



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*

May 13, 2011

To: Hamilton County Drainage Board

Re: Ellis Barker Drain Extension – McKnight Extension

Attached is a drain map for the extension of the Ellis Barker Drain. This proposed drain is located in Washington Township.

This extension was set out in my classification report to the Board dated February 15, 2011 and approved by the Board on February 28, 2011 at which time the Board referred the list to the Surveyor for maintenance and reconstruction of drains as listed. (See Hamilton County Drainage Board Minutes Book 13, Pages 284-291). This extension is a reconstruction of the Ellis Barker Drain as per IC 36-9-27-34(b) (E). This report is being submitted per IC 36-9-27-49. This extension falls under subsection (b) (2) of Section 49. The drain is to be accepted in place without reconstruction costs or assessment.

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 be less than the benefits accruing to the owners of land to be benefited. The drain will consist of the following:

Open Ditch – 1,575 feet

The extension shall begin at a point of termination described in the original viewers report for the Ellis Barker Drain, dated May 27, 1905. (See Hamilton County Commissioner's Record Book 16, Pages 54-58). Said point of termination being 420 feet south of the northeast corner of the northwest quarter of the northeast quarter of Section 29, Township 19 North, Range 4 East. Thence running downstream within the existing open ditch 1,575 feet through Parcel Number 08-06-29-00-00-008.000 to the east line of said parcel where it shall intersect the Marathon Pipeline Extension as described in my report to the Drainage Board dated April 6, 2010 and passed by the Drainage Board May 24, 2010. (See Hamilton County Drainage Board Minutes Book 12, Pages 547-548).

The nature of future 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 future maintenance work should be performed is annually, or as required by the condition of the drain.

The easements for this parcel shall be from bank to bank, plus 75 feet in width from the top of bank of the open drain as set out in IC 36-9-27-33. Per the FEMA Flood Insurance Rate Map Number 18057C0130F, dated February 19, 2003, this area is not covered by a mapped floodplain. This is due to the one mile cutoff for the establishment of base flood elevations for a detailed study. Floodplain does exist across this area, however, it exists as unmapped Zone A.

I do not believe that any damages will result to the landowners by the approval of this extension.

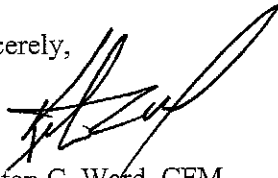
This proposed extension will affect the following tract:

Parcel  
08-06-29-00-008.000

Owner  
McKnight Family Farms LLC

I recommend that the Board set a hearing for this extension for July 25, 2011.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll



STATE OF INDIANA     )  
                          )  ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
***Ellis Barker Drain, McKnight Extension***

**FINDINGS AND ORDER FOR RECONSTRUCTION**

The matter of the proposed Reconstruction of the ***Ellis Barker Drain, McKnight Extension*** came before the Hamilton County Drainage Board for hearing ***on July 25, 2011***, 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.

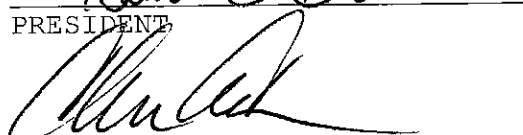
The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

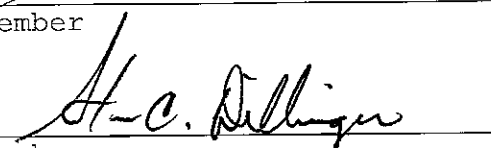
Wherefore, it is ORDERED, that the proposed Reconstruction of the ***Ellis Barker Drain, McKnight Extension*** be and is hereby declared established.

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:

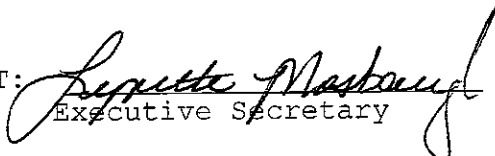
HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

ATTEST:

  
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***Ellis Barker Drain, McKnight Extension***

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 **Ellis Barker Drain, McKnight Extension** on **July 25, 2011**, at **9:15 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 **Ellis Barker Drain, McKnight Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **July 25, 2011** 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