



SURVEYOR'S OFFICE

# Hamilton County

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August 27, 2009

TO: Hamilton County Drainage Board

RE: Springmill Streams Drain – Elliott Creek Extension

Attached is a drain map for the extension of the Springmill Streams Drain – Elliott Creek Extension. This proposed drain is located in Clay 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 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 - 872 feet

The extension shall begin at the east property line parcel 17-09-34-00-02-014.000, owned by Claybridge Homeowners Association Inc., which is the downstream terminus of the Springmill Streams Drain – Claybridge at Springmill - Section 1 Arm, per my report dated March 7, 1990 and approved by the Board at hearing on May 21, 1990 (See Hamilton County Drainage Board Minutes Book 2, Page 444). Thence run downstream within the existing Elliott Creek channel 872 feet to the confluence with Williams Creek on tract 17-09-34-00-00-003.000, owned by Billy Creek Associates.

The easement for the drain on parcel 17-09-34-00-02-014.000 should be set as shown on the secondary plat for Claybridge at Springmill as recorded in the Office of the Hamilton County Recorder as instrument number 8927503 (Plat Cabinet 1, Slide 72). The easement for the drain on all other parcels should be set at 75' from the west top of bank and 50' from the east top of bank as set out in IC36-9-27-33. According to the FEMA Flood Insurance Rate Map, Map Number 18057C0208F, this area is covered by

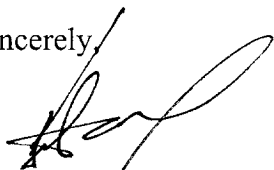
the floodplain for Elliott Creek. Therefore, I believe that no damages will result to landowners by the regulating of this drain.

Additional easement will be added to the following parcels:

<u>Parcel</u>	<u>Owner</u>
17-09-34-00-00-003.000	Billy Creek Associates
17-09-34-00-00-004.000	Eleanor Bookwalter
17-09-34-00-00-005.000	Eleanor & Charles Bookwalter
17-09-34-00-00-006.000	Eleanor Bookwalter
17-09-34-00-02-014.000	Claybridge Homeowners Association Inc.

I recommend that the Board set a hearing for this extension for October 26, 2009.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

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

**Drain-Improvement:** Springmill Streams Drain: Elliott Creek Extension

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
Open		872	872	0	19.55 lf	
<b>Sum:</b>		<u>872</u>	<u>872</u>	<u>0</u>		<u>\$17,047.60</u>

Final Report: 872

Comments:

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STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
*Springmill Streams Drain, Elliott Creek Extension*

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Springmill Streams Drain, Elliott Creek Extension* came before the Hamilton County Drainage Board for hearing on *October 26, 2009*, 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.

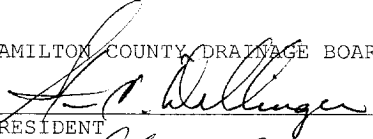
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included 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 *Springmill Streams Drain, Elliott Creek 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

**Springmill Streams Drain #159**

Elliott Creek Extension

Extension from Claybridge at Springmill to outlet into Elliott Creek.

\*A maintenance fund will not be established at this itme.

This extension will add 872' of drain.

Hearing: 10/26/09

Parcel	Owner	Address	City	Desc1	Desc2	Acres Ben	Mnt Assmt.	Rec Assmt.	% of Total
17-09-34-00-00-003.000	Billy Creek Assoc.	P.O. Box 280	Zionsville, IN 46077	S34 T18 R3 24.18 Ac	Residential/Ag	n/a	*	*	*
17-09-34-00-00-004.000	Bookwalter, Eleanor F	P.O. Box 280	Zionsville, IN 46077	S34 T18 R3 8.50 Ac	Residential/Ag	n/a	*	*	*
17-09-34-00-00-005.000	Bookwalter, Eleanor F & Charles A	P.O. Box 280	Zionsville, IN 46077	S34 T18 R3 7.21 Ac	Residential/Ag	n/a	*	*	*
17-09-34-00-00-006.000	Bookwalter, Eleanor F	P.O. Box 280	Zionsville, IN 46077	S34 T18 R3 6.90 Ac	Residential/Ag	n/a	*	*	*
17-09-34-00-02-014.000	Claybridge Homeowners Assoc.	756 Suffolk Ln	Carmel, IN 46032	Claybridge at Springmill Blk A, 3.2Ac	Residential/Ag	n/a	*	*	*

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***Springmill Streams Drain, Elliott Creek 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 **Springmill Streams Drain, Elliott Creek Extension** on **October 26, 2009**, 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 **Springmill Streams Drain, Elliott Creek  
Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **October 26, 2009** 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 C. Dillinger  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY