



SURVEYOR'S OFFICE

# Hamilton County

*Kenton C. Ward, CFM*  
*Surveyor of Hamilton County*  
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*Noblesville, Indiana 46060-2230*

August 27, 2009

TO: Hamilton County Drainage Board

RE: Stultz & Almond Extension

Attached is a drain map for the extension of the Stultz & Almond Drain. 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 - 987 feet

The extension shall begin at the south property line parcel 17-09-34-00-01-005.000, owned by Shirley Peraino, which is the downstream terminus of the Springmill Streams Drain – Section 3 Arm, which is also the current terminus of the Stultz & Almond Drain, per my report dated July 9, 1984, approved by the Board at hearing on August 13, 1984 (See Hamilton County Drainage Board Minutes Book 2, Page 9), final report dated March 8, 1985, and revised final report dated December 19, 2008. Thence run downstream within the existing Almond Ditch channel 987 feet to the confluence with Williams Creek on tract 17-09-34-00-00-016.000, owned by Billy Creek Associates.

The easement for the drain on tracts 17-09-34-00-01-004.000 and 17-09-34-00-01-005.000 should be set as shown on the secondary plat for Springmill Streams – Section 3 as recorded in the Office of the Hamilton County Recorder as instrument number 198400008961 (Plat Book 11, Page 33-34). The easement for the drain on all other tracts should be set at 75' from the west top of bank and 25' from the east top of bank as set out in IC36-9-27-33. According to the FEMA Flood Insurance Rate Map,

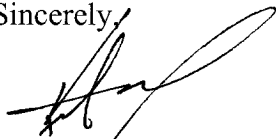
Map Number 18057C0208F, this area is covered by the floodplain for Almond Ditch. Therefore, I believe that no damages will result to landowners by the regulating of this drain.

Additional easement will be added to the following tracts:

<u>Parcel</u>	<u>Owner</u>
17-09-34-00-01-005.000	Shirley Peraino
17-09-34-00-01-004.000	Patrice Sweeney & Steven Wilk
17-09-34-00-00-006.000	Eleanor Bookwalter
17-09-34-00-00-013.000	Eleanor Bookwalter
17-09-34-00-00-008.000	Eleanor Bookwalter
17-09-34-00-00-016.001	Eleanor Bookwalter
17-09-34-00-00-005.000	Eleanor & Charles Bookwalter
17-09-34-00-00-016.000	Billy Creek Associates

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:** Stultz & Almond Drain: Extension

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
Open		987	987	0	19.55 lf	
<b>Sum:</b>		<u>987</u>	<u>987</u>	<u>0</u>		<u>\$19,295.85</u>

Final Report: 987

Comments:

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**Stultz & Almond Drain #45**

Extension from Springmill Streams to outlet into Elliott Creek

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

This extension will add 987' of drain.

Hearing: 10/26/09

Parcel	Owner	Address	City	Desc1	Desc2	Acres Ben	Mnt Assmt.	Rec Assmt.	% of Total
17-09-34-00-00-016.000	Billy Creek Assoc.	P.O. Box 280	Zionsville, IN 46077	S34 T18 R3 39.12 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	*	*	*
17-09-34-00-00-008.000	Bookwalter, Eleanor F	P.O. Box 280	Zionsville, IN 46077	S34 T18 R3 4.05 Ac	Residential/Ag	n/a	*	*	*
17-09-34-00-00-013.000	Bookwalter, Eleanor F	P.O. Box 280	Zionsville, IN 46077	S34 T18 R3 5.90 Ac	Residential/Ag	n/a	*	*	*
17-09-34-00-00-016.001	Bookwalter, Eleanor F	P.O. Box 280	Zionsville, IN 46077	S34 T18 R3 1.26 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	*	*	*
17-09-34-00-01-005.000	Peraino, Shirley TR	12665 Devon Ln	Carmel, IN 46032	Springmill Streams 3rd Lot 52	Residential/Ag	n/a	*	*	*
17-09-34-00-01-004.000	Sweeney, Patrice E & Steven M Wilk	12669 Devon Ln	Carmel, IN 46032	Springmill Streams 3rd Lot 53	Residential/Ag	n/a	*	*	*

STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**Stultz & Almond Drain, Extension**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Stultz & Almond Drain, 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.

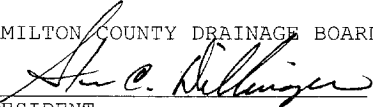
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included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

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***Stultz & Almond Drain, 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 **Stultz & Almond Drain, 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 **Stultz & Almond Drain, 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