

SURVEYOR'S OFFICE

Hamilton County

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

May 13, 2011

To: Hamilton County Drainage Board

Re: Cool Creek Drain, Oak Road Extension

Attached is a drain map for the Cool Creek Drain, Oak Road Extension. This proposed drain is located in Washington Township.

This extension was set out in my classification report to the Board dated February 15, 2011 and approved by the Board on February 28, 2011 at which time the Board referred the list to the Surveyor for maintenance and reconstruction of drains as listed. (See Hamilton County Drainage Board Minutes Book 13, Pages 284-291). This extension is a reconstruction of the Cool Creek Drain as per IC 36-9-27-34(b) (E). This report is being submitted per IC 36-9-27-49. This extension falls under subsection (b) (2) of Section 49. The drain is to be accepted in place without reconstruction costs or assessment.

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 – 1,484 feet

The Cool Creek Drain, Oak Road Extension shall begin at the west property line of parcel 09-10-18-00-00-004.000, which is owned by Richard W. Robertson Jr. & Kathleen A. Robertson, and is the current terminus of the Cool Creek Drain, Cool Creek Park Extension, per my report dated March 21, 2008 and approved by the Board at hearing on May 27, 2008 (See Hamilton County Drainage Board Minutes Book 11, Pages 170 to 172), thence running downstream within the existing Cool Creek Channel 1,484 feet to the south Right of Way line of 151st Street. This point is the current beginning of the Cool Creek Drain, Bridlewood Arm per my report dated June 3, 1988 and approved by the Board at hearing on September 12, 1988 (See Hamilton County Drainage Board Minutes Book 2, Page 296).

The nature of future maintenance work required is as follows:

1. Bank erosion protection and/or seeding as might be required;
2. Removal of debris and/or blockages from existing open drain;
3. Removal of beaver dams;
4. Any other repairs necessary to restore proper flow to the open ditch.

The frequency with which future maintenance work should be performed is annually as required by the condition of the drain.


The easement for the drain on the parcels should be set at 75' from the top of bank as set out in IC 36-9-27-33. According to the FEMA Flood Insurance Rate Map, Map Number 18057C0138F, the area for the Cool Creek Open Ditch easement is covered by the floodplain for Cool Creek. Therefore, I believe that no damages will result to landowners by the regulating of this drain.

The Oak Road Extension of the Cool Creek Regulated Drain will add easement to the following tracts:

<u>Parcel</u>	<u>Owner</u>
09-10-18-00-00-004.000	Richard W. Robertson Jr. & Kathleen A. Robertson
08-10-18-00-00-008.000	Skinner, Wm J & Karen Ann Hudson h&w
08-10-18-00-00-009.000	Sharon T. Kirk
08-10-18-00-00-009.002	Larry Stanifer
Oak Road	City of Westfield
151 st Street	City of Westfield

I recommend that the Board set a hearing for this extension for July 25, 2011.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

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

Drain-Improvement: Cool Creek: Oak Road Extension

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
Open		1,484	1,484	0	\$19.55 lf	\$29,012.20

Sum: 1484 1484 0 \$29,012.20

Final Report: n/a

Comments:

STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Cool Creek Drain, Oak Road Extension

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Cool Creek Drain, Oak 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.

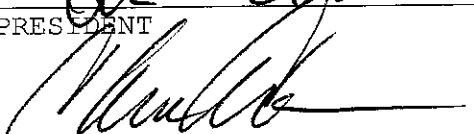
Wherefore, it is ORDERED, that the proposed Reconstruction of the **Cool Creek Drain, Oak Road Extension** be and is hereby declared established.

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

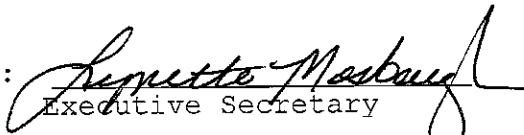


Member



Member

ATTEST:


Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Cool Creek Drain, Oak 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 **Cool Creek Drain, Oak Road Extension** on **July 25, 2011**, at **9:25 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 **Cool Creek Drain, Oak 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