



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

May 13, 2011

TO: Hamilton County Drainage Board

RE: Oliver Armstrong Drain, Allisonville Road Extension

Attached is an area map for the Allisonville Road Extension of the Oliver Armstrong Drain located in Noblesville Township.

I have made a personal inspection of the proposed extension. Upon doing so, I believe that the drain is practicable, will improve the public health, benefit a public highway, be of public utility and that the costs, damages and expenses of the proposed drain will be less than the benefits accruing to the owners of land likely to be benefited.

The drain commences at the west property line of tract 11-11-07-03-06-001.000, Lot 71 of Wellington Northeast Section 4, which is the east R/W of the Hoosier Port Authority. Thence running west through the arched stone structure across the Hoosier Heritage Port Authority right-of-way to a point west of the structure; thence south across tract 11-11-07-00-00-040.000 along the east side of Allisonville Road to a concrete box culvert under Allisonville Road; thence west to the drains confluence with White River on tract 11-11-07-00-00-044.002.

The drain extension will consist of 566 feet of new open drain.

The easement across tracts 11-11-07-00-00-044.002 owned by Ruth M. Thalman & Betty E. Violette, the Hoosier Heritage Port Authority and Allisonville Road right-of-ways shall be 75' on both sides of the drains as set out in IC 36-9-27-33. The easement across 11-11-07-00-00-040.000 owned by Third Phase, Inc. shall be fifty (50') from the east and seventy-five (75') from the west side of the drain as measured from the top of bank on both sides.


Upon review of the FEMA National Flood Insurance Rate Map (FIRM), map number 18057C0145F, dated February 19, 2003, the proposed extension of the Oliver Armstrong Drain is covered entirely by floodplain. Therefore, I believe that no damages will result to the landowners by the proposed extension of the drain.

The following tracts are affected by this drain extension:

<u>Parcel</u>	<u>Owner</u>
11-11-07-00-00-040.000	Third Phase Inc.
11-11-07-00-00-044.002	Thalman, Ruth M. & Betty E. Violette JT/rs
S7 T19 R5 – Railroad	Hoosier Heritage Port Authority
S7 T19 R5 – Allisonville Rd.	City of Noblesville

I recommend the Board set a hearing for the proposed drain for July 25, 2011.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll



STATE OF INDIANA     )  
                              ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
***Oliver Armstrong Drain, Allisonville Road Extension***

**FINDINGS AND ORDER FOR RECONSTRUCTION**

The matter of the proposed Reconstruction of the ***Oliver Armstrong Drain, Allisonville Road Extension*** came before the Hamilton County Drainage Board for hearing ***on July 25, 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.

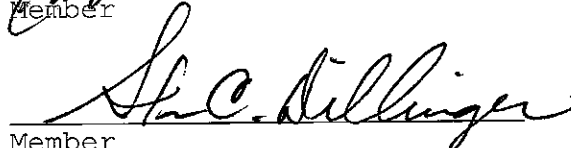
Wherefore, it is ORDERED, that the proposed Reconstruction of the ***Oliver Armstrong Drain, Allisonville Road Extension*** be and is hereby declared established.

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:

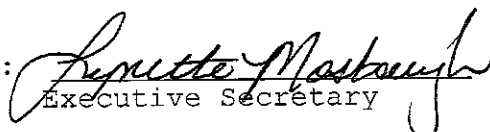
HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

ATTEST:

  
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

*Oliver Armstrong Drain, Allisonville Road 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 **Oliver Armstrong Drain, Allisonville Road Extension** on **July 25, 2011**, at **9:05 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 Oliver Armstrong Drain, Allisonville Road  
Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **July 25, 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