



SURVEYOR'S OFFICE

Hamilton County

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

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

August 20, 2008

To: Hamilton County Drainage Board

Re: Exit Ten Drain, 136th Street Arm

Attached is a 52.0 petition and plans for the proposed relocation of the Exit Ten Drain, 136th Street Arm. The relocation is being proposed by the Town of Fishers. The proposal is to relocate the drain across parcel #19-11-26-00-00-007.000, owned by Interstate Holdings, LLC as part of the Exit Ten Drain Relocation Project per plans by American Structurepoint, Job No. IN2008.0540, revision date August 11, 2008.

Per the plans, storm drainage along 136th Street will be piped to the detention area located west of Pennington Road within the Saxony Development. The existing storm pipe will be replaced from existing Structure 57 to Structure 15 where it outlets into the pond. Note – Existing Structure 57 (as shown on the American Structurepoint plans) is also known as Structure 9 per final report dated December 30, 1998 and approved by the Board on February 8, 1999 as recorded in Minute Book 5, Pages 90-93.

This line will consist of the following:

| | | | | | |
|---------|---------|---------|---------|-------------------|-----------|
| 24" RCP | 19 ft. | 42" RCP | 241 ft. | 72" RCP | 1,624 ft. |
| 36" RCP | 172 ft. | 54" RCP | 699 ft. | 8'x6' Box Culvert | 91 ft. |

The total length of the new drain shall be 2,848 feet. The 2,592 feet of original drain between Structure 9 and Structure 27A, Structures 14A – 10 and Structures 11-12A shall be vacated. Also, any stubs of the above mentions Structures shall also be vacated. The following structures will be affected: 9, 10, 12A, 14, 14A, 16, 21, 24, 27, & 27A. This proposal will add 256 feet to the drain's total length.

The cost of the relocation is to be paid by the Town of Fishers. The town is not required to provide surety in the form of a Bond or Letter of Credit.

A non-enforcement request has been submitted by the Town of Fishers for the Exit Ten Drain reconstruction. Easement for the new drain will be the corresponding road right of way dimensions and the drainage easement as shown on the secondary plat for Saxony TIF District Road & Utility Infrastructure to be recorded in the Hamilton County Recorder's Office. Non-enforcement Permit No. SUBNE-2008-00012 applies to the regulated storm facilities listed in this report and to the regulated storm facilities listed in my report for Exit Ten Drain Roundabout Arm. I recommend the Board approve the non-enforcement.

I recommend that the Board set a hearing date for November 24, 2008.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenton C. Ward', written over a horizontal line.

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/llm

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

Drain-Improvement: 136th St. ARM

| Drain Type: | Size: | Length | Length (DB Query) | Length Reconcile | If Applicable | |
|-------------|-------|--------|----------------------|---------------------|---------------|-----------|
| | | | | | Price: | Cost: |
| RCP | 24" | 19 | | | \$18.00lf | 342 |
| RCP | 36" | 172 | | | \$32.25lf | 5547 |
| RCP | 42" | 241 | | | \$52.65lf | 12688.65 |
| RCP | 54" | 699 | | | \$85.45lf | 59729.55 |
| RCP | 72" | 1624 | | | \$154.65lf | 251151.60 |
| BOX CULVERT | 8'X6' | 91 | | | \$326.67lf | 29726.97 |
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Sum: 2846 359,185.77

Final Report: _____

Comments:

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN RE: **Exit 10 Legal Drain**
Relocation)
Hamilton County, Indiana)

PETITION FOR RELOCATION AND RECONSTRUCTION

Town of Fishers (hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the Exit 10 Drain, and in support of said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Exit 10 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 Exit 10 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 Exit 10 Drain, without cost to other property owners on the watershed of the Exit 10 Drain.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County Drainage Board authorizing relocation and reconstruction of the Exit 10 Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

Signed

Printed


JEFF HEIKLING

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

***Exit Ten Drain Relocation,
136th Street Arm***

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 **Exit Ten Drain Relocation, 136th Street Arm** on **November 24, 2008**, 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 **Exit Ten Drain, 136th Street Arm**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **November 24, 2008** 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: Steven A. Holt
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

**Exit Ten Drain, 136th Street Arm
Original Drain between Structures 9 and 27A, Structures 14A-10
and Structures 11-12A**

On this *24th day of November 2008*, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Exit Ten Drain, 136th Street Arm, Original Drain between Structures 9 and 27A, Structures 14A-10 and Structures 11-12A.**

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 **Exit Ten Drain, 136th Street Arm.**

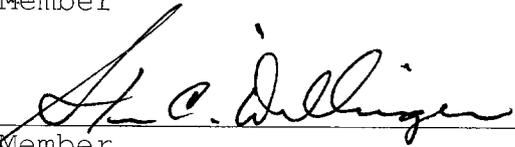
HAMILTON COUNTY DRAINAGE BOARD



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
Exit Ten Drain, 136th Street Arm

FINDINGS AND ORDER FOR RECONSTRUCTION.

The matter of the proposed Reconstruction of the *Exit Ten Drain, 136 Street Arm* came before the Hamilton County Drainage Board for hearing *on November 24, 2008*, 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.

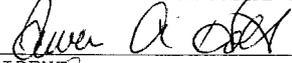
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included 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 *Exit Ten Drain, 136th Street Arm* 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:

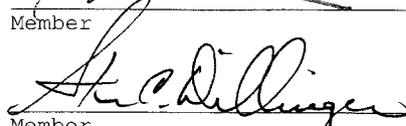
HAMILTON COUNTY DRAINAGE BOARD



PRESIDENT



Member



Member

ATTEST:


Executive Secretary