardnotices](http://www.hamiltoncounty.in.gov/drainageboardnotices).*

## OFFICE OF

## HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the **John Osborn Drain, Bridlebourne Reconstruction.**

Careskey, Joshua M & Nancy L  
11031 Sedgemoor Cir  
Carmel, IN 46032

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Description of Land	Acres Benefitted	Damages	Reconst. Assmt.	% of Total	Maint. Assmt.
17-13-05-00-04-004.008 BRIDLEBOURNE 3RD C.A. PT G	0.3 Ac	Zero	*	0.16%	*
*Reconstruction to be paid by City of Carmel. No change in current maintenance assessment.					

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OFFICE OF

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the **John Osborn Drain, Bridlebourne Reconstruction.**

Christian, Justin & Darrienne P  
 8921 Greenridge Dr  
 Indianapolis, IN 46278

Under the Indiana Drainage Code, all land which drains directly, or indirectly, is assessed for either maintenance cost or reconstruction cost within the drain. In making the calculation for each parcel, the Drainage Board must calculate the percentage of the cost attributable to each parcel of land benefited. The Drainage Board has received a reconstruction report and schedule of assessments which affects your land. The purpose of the reconstruction project is to perform work which will substantially improve the drainage for the entire watershed served by the drain.

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The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the **John Osborn Drain, Bridlebourne Reconstruction** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Description of Land	Acres Benefited	Damages	Reconst. Assmt.	% of Total	Maint. Assmt.
17-13-05-00-08-008.000 BRIDLEBOURNE 6TH LOT 1	1.29 Ac	Zero	*	0.69%	*
*Reconstruction to be paid by City of Carmel. No change in current maintenance assessment.					

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at **9:30 A.M. on May 23, 2011**, in the Commissioner's Court. The law provides that objections must be written and filed not less than 5 days before the date of the hearing. Objections may be for causes as specified by law and which are available at the Surveyor's Office. Written evidence in support of objections may be filed. The failure to file objections constitutes a waiver of your right to thereafter object, either before the Board or in court on such causes, to any final action of the Board. On or before the day of the hearing before the Board, the Surveyor shall and any owner of affected lands may cause written evidence to be filed in support of or in rebuttal to any filed objections.

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BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

*John Osborne Drain  
Bridlebourne Reconstruction*

NOTICE

To Whom It May Concern and: Careskey, Joshua M & Nancy Lee  
\_\_\_\_\_  
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Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **John Osborne Drain, Bridlebourne Reconstruction** on **May 23, 2011**, at **9:30 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 John Osborne Drain, Bridlebourne  
Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **May 23, 2011** 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 A. Holt  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY