

Kenton C. Ward, CFM
Surveyor of Hamilton County
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Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

March 6, 2020

To: Hamilton County Drainage Board

Re: RJ Craig Drain, George White Arm 2 – Jaycee Street Partial Vacation

Attached is a petition to vacate a portion of the RJ Craig Drain, George White Arm 2 by the City of Fishers to facilitate the construction of a parking garage at Nickel Plate Station. The proposal is to vacate a portion of the existing George White Arm 2 that is located along Jaycee Street, north of 116th, and also extends to the south side of the 116th right-of-way. This affects the following parcels in Nickel Plate Station: 15-10-36-04-03-004.000 (Lot 7A-I), 15-10-36-04-03-003.000 (Lot 1), 15-10-36-04-02-004.000 (Lot 6), 15-10-36-04-02-005.000 (Lot 2) which are owned by Nickel Plate North Associates LLC, and the 116th street right-of-way owned by the City of Fishers. Lot numbers above are per the secondary plat for Nickel Plate Station recorded on 2/19/2020, Instr. No: 2020008670.

The portion of the George White Arm 2 to be vacated will be 120' of 8" tile installed in 1916 between existing stations 0 and 1+20. Also, to be vacated is 94' of 24" RCP installed in 1997 as part of the 116th Reconstruction, from Str 177A to Str 178.

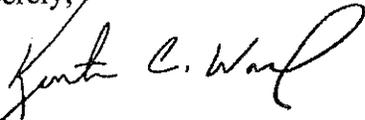
This request will remove 214 feet of existing drain from the drain's total length.

The vacation of this part of the drain will not change the assessment. The parcels affected by this vacation will continue to drain within the watershed of the RJ Craig Drain.

The original RJ Craig Drain was established per Commissioner's Court records dated November 1, 1899 (CR12, page 195). The original George White drain was constructed in 1916. In 1997, the George White Arm 2 was reconstructed by the 116th Reconstruction which was approved by the Board on November 24, 1997. See minutes book 4 page 482 for more information. A portion of the drain installed in 1997 known as the 116th Reconstruction is currently being reconstructed south of 116th street as part of the Nickel Plate – South Street Reconstruction, approved by the Board on July 8, 2019. See minutes book 18, pages 502 – 504 for more information.

Upon review of the request, I believe the above portion of the drain meets the requirements for vacation as set out in IC-36-9-27-34(d). In my opinion, the vacation will not adversely affect other property owners within the drainage shed. I recommend the Board set a hearing date for April 27, 2020.

Sincerely,

A handwritten signature in black ink that reads "Kenton C. Ward". The signature is written in a cursive style with a large, looping initial "K".

Kenton C. Ward
Hamilton County Surveyor

KCW/stc

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

R.J. Craig, George White Arm 2 - Jaycee Street Partial Abandonment

Station 0 to Station 1+20 & From Structure 177A to Structure 178

On this 27th day of April, 2020, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the R.J. Craig, George White Arm 2 - Jaycee Street Partial Abandonment (Station 0 to Station 1+20 & from Structure 177A to Structure 178).

Evidence has been heard. Objections were presented and considered. The Board then adopted an order of action. The Board now finds that the costs of continued maintenance to the portion of the above drain exceed the benefits to the real estate benefited by the portion of the drain to be abandoned and issues this order vacating the above section of the R.J. Craig, George White Arm 2 - Jaycee Street Partial Abandonment (Station 0 to Station 1+20 & from Structure 177A to Structure 178).

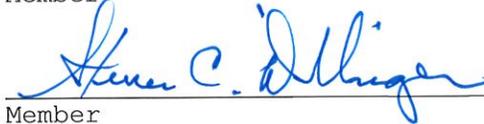
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD IN THE MATTER OF THE

**R.J. Craig Drain, George White Arm 2 - Jaycee Street
Partial Abandonment**

NOTICE is hereby given that a petition to vacate has been received by the Hamilton County Surveyor for the **R.J. Craig, George White Arm 2 - Jaycee Street Partial abandonment** across Nickel Plate Station property on Parcel's 15-10-36-04-03-004.000, 15-10-36-04-03-003.000, 15-10-36-04-02-004.000 and 15-10-36-04-02-005.000) the portion of the George White Arm 2 to be vacated be 120' of 8" tile installed in 1916 between existing station 0 and 1+20. Also, to be vacated is 94' of 24" RCP installed in 1997 as part of the 116th Reconstruction, from Str. 177A to Str. 178 and that a hearing is scheduled for April 27, 2020 at 9:00 A.M. on that request.

Objections to the VACATION of the drain must be filed in writing not less than five (5) days before the date of the hearing.

The Board will consider whether the drain performs the function for which it was designed and constructed; whether the expense of maintenance outweighs the benefits to be derived therefrom, and whether the abandonment thereof will not be detrimental to the public welfare.

HAMILTON COUNTY DRAINAGE BOARD

ATTEST: Lynette Mosbaugh
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

**R. J. Craig Drain, George White Arm 2
Jaycee Street Partial Abandonment**

NOTICE

Notice is hereby given pursuant to Indiana Code 36-9-27-63 (before codification in 1981) that this Board, prior to final adjournment on **April 27, 2020** issued an order adopting the partial vacation, filed the same and made public announcement thereof at the hearing and ordered publication. Copies of the schedule of assessments and order are on file in the office of the Hamilton County Surveyor. If judicial review of the findings and order of the Board is not requested pursuant to Indiana Code 36-9-27-65(f) within twenty (20) days from the date of this publication, the order shall be conclusive.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY