

Kew



SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
Tax (317) 776-9628

Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

August 19, 2022

To: Hamilton County Drainage Board

Re: Mud Creek – Sand Creek Drainage Area, EE Bennett Arm, Residence Inn
Reconstruction

Attached are petition by MHG Hotels, and plans for the proposed reconstruction and relocation of a portion of the Mud Creek – Sand Creek Drainage Area, EE Bennett Arm. This project is to be paid for by the developer. In order to facilitate site improvements for a hotel, the proposal is to reconstruct the existing drain per the construction plans by Terra Site Development called “Residence Inn – Noblesville” file dated 8/1/2022, Project No. 2109001.

The proposed reconstruction is located northwest of the intersection of Tegler Blvd (141st) and Olio Road. Per the plans by Terra Site Development, a portion of the existing EE Bennett Arm open ditch will be piped along the south and west sides of the Residence Inn site on parcel 13-11-23-00-00-007.001 (Brueckman Cornett Subdivision Block A, owned by Ravi LLC). Approximately 20’ of the upstream end of the drain reconstruction will occur on the adjacent parcel 13-11-23-00-00-008.001 (Brueckman Cornett Subdivision Block B, owned by Cornett Management Company LLC; Cornett, Janice Jean Rev Trust; Mays, Carol L Living Trust). The downstream end of the reconstruction will connect to an existing storm pipe at existing Str. 301 near the northwest corner of the hotel parcel, where the existing open ditch currently ends. This existing storm pipe is part of the existing 2010 Olio Road -- I-69 Bridge Arm to the EE Bennett Drain.

The reconstruction will consist of the following:

1,022’ of 54” RCP

The length of the reconstruction will be 1,022. This project will add 68’ to the overall length of the Mud Creek -- Sand Creek Drainage Area, EE Bennett Arm. The existing 954’ of open ditch on this site installed in 2010 as part of the EE Bennett: Olio Road -- I-69 Bridge Arm will be vacated.

Per the project plans, this relocation project involves the following structures: Bypass Inlet 1A, MH01, MH02, MH03, MH04 and MH05. The other storm facilities constructed with the Residence Inn project will be owned and maintained by the landowners.

Regarding easement, a non-enforcement has been submitted for approval. The request is for the easement dimensions to be 40' total width (20' per half as measured from the centerline of the pipe). I recommend approved of the non-enforcement at this time.

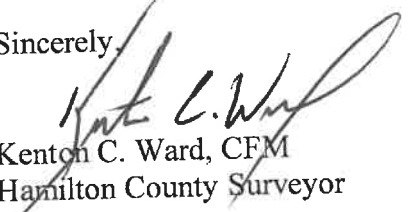
This proposal for Residence Inn includes a variance request (DV-2022-00016) which is also addressed in a separate staff report. The request is for the sanitary sewer line to be allowed a separation of 8.5' where it crosses below the new 54" storm pipe, instead of the required 10' separation. The proposed sanitary sewer pipe will be connecting to an existing sanitary manhole.

The original E. Bennett Drain was established per Commissioner's Court records in March 1901 (CR13, page 118). In 2003, the EE Bennett Drain was reconstructed through the Noblesville Corporate Campus as per my report "EE Bennett Drain and the Republic Arm" dated April 25, 2003 and approved by the Drainage Board at hearing on May 27, 2003. (See Drainage Board Minutes Book 7, pages 69-74). In 2007, the EE Bennett Drain was made an arm of the Mud Creek – Sand Creek Drainage Area per my report dated May 1, 2002 and was approved by the Board on June 27, 2007. (See Minutes Book 10, pages 324-325). In 2010, a portion of this drain was reconstructed as the EE Bennett: Olio Road – I-69 Bridge Arm (See Drainage Board Minute Book 12, pages 61-65).

The cost of the project is to be paid by the developer. The petitioner has not yet submitted surety for the proposed drain reconstruction at this time. Per the Board's policy, if approved, I recommend the developer submit surety in the amount of 120% of the engineer's estimate for the above reconstruction.

This proposal meets the criteria for reconstruction of a regulated drain as laid out in IC-39-9-27-52.0. I recommend the Board set the hearing for October 24, 2022.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/stc

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

FILED

AUG 18 2022

OFFICE OF HAMILTON COUNTY SURVEYOR

IN RE: _____)
Hamilton County, Indiana)

PETITION FOR RELOCATION AND RECONSTRUCTION

_____ Ravi, LLC _____ (hereinafter Petitioner”),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the _____ EE Bennett Drain Arm _____ Drain, and in support of said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the _____ EE Bennett Drain Arm _____ 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 _____ EE Bennett Drain Arm _____ 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 _____ EE Bennett Drain Arm _____ Drain, without cost to other property owners on the watershed of the _____ EE Bennett Drain Arm _____ Drain.

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

Sanjay Patel, President

Signed _____

Sanjay Patel, President _____

Printed _____

Residence Inn
8-Jun-22

Regulated Drain Relocation

AUG 18 2022

OFFICE OF HAMILTON COUNTY SURVEYOR



Category	Item Description	Bid Quantity	Units	Cost/Unit	Unit Total
Stormwater-Reg Drain Relo	54" RCP	1035	LF	\$ 350.00	\$ 362,250.00
	Manholes	5	EA	\$ 10,000.00	\$ 50,000.00
	54" Mitered End Section	1	EA	\$ 6,000.00	\$ 6,000.00
	TOTALS				\$ 418,250.00

Gregory R. Ripple, P.E.



FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

**Mud Creek/Sand Creek Drainage Area,
E. E. Bennett Arm, Residence Inn Reconstruction**

Olio Road-I-69 Bridge Arm - 954'

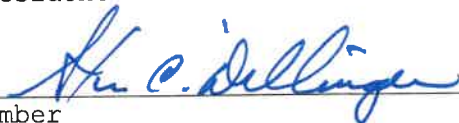
On this **24th day of October, 2022**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Mud Creek/Sand Creek Drainage Area, E. E. Bennett Arm, Residence Inn Reconstruction (Olio Road-I-69 Bridge Arm - 954')**.

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 **Mud Creek/Sand Creek Drainage Area, E. E. Bennett Arm, Residence Inn Reconstruction (Olio Road-I-69 Bridge Arm - 954')**.

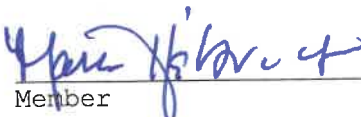
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest:



STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
**Mud Creek/Sand Creek Drainage Area, E. E. Bennett Arm, Residence Inn
Reconstruction**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Mud Creek/Sand Creek Drainage Area, E. E. Bennett Arm, Residence Inn Reconstruction** came before the Hamilton County Drainage Board for hearing **on October 24, 2022**, 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 **Mud Creek/Sand Creek Drainage Area, E. E. Bennett Arm, Residence Inn Reconstruction**

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:

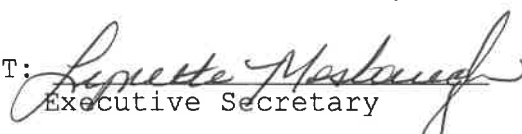
HAMILTON COUNTY DRAINAGE BOARD


PRESIDENT


Member


Member

ATTEST:


Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

***Mud Creek/Sand Creek Drainage Area, E. E. Bennett Arm
Residence Inn Reconstruction***

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 **Mud Creek/Sand Creek Drainage Area, E. E. Bennett Arm, Residence Inn Reconstruction** on **October 24, 2022** 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 **Mud Creek/Sand Creek Drainage Area, E. E. Bennett Arm, Residence Inn Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **October 24, 2022** 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