

SURVEYOR'S OFFICE
Hamilton County

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

March 30, 2017

To: Hamilton County Drainage Board
Re: Williams Creek Drain, Heather Knoll SSD Arm

Attached is a petition filed by Phil Pegram and Laura and Eric Holland, along with plans and quantity summary for Heather Knoll SSD Arm, Williams Creek Drain to be located in Clay Township. I have reviewed the submittals and petition and have found each to be in proper form.

I have made a personal inspection of the land described in the petition. Upon doing so, I believe that the drain is practicable, will improve the public health, benefit a public 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:

6" SSD 199 ft.

The total length of the drain will be 199 feet.

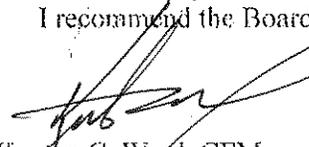
This new drain will result is no changes to the drainage assessments for the petitioners.

The drain was installed by Ryland Homes of Indiana and is being added to the Heather Knoll Arm at this time to provide an outlet for a new SSD in Shadow Wood Subdivision. There is no cost to this new arm.

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, this drain shall be designated as an Urban Drain.

The easement for this drain is the existing platted easement on parcel 17-09-20-00-21-024.000, owned by Laura & Eric Holland, as shown on the secondary plat for Heather Knoll Section 3E, as recorded in the office of the Hamilton County Recorder, as instrument number 2011048314. The easement shall also be a 10 foot wide strip parallel to the drain along the property line on parcel 17-09-20-00-00-010.000, owned by Phillip and Jill Pegram.

I recommend the Board set a hearing for this proposed drain for May 22, 2017.


Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pH

FILED

DEC 17 2013

OFFICE OF HAMILTON COUNTY SURVEYOR

To: Hamilton County Drainage Board

Re: In the matter of the Williams Creek Drain Petition

Comes now the undersigned individuals, who petition the Hamilton County Drainage Board, per IC 36-9-27-54, for a new regulated drain. The undersigned believe the following:

1. They are owners of ten percent (10%) in acreage; or twenty five percent (25%) or more of the assessed valuation of ~~the land that is outside the corporate boundaries of a municipality~~ and is alleged by the petition to be affected by the proposed drain.
2. That as property owners within the drainage shed, they are qualified petitioners.
3. That they now desire that a regulated drain be established in Clay Township, which involves the following public roads; 146th Street and various areas surrounding these roads in the drainage shed.
4. The names and address of each owner affected by the proposed public drainage are attached hereto, made a part hereof, and marked Exhibit "A", which area of land involved in the proposed drainage area is located in section 20, township 18 north, range 3 east, Hamilton County, Indiana.
5. No other public lands or owners are located in the area which would affect improvement.
6. That the general route of the proposed drain is shown in the attached plan which is marked Exhibit "B" and made a part hereof.
7. That in the opinion of the Petitioner, the costs, damages, and expenses of the proposed improvement will be less than the benefits which will result to the owners of the land to be benefited thereby.
8. That in the opinion of the Petitioner, the proposed improvement will improve the public health; benefit a public highway; and be of public utility.
9. ~~That the name of the attorney or spokesman representing petitioner in the drainage petition is _____, who has an office at or whose address is _____, phone _____.~~
10. ~~That Petitioners shall pay all the cost of notice and all legal costs if the petition is dismissed. These costs include but are not limited to engineering, appraisals, surveying and other costs associated with the proposed drain.~~
11. ~~Petitioners shall post a bond, if required, to pay the cost of notice and all legal costs in the case the improvement is not established. These costs include but are not limited to engineering, appraisals, surveying and other costs associated with the proposed drain.~~

Signature

Printed Name

Printed Address

[Handwritten Signature]
[Handwritten Signature]

Laura and Eric Holland

14475 Livingston Lane, Carmel, IN 46074

Phil Pegram

2731 W 146th Street, Carmel, IN 46074

STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Williams Creek Drain, Heather Knoll SSD Arm

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Williams Creek Drain, Heather Knoll SSD Arm* came before the Hamilton County Drainage Board for hearing on *May 22, 2017*, 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.

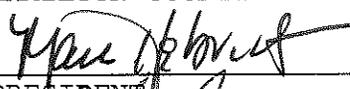
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included 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 *Williams Creek Drain, Heather Knoll SSD 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

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Williams Creek Drain, Heather Knoll SSD Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the Williams Creek Drain, Heather Knoll SSD Arm on May 22, 2017 at 9:05 A.M. in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana, and which construction and maintenance reports of the 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 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 Williams Creek Drain, Heather Knoll SSD
Arm

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **May 22, 2017** 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: Mark Heirbrandt
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY

