



SURVEYOR'S OFFICE

Hamilton County

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

December 14, 2022

To: Hamilton County Drainage Board

Re: Little Cicero Creek Drain, U.S. 31 Extension, 2023

Attached is a petition, drain map, drainage shed map and schedule of assessments for the extension of the Little Cicero Creek Drain. This proposed drain is located in Adams/Jackson Townships. The petition was filed by the Indiana Department of Transportation on April 8, 2022.

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 public 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 163 ft.

The total length of the drain will be 163 feet.

The extension will begin at the existing east terminus as described in my report to the Board dated January 7, 2021 and run 76 feet east to the new east right of way line of U.S. 31, also extending from the west terminus as described in the afore mentioned report and run 87 feet west to the new west right of way line of U.S. 31.

The current rates for the Little Cicero Creek Drain are \$10.00 per acre for roads. The annual maintenance collection for this extension will be \$863.10.

The nature of 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;

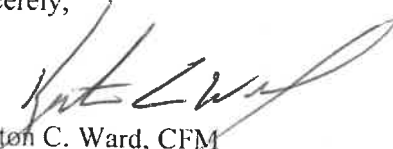
4. Any other repairs necessary to restore proper flow to the open ditch.

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

The easements for the drain should be set at 75' from top of bank as set out in IC 36-9-27-33.

I recommend that the Board set a hearing for this proposal for February 27, 2023.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

123

Revised June 1997

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA



IN RE: Little Cicero Creek Regulated Drain)
Hamilton County, Indiana)

PETITION FOR RELOCATION AND RECONSTRUCTION

Indiana Department of Transportation (hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the Little Cicero Creek Drain, and in support of said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Little Cicero Creek Drain runs.
2. Petitioner plans to develop its real estate with roads, buildings, utilities, storm drains, sanitary sewers and other structures.
3. Petitioner's proposed development of its real estate will require relocation and reconstruction of a portion of the Little Cicero Creek Drain, as specifically shown on engineering plans and specifications filed with the Hamilton County Surveyor.
4. The work necessary for the proposed relocation and reconstruction will be undertaken at the sole expense of the Petitioner and such work will result in substantial improvement to the Little Cicero Creek Drain, without cost to other property owners on the watershed of the Little Cicero Creek Drain.
5. Proposed relocation and reconstruction will not adversely affect other land owners within the drainage shed.
6. Petitioner requests approval of the proposed relocation and reconstruction under IC 36-9-27-52.5.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County Drainage Board authorizing relocation and reconstruction of the Little Cicero Creek Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

Jennifer Beck
Signed
Jennifer Beck, INDOT PM
Printed

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Little Cicero Creek Drain, U.S. 31 Extension (2023)

On this 27th day of February, 2023, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Little Cicero Creek Drain, U.S. 31 Extension (2023).

Evidence has been heard. Objections were presented and considered. The Board then adopted the original/amended Schedule of Assessments. The Board now finds that the annual maintenance assessment will be less than the benefits to the landowners and issues this order declaring that this Maintenance Fund be established.

HAMILTON COUNTY DRAINAGE BOARD



President



Member

Member

Attest: 
Executive Secretary

STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Little Cicero Creek Drain, U.S. 31 Extension (2023)

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Little Cicero Creek Drain, U.S. 31 Extension (2023)** came before the Hamilton County Drainage Board for hearing **on February 27, 2023**, 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.

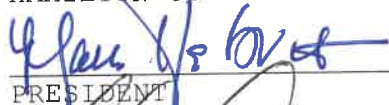
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included 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 **Little Cicero Creek Drain, U.S. 31 Extension (2023)** 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

Little Cicero Creek Drain, US 31 Extension, 2023

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 **Little Cicero Creek Drain, US 31 Extension, 2023** on **February 27, 2023** at **9:00 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 **Little Cicero Creek Drain, US 31 Extension
(2023)**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **February 27, 2023** 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: Mark Heirbrandt
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY