

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

January 19, 2007

To: Hamilton County Drainage Board

Re: Springmill Run Drain, University High School Arm Reconstruction

Attached is a petition and plans for the proposed relocation and reconstruction of the Springmill Run Drain, University High School Arm Extension. The relocation and reconstruction is being proposed by Shaarey Tefilla Congregation, Inc. The proposal is to enclose part of the open ditch with pipe and extend the drain to the outlet of the detention basin on the petitioner's property.

The relocated drain shall consist of those lengths of pipes and enclosure of the open ditch between the following structures as shown on Sheet C4.1 of the plans by DeBoy Land Development Services, dated April 12, 2006, and having project number 2006-0001: starting at Str. 13 on the current plans, which is approximately 450 feet upstream of existing Structure N12C of the University High School Arm Extension construction plans by Odle, McGuire & Shook Corporation, dated May 23, 2006 and having project number 05057, then the drain continues to Str. 12, and 12A. Structure 12A is the outlet from the dry detention basin for Shaarey Tefilla Temple.

The drain in total will consist of the following lengths:

15" RCP 227 ft.

The total length of new tile shall be 227 feet. The 180 feet of open ditch from the University High School Arm Extension between the west property line of Tract 17-13-05-00-001.103 and the location of Str. 13 shall be vacated. This proposal will add an additional 47 feet to the Springmill Run Drain, University High School Arm.

The dry detention basins located on Parcel #17-13-05-00-00-001.003, which is owned by Shaarey Tefilla Congregation, Inc., is not to be considered part of the regulated drain for maintenance purposes. Only the outlet of the dry detention basin will be maintained as part of the regulated drain. The maintenance of the dry detention basin, such as mowing and sediment remove, will be the responsibility of the property owner. The Board will however retain jurisdiction for ensuring the storage volume which the dry basin was designed will be retained. Thereby, allowing no fill or easement encroachments.

The cost of the relocation and reconstruction is to be paid by Shaarey Tefilla Congregation, Inc.

The petitioner (general contractor) has provided the Performance Bond as follows:

Name of Bonding Company: Continental Casualty Company

Bond Number: 929 404 218

Bond Date: September 20, 2006

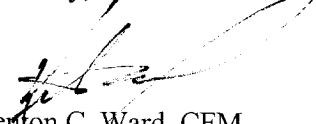
Bond Amount: \$10,800.00

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 39-27-67 to 69. Therefore, this drain shall be designated as an Urban Drain.

The offsite easements for this drain shall remain the same as they were granted by University High School by the Individual Non-enforcement Agreement and Drainage Easement grant recorded in the Office of the Hamilton County Recorder as instrument #200600071267.

I recommend the Board set a hearing for this drain for March 26, 2007.

Sincerely,



Kerton C. Ward, CFM
Hamilton County Surveyor

KCW/grh

FINDINGS AND ORDER

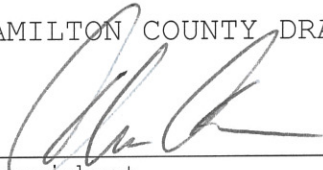
CONCERNING THE PARTIAL VACATION OF THE

**Springmill Run Drain, University High School Arm
Between West Property Line of
Tract 17-13-05-00-00-001.103 and Structure 13**

On this **26th day of March 2007**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Springmill Run Drain, University High School Arm, Between West Property Line of Tract 17-13-05-00-00-001.103 and Structure 13.**

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 **Springmill Run Drain, University High School Arm.**

HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

Secretary

STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Springmill Run Drain, University High School Arm Reconstruction

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the ***Springmill Run Drain, University High School Arm Reconstruction*** came before the Hamilton County Drainage Board for hearing **on March 26, 2007**, 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 ***Springmill Run Drain, University High School Arm 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

Springmill Run Drain, University High School Arm 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 **Springmill Run Drain, University High School Arm Reconstruction** on **March 26, 2007**, 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 **Springmill Run Drain, University High
School Arm Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **March 26, 2007** 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
EXECUTIVE SECRETARY

To: Hamilton County Drainage Board

Date: 09-15-2006

Re: Spring Mill Run Regulated Drain

Shaarey Tefilla Congregation, Inc. (Here-in-after "Petitioner"),
hereby petitions the Hamilton County Drainage Board under IC 36-9-27-66 for an arm to be
installed to the Spring Mill Run Regulated Drain in order to serve the property of the
petitioner. The petitioner, in support of said petition, advises the Board that:

1. The Spring Mill Run Regulated Drain is presently on a maintenance program and that land of the petitioner is assessed as benefited by the maintenance of the regulated drain
2. There is no known adequate open or tiled drain connecting the land of the petitioner with the regulated drain;
3. The waters from the petitioners land flow over or through land owned by others to reach the regulated drain;
4. The legal description of lands through which the new regulated drain will run along with the parcel numbers, name and address of each owner of that land is shown on Exhibit "A" which is attached;
5. The general route of the proposed new regulated drain and method of construction is shown on Exhibit "B" which is attached.
6. Petitioner agrees to pay all legal and construction costs involved with the construction of the proposed new regulated drain.

Signed

Printed

Bob Glenn

Bob Glenn

STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Springmill Run Drain, University High School Arm Reconstruction

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Springmill Run Drain, University High School Arm Reconstruction* came before the Hamilton County Drainage Board for hearing on **March 26, 2007**, 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 *Springmill Run Drain, University High School Arm 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