

**Drain:** E.E. BENNETT #20  
**Improvement:** \_\_\_\_\_  
**Operator:** J. LIVINGSTON  
**Date:** 10-20-03

**GIS Drain Input Checklist**

- Digitize & Attribute Tile Drains Jwf
- Digitize & Attribute Storm Drains N/A
- Digitize & Attribute SSD N/A
- Digitize & Attribute Open Ditch N/A
- Sum drain lengths & Validate Jwf
- Enter Improvements into Posse Jwf
- Enter Drain Age into Posse Jwf
- Sum drain length for Watershed in Posse Jwf
- Stamp Plans N/A
- Pull Source Documents for Scanning Jwf

11-21-2003 Qc'd watershed summary - Slw OK ✓



17821

In the Matter of the Petition  
of W<sup>m</sup>. R. Hall et al. for the  
Repair of the Elizabeth  
Bennett Drain

Report of Drainage  
Commissioners & Engineer

FILED

NOV 21 1925

HAMILTON, O.

Examined and affirmed and  
assessments confirmed  
this 2nd day of November, 1925

Fred E. Jones  
Judge H. C. C.

Original copy

STATA OF INDIANA )  
HAMILTON COUNTY )

In Hamilton Circuit Court,  
In The Matter of the Petition  
Of Wm R. Hall, et, al, for the repair  
of  
The Elizabeth Bennett, Drain,

Report of the Drainage Commissioners and Engineer,  
The the Honorable Judge of Hamilton Circuit Court,

We the Viewers and Engineer, to whom the above intitled Petition  
for Drainage of certain lands, in Hamilton County, Indiana, was  
referred; Would respectfully report, that we met on the line of  
said proposed repair of said Elizabeth Bennett Drain, on the  
30th day of October 1924, qualified and proceeded to View said  
Drain and the lands effected thereby.

X After a careful investigation of the conditions of said Drain,  
we are of the opinion that said Drain is not now performing the  
purpose for which it was intended, The tiles being broken down in  
several places, and the water leaving the tiles and ~~flowing~~ over  
the lands adjacent. That trees, bushes, and briars have been per-  
mitted to grow over and along said Drain, and by reason of the  
roots growing into said Drain, the same has been rendered useless,

Knowing that ~~such~~ conditions exist we would reconmend that said  
Drain be repaired, in accordance with the following,

That each of the broken down places be repaired by excavating the earth and removing the broken tiles and pieces thereof, then resurfacing the grade of said Ditch to its original true line taken from the bottom of the tiles at each end of the removed portion, That two or more of said places shall be left open at a time, for the purpose of inspecting the ditch between said points, If said points are more than 200 feet apart, or on turns where the light cannot be seen from one hole to the other, there shall be holes made in the ditch between said points by excavating and lifting out one tile at sufficient distance a part ~~th~~ that the light may be seen through, placing a lantern in one of the holes and looking through from the other, to ascertain whether or not the ditch is ~~clean~~ of obstructions and displacement of tile.

Should obstructions be found or tile displaced or broken, excavations are to be made and the obstructions removed and the ditch repaired in the same manner and at the same rate of cost as those that are specifically mentioned and bid upon.

The Contractor shall use the best and most careful method of removing the tile, He shall lay them along the bank of the Ditch in a manner so as to protect them from injury, so that the greatest amount possible will be available for relaying in the ditch,

After he has respaded the ditch to its proper depths he shall relay all uninjured tiles, He will then ascertain the number of new tiles of the different dimensions needed to complete the line of tile, which tiles he will furnish and lay to the proper grades and line with joints well matched.

After the work above mentioned has been performed, the excavations shall be refilled over and around the tiles with earth.

In case there is not sufficient earth obtained from the excavations to bring the filling to the level of the surrounding ground, the contractor shall borrow a sufficient amount to complete said filling.

All bushes, briars to be grubbed for a distance of 5 feet, and all trees to be deadened for a distance of 25 feet on each side of the drain for its entire length,

All tiles, to be first class and shall be inspected, and approved, by the superintendent of construction, and the work to be inspected in every stage, ~~by the~~ before they are laid in the ditch, by the Superintendent of construction, and he shall inspect the work in each stage of its progress, and said work, and material shall be to his satisfaction and approval.

X  
A supplement, <sup>about 40 rods in length</sup> to said drain having been heretofore constructed, beginning at Sand Creek and extending across the lands of *AG Brown* and intersecting the original drain at a point about 20 Rods east of the original ~~terminus~~ terminus of said drain is now serving as a part of said drain and should be made a part of said ~~original~~ original drain for this and future repairs and should be given the same consideration as other parts of said original drain.

(Copy)

The superintendent in charge shall keep an accurate account of the amount done as said work progresses, and shall pay for all work done materials furnished at the contract price for same, together with all necessary expenses including Attorney fees, Court expenses, Legal printing, Superintending the Construction, Cost of Viewers and Engineer in making the necessary surveys examination of premises and the making of this report, and all other expenses incident to the establishment and construction of said work as the Court shall deem proper, out of funds collected from the assessments made by the Viewers and confirmed by the Court.

For the purpose of raising funds for making such payments the superintendent shall collect pro-rate of the assessments set out below, which assessments are the same as made by the Viewers for the original construction of said drain.

Said collections to be made in accordance with the law for collections made for the original construction of ditches.

The price bid for the execution of the work and for materials furnished to repair said drain shall be made upon the unit price per cubic yard of excavation and fill and per lineal foot of new tiles furnished, and for the taking up and relaying of the old tiles, .

Having no way before the work is done to ascertain the amount of excavation, or the amount of work to be done, and the amount of materials to be furnished, we have estimated the same as follows :

	Per	Cubic Yard	of Excavation	including grubbing & clearing;
80	Per	Yard	of	Excavation
10	"	"	"	"
	"	"	"	Fill
\$ 1.00	"	foot	for	24 inch tile
.62	"	2	"	18 " "
.40	"	"	"	15 " "
.25	"	"	"	12 " "
.15	"	"	"	15 " "

Estimated cost of Construction Including,  
 Material, Labor, Hauling, etc.,  
 Necessary for completion of the work in  
 Accordance with the plans and specifications,

Station to .....  
 Station to .....  
 Station to .....  
 Station to .....

Estimated Expenses, Including, Total .....

Attorneys Fee .....	}	
Recording & Releasing .....		
Legal Printing .....		
Superintendent of construction .....		
Court Expenses etc., .....		
Contingency fund .....		
		Total <i>150.00</i> .....

We claim for services, expenses & mileage, to date for,

<i>Henry Givens</i> .....	Drainage Commissioner.....	<i>1.00</i> .....
<i>W.C. Sneed</i> .....	Viewer .....	<i>1.00</i> .....
.....	Engineer & Helpers .....	<i>36.40</i> .....
		Total <i>56.40</i> .....
	Grand Total .....	.....



NAMES	DESCRIPTION OF LANDS	Section	Township	Range	Acres Assessed		Acres Benefited		Amount of Benefits		Am't of Assessment		Total Assessment	
					A	Hun	A	Hun	\$	Cts.	\$	Cts.	\$	Cts.
W.H. White	50 A. off E. side	SE 13	18	5			50				100			
	PT SE	13	18	5			72				145		245	
Grace Moore														
Harmon Lighter	SW	SW 13	18	5			40				80			
	PT SE	SW 13	18	5			30				60		140	
Mark Moore														
Alex Hair	S 1/2 NW	SW 13	18	5			10				20			
	PT NW	SW 13	18	5			16				30		50	
H.B. Curwin	PT SE	SE 14	18	5			30				75			
	PT SE	SW 14	18	5			4				12		87	
A.B. Booth	PT SE NE	SE 14	18	5			3				750		750	
Walter Fertig	1/2 NW 1/2	SW 18	18	6			3				6		6	
Henry E. Fisher	PT NE	NE 24	18	5			30				75		75	
Notre Young	PT SW	NE 24	18	5			34				75		75	
J.D. McCarty	NW NE	NE 24	18	5			40				160			
	NE	NW 24	18	5			40				140		300	
P.O. Duncan														
Carrie Walton	SE	NW 24	18	5			40				6950			
	NE	SW 24	18	5			38				57		12650	

NAMES	DESCRIPTION OF LANDS	Section	Township	Range	Acres Assessed		Acres Benefited		Amount of Benefits		Am't of Assessment		Total Assessment	
					A	Hun	A	Hun	\$	Cts.	\$	Cts.	\$	Cts.
Joseph Wyant	18 ac of N end W <sup>2</sup> NW 24 18 5						18				58 50			
	<del>18 ac of N end W<sup>2</sup> NE 23 18 5</del>						<del>18</del>				<del>58 50</del>		117	
160	NE NE 23 18 5						70				158 50		217 00	
W. R. Fall.	PT W NE 23 18 5										13 50		54	
	PT NW NE 23 18 5										16		75	
	PT NW NE 23 18 5										10		45	
	PT NE NW NE 23 18 5										1		8 182	
Wm Young	PT NW NW 24 18 5										22		60	
	" SW NW 24 18 5										31		54	
	SE NE 23 18 5										40		100	
	5A of N end E <sup>2</sup> SE 23 18 5										5		10 224	
<del>Carroll Guider</del>	<del>PT SW NW 24 18 5</del>										<del>4</del>		7 7	
John Guider	PT SW NW 24 18 5										9 5		15 75	15 75
													<del>8 75</del>	<del>8 75</del>
A. F. Kimaman	NW SW 24 18 5										40		70	
	PT SW SW 24 18 5										23		40 110	
Mary T. Selby	PT SE SW 24 18 5										15		22 50	22 50
David Tate	PT NE SE 23 18 5										18		39 75	
	PT NE SE 23 18 5										2		3 50	43 25
Joseph Wyant														
<del>Cary Bennett</del>	<del>5 pt NE NE 23 18 5</del>										<del>22</del>		100	100

NAMES	DESCRIPTION OF LANDS	Section	Township	Range	Acres Assessed		Acres Benefited		Amount of Benefits		Am't of Assessment		Total Assessment	
					A	Hun	A	Hun	\$	Cts.	\$	Cts.	\$	Cts.
Leroy Lackey	1/4 NW NW NE	23	18	5			3				7	50		
	1/4 NW NE	23	18	5			9				27			
	1/4 NE NW	23	18	5			36				72		106	50
Elizabeth Bennett	1/4 SW NE	23	18	5			40				128			
	1/4 SW NE	23	18	5			24	75			98			
	1/4 SW NE & 1/4 NW SE	23	18	5			7	50			22	50	248	50
Joseph Garrison	1/4 NW SE	23	18	5			12				33		33	
Wm Patterson et al	1/4 SE SE	23	18	5			25	25			69	50		
	1/4 NW NW	23	18	5			55				112			
	1/4 SW NW	23	18	5			20				40		221	50
Thomas L Brown	1/4 SE NE	22	18	5			40				80		80	
Fall Creek Township - Benefits to Highways														
	1/2 - E & W bet 14/23 & 13/24	18	5								30			1
	1 - E & W thru Cut	24	18	5							10			1
	1 - Springfield Road	23	18	5							40			
	1 - N & S bet 23/24	18	5								30		110	
Wrayne Township - Benefits to Highways														
	1 - N & S bet 13/18 & 5/6	18	5								20			
	1 - N & S	13	18	5							20			
	1/2 - 1 E & W bet 14/23 & 13/24	18	5								30		70	
													869	50
													814	50
													1112	
													\$ 2796	00

STATE OF INDIANA }  
HAMILTON COUNTY } SS

We the undersigned Viewers and Engineer to whom was referred the above entitled petition for report, after being duly sworn, upon oath say that we have personally examined the whole line and route of said ~~the~~ proposed ditch, that the assessments herein made and reported are correct, just and equitable to all parties herein named as interested, that no other lands will be benefitted or injured by said proposed drain, and that the above and foregoing report is true in substance and in fact as verily believe.

*Henry Guinn*  
.....  
Viewer  
*W. C. Sneed*  
.....  
Viewer

*J. P. Shannon*  
.....  
Engineer

Subscribed and sworn to before me this <sup>3</sup>.....day of  
1924.

