

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

February 22, 2010

To: Hamilton County Drainage Board

Re: Little Eagle Creek Drain, Eagletown Road Extension

Attached is a drain map for the Little Eagle Creek Drain, Eagletown Road Extension. This proposed drain is located in Washington 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 - 3,447 feet

The Little Eagle Creek Drain, Eagletown Road Extension shall begin at the east property line of parcel 08-05-33-00-00-005.000, owned by Darrell F. & Mary E. Reynolds, and run downstream within the existing Little Eagle Creek 3,447 feet to the west right of way of Eagletown Road. The beginning point is the current terminus of the Little Eagle Creek Drain, Eagletown Extension, per my report dated May 3, 2007 and approved by the Board at hearing on June 25, 2007. (See Hamilton County Drainage Board Minutes Book 10, Pages 327-329).

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.

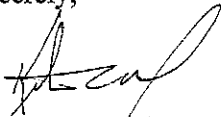
The easement for the drain on the remaining parcels should be set at 75' from the top of bank as set out in IC 36-9-27-33. According to the FEMA Flood Insurance Rate Map, Map Number 18057C0115F, the area for the Little Eagle Creek Open Ditch is covered by the floodplain for Little Eagle Creek. Therefore, I believe that no damages will result to landowners by the regulating of this drain.

Regulated Drain easement will be added to the following tracts:

<u>Parcel</u>	<u>Owner</u>
08-05-33-00-00-005.000	Darrell F. & Mary E. Reynolds
08-05-33-00-00-004.000	Friends, Eagle Creek Evangelical Meeting, Inc.
08-05-33-00-00-003.000	Eagle Creek Friends Church
08-05-33-00-00-014.001	Russel Jr. and Judith Ann Roof
08-05-33-00-00-014.002	Jeffrey Townsend and Sylvia Salinas-Townsend
08-05-33-00-00-014.000	Nancy Jo Beery
Eagletown Road	City of Westfield

I recommend that the Board set a hearing for this extension for April 26, 2010.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

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

Drain-Improvement: Little Eagle Creek - Eagletown Rd. Extension

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
Open ditch	-	3447	3447	∅	\$19.55 lf	\$67,388.85
Sum:		<u>3447</u>		<u>∅</u>		<u>\$67,388.85</u>

Final Report: N/A

Comments:

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STATE OF INDIANA     )  
                          ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
***Little Eagle Creek Drain, Eagletown Road Extension***

**FINDINGS AND ORDER FOR RECONSTRUCTION**

The matter of the proposed Reconstruction of the ***Little Eagle Creek Drain, Eagletown Road Extension*** came before the Hamilton County Drainage Board for hearing ***on April 26, 2010***, 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.

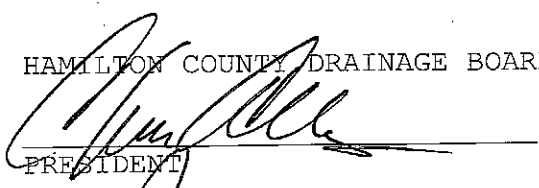
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included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

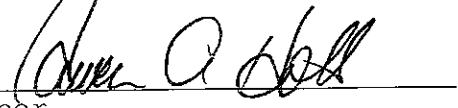
The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the ***Little Eagle Creek Drain, Eagletown 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

***Little Eagle Creek Drain, Eagletown Road Extension***

NOTICE

To Whom It May Concern and: Townsend, Jeffrey P & Sylvia Salinas-Townsend

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Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **Little Eagle Creek Drain, Eagletown Road Extension** on **April 26, 2010, 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 **Little Eagle Creek Drain, Eagletown Road  
Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **April 26, 2010** 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: Christine Altman  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY

RETURNED

OFFICE OF

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the Little Eagle Creek Drain, Eagletown Road Extension.

Townsend, Jeffrey P & Sylvia Salinas-Townsend  
18007 Eagletown Rd  
Westfield, IN 46074

Under the Indiana Drainage Code, all land which drains directly, or indirectly, is assessed for either maintenance cost or reconstruction cost within the drain. In making the calculation for each parcel, the Drainage Board must calculate the percentage of the cost attributable to each parcel of land benefitted. The Drainage Board has received a reconstruction report and schedule of assessments which affects your land. The purpose of the reconstruction project is to perform work which will substantially improve the drainage for the entire watershed served by the drain.

You are hereby notified that the reconstruction report of the County Surveyor and the schedule of assessments made by the Drainage Board have been filed and are available for public inspection in the office of the County Surveyor. The chart below contains your proposed assessment and your percentage of the total reconstruction assessment.

The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the **Little Eagle Creek Drain, Eagletown Road Extension** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Description of Land	Acres Benefitted	Damages	Reconst. Assmt.	% of Total	Maint. Assmt.
08-05-33-00-00-014.002	*	Zero	*	*	*
S33 T19 R3 10.00 Ac					
*No cost for extension. Adding footage only. A maintenance fund will not be established at this time.					

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at 9:05 A.M. on **April 26, 2010**, in the Commissioner's Court. The law provides that objections must be written and filed not less than 5 days before the date of the hearing. Objections may be for causes as specified by law and which are available at the Surveyor's Office. Written evidence in support of objections may be filed. The failure to file objections constitutes a waiver of your right to thereafter object, either before the Board or in court on such causes, to any final action of the Board. On or before the day of the hearing before the Board, the Surveyor shall and any owner of affected lands may cause written evidence to be filed in support of or in rebuttal to any filed objections.

HAMILTON COUNTY DRAINAGE BOARD  
One Hamilton County Square, Ste. 188  
Noblesville, IN 46060-2230

*For a copy of the Surveyor's Report to the Drainage Board and a copy of the map, if applicable, please go to [www.hamiltoncounty.in.gov/drainageboardnotices](http://www.hamiltoncounty.in.gov/drainageboardnotices).*