*O. P. Mason*  
.....  
Auditor of Hamilton Co.  
*Clerk Hamilton Co.*

In the matter of the Drainage of the lands of No 5233. Report of Commissioners.  
Elizabeth McBarry Et al

To the Honorable Judge of the Hamilton Circuit Court:  
The undersigned Commissioners of Drainage, to whom was referred the petition of Elizabeth McBarry, Andrew Macmian Et al, for the drainage of 51 acres off the east side of the South East quarter of section 13, township 18 North Range 5 east, and the North East quarter of the North West quarter of section 24 township 18 North Range 5 east, in Hamilton County, respectfully report that they have inspected personally all lands described in said petition and all other lands which are affected by the construction of the proposed works and all of the opinion that the proposed drainage will improve the public health of the neighborhood, will benefit two or more public highways and will be of public utility in the county and that the same can be accomplished at an expense less than the aggregate benefits to the lands to be affected thereby and after causing the necessary surveys and examinations to be made they determine that the best and cheapest method of drainage should be as follows:

\* Point: By the construction of a ditch commencing 40 rods South of the North East corner of the South East quarter section 13 T. 18 N. 5 E. and run thence West 440 feet thence South 270 feet thence S. 20° E. 500 feet thence South 330 feet thence West 70 feet thence S. 44° W. 930 feet thence West 250 feet thence S. 90° W. 220 feet thence S. 42½° E. 300 feet thence S. 11½° E. 100 feet thence S. 18° W. 300 feet thence S. 29½° W. 400 feet thence S. 67° N. 600 feet thence N. 64° W. 400 feet thence West 1040 feet thence N. 69° W. 260 feet thence N. 51° W. 500 feet thence West 300 feet thence South 1200 feet thence S. 65° W. 200 feet thence S. 77° N. 500 feet thence S. 55½° W. 550 feet thence S. 30° W. 300 feet thence West 500 feet thence S. 80° W. 500 feet thence South 300 feet thence S. 66° W. 200 feet thence N. 80° W. 400 feet thence N. 70° W. 300 feet thence N. 41° W. 400 feet thence N. 74° W. 550 feet thence N. 41° W. 350 feet thence S. 80° W. 400 feet thence N. 80° W. 700 feet thence West 900 feet thence S. 60° W. 300 feet and terminate in Sycamore Creek Ditch near the North West corner of the South East quarter of the North East quarter of section 20 T. 18 N. 5 E.

Case # 523  
Elizabeth McCarty  
Clark's Office  
Book 5 PG 580  
Sept. 1882

the county and that the same can be accomplished  
at an expense less than the aggregate benefits to the lands  
to be effected thereby and after causing the necessary surveys  
and examinations to be made they determine that the best  
and cheapest method of drainage should be as follows,  
to wit: By the construction of a ditch commencing <sup>742'</sup> 45 rods South  
of the North East corner of the South East quarter Section <sup>13</sup> 7<sup>th</sup> 18<sup>th</sup> R. 5<sup>th</sup>  
and run thence West 4.40 feet thence South 270 feet thence S. 20° E 800  
thence South 330 feet thence West 750 feet thence S 44° W. 930 feet thence  
West 250 feet thence S 90° W. 220 feet thence S 42½° E 300 feet thence S.  
11° E. 100 feet thence S 18° W. 300 feet thence S 29½° W 400 feet thence S.  
57° W 600 feet thence N 64° W. 400 feet thence West 1040 feet thence N 69° W  
260 feet thence N 51° W 500 feet thence West 500 feet thence South 100 feet  
thence S. 65° W. 200 feet thence S 77° W 520 feet thence S 55½° W 550 feet  
thence S 30° W. 300 feet thence West 500 feet thence S 30° W. 500 feet  
thence South 300 feet thence S 66° W. 200 feet thence N. 80° W. 400 feet  
thence N 74° W. 500 feet thence N. 41° W 400 feet thence N. 74° W. 550 feet  
thence N. 41° W. 350 feet thence S 80° W. 400 feet thence N 80° W. 700  
feet thence West 900 feet thence S. 85° W. 300 feet and terminate in Sams  
Creek ditch near the North West corner of the South East quarter  
of the North East quarter of section ~~22~~ 7<sup>th</sup> 18<sup>th</sup> R. 5<sup>th</sup>.

Monday Sept 31<sup>st</sup>

1882

7 Day. Hamilton Circuit Court, Sept.

Term, 1882

They estimate the total number of cubic yards of earth to be removed from said ditches to be 10288. an also total cost of removing the same to be \$1286.00 They estimate the cost of grubbing the root of said ditch \$151.00 They would further specify that the first 3500 feet of said ditch should be lined as follows from the beginning of said ditch to 440 feet from said beginning one tier of 5 inch tile from 440 feet to 1000 feet from beginning one tier of 6 inch tile from 1000 to 2080 feet from beginning one tier 7 inch tile from 2080 to 3000 feet from beginning two tier 7 inch tile from 3000 to 3500 feet from beginning two tier of 7 inch and one tier of 5 inch tile.

They estimate the cost of said tile and putting in the same to be as follows.

57 rods 5 in tile	50.	2880
84 " 6 " "	70	2380
288 " 7 " "	85	14975
Cost of hauling tile		1800
		<u>39005</u>

Total cost of construction \$1726.00

Subscribed and sworn to before J.R. Chardlain Sept 24<sup>th</sup> 1882 and the court having seen and examined said report and being sufficiently advised do approve of the same and said drain is established and Commr Samuel P. Wells is ordered to superintend the construction thereof.

They estimate the cost of constructing the work at several hundred and twenty six dollars. They further report that they have estimated the benefits on rights to the several tracts of land which will be affected by the work as follows:

Andrew J. Merriam	pt. No. No. 13185 25 1/2 A.	Benefit \$90
" " "	" No No 13185 25 1/2 A.	110.
Samuel Fisher	" No No 13185 14 1/2 A.	30
" " "	" No No 13185 14 1/2 A.	65
" " "	" No No 13185 20 1/2 A.	10
" " "	" No No 13185 20 1/2	100.
Joseph White	" No No. 13185 14 1/2	60
" " "	" No No 13185 19 1/2	
" " "	" No No 13185 40	10

In the Matter of Petition of  
E Bennett et al for Ditch  
and Fall Creek Township.

I, the Hon Board of Commissioners of Hamilton County  
The the undersigned E Bennett et al request that we are  
land owners in Hamilton County Indiana and pray that  
your Honorable Board construct a public ditch drain  
or water course on the following route to wit

Beginning at the end of the tile portion of a drain  
known as the McCarty and Trimmer ditch at or near  
the North East Corner of the NW 1/4 of the NE 1/4 of Section 18  
Township 18 North of range 5 east running thence in  
a South and Westwardly direction as near as practicable  
in the line of the open portion of the McCarty  
and Trimmer ditch and terminating in what is known  
as said Creek ditch near the center of NE 1/4 of  
Sec 17. Town 18 Range 5 East; Also a Branch  
or arm No 1 Beginning at the end of the tile portion of the  
W. Trimmer ditch and running in a northwesterly  
direction in the loose ground or old channel and  
terminating in the Main ditch about 40 rods east and  
30 rods north of the center of Section 18. Tp. 18 North  
Range 5 east; Also a 2d Branch or arm Beginning  
at the end of the tile portion on the outlet of the lands  
of David Dickler et al and running in a general South  
westwardly direction and entering Main ditch on the lands  
of E Bennett And your petitioners ask that said Main  
Ditch and Arm be tiled as far as practicable.

Now Sharrow for tile W B Hall for tile P W Bennett for tile J H Stoll for tile  
Frank Under for tile. M B Ennis Est Crow for tile John Mansford  
Sarah E Smith.

The petitioners also file an undertaking for costs in the  
following words and figures to wit.

And Surety

And the Board having seen and examined the petition and  
being advised do now appoint John Booth Carl Linn  
and Henry Kiser Trimmer and J A Mitchell requesters and  
direct that they meet at the point of beginning of said ditch  
drain on Mar 17. Be sworn by the deutor and present  
with their dectis under the law.

(Order Issued)