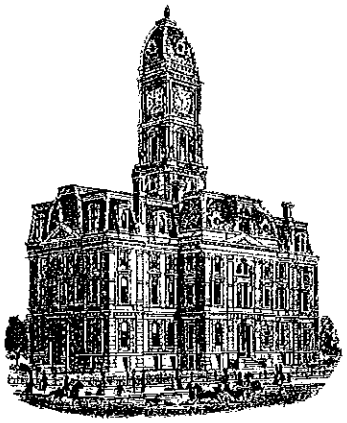

SURVEYOR'S OFFICE

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

January 23, 2013

To: Hamilton County Drainage Board

Re: Jonas Rogers Drain – J.M. Gustin Arm

Attached is a petition filed by Patricia Smothers, Patrick M & Deborah Riley and Ronald G. Miller for an Arm to the Jonas Rogers regulated drain to be located in White River Township. I have reviewed the petition and have found it 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 be less than the benefits accruing to the owners of land likely to be benefited. I also believe that no damages will result to landowners by regulating this arm to this drain. The drain will consist of the following:

Existing 12" Clay - 404 ft.

The total length of the drain will be 404 feet.

The arm will connect to the Tipton County J.M. Gustin Regulated Drain at the Hamilton County/Tipton County line, as described in Tipton County Drainage Book 11, page 505. The starting point for the arm is at the terminus on the south line of the S.E. ¼ of Section 35, Township 21 North, Range 5 East and thence run south to its outlet into the Jonas Roger Regulated Drain at a point approximately 400 feet south and 148 feet west of the Northeast corner of Section 2, Township 20 North, Range 5 East. The drain is to be accepted in place without reconstruction costs or assessments.

Parcels benefitted by this drain are currently assessed for the Jonas Rogers Drain. Therefore no changes in the current assessment shall be required.

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The easement for the proposed arm across tracts 07-03-02-00-00-007.000 and 07-03-02-00-00-004.001 shall be 75 feet from the centerline on both sides of the tile as set out in IC 36-9-27-33. The easement for the proposed arm across tract 07-03-02-00-00-006.000 owned by Patricia D. Smothers, shall be 25 feet from the centerline on the west side of the tile and 75 feet from the centerline on the east side of the tile.

The following tracts are affected by the proposed arm:

Parcel	Owner
07-03-02-00-00-006.000	Smothers, Patricia D
07-03-02-00-00-007.000	Riley, Patrick M & Deborah L
07-03-02-00-00-004.001	Miller, Ronald G & Rosemary L
296th Street S2 T20 R5	Hamilton County Highway

I recommend the Board set a hearing for this proposed drain for April 22, 2013.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/llm

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Gasb 34 Asset Price & Drain Length Log

Drain-Improvement: Jonas Rogers: JM Gustin Arm

					If Applicable	
Drain Type:	**Size:**	**Length**	**Length (DB Query)**	**Length Reconcile**	**Price:**	**Cost:**
Tile	12	437	437	0	$4.00lf	$1748.00
	Sum:	437	437	0		$1748.00

Final Report: Map correction

Comments:
This was a private tile taken is as regulated drain. The hearing was held then a work order was issued to investigate, repair and provide the exact location of the tile. This dollar amount is a revision to reflect the actual footage as determined in the field. SLM 02-18-2014

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To: Hamilton County Drainage Board

Date: November 27, 2012

FILED
DEC 14 2012
OFFICE OF HAMILTON COUNTY SURVEYOR

Re: Jonas Rogers Drain

Patricia D. Smothers (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 Jonas Rogers Drain in order to serve the property of the petitioner. The petitioner, in support of said petition, advises the Board that:

1. The Jonas Rogers 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
Patricia D. Smothers	PATRICIA D. SMOTHERS
Ronald G. Miller	Ronald G. Miller
[illegible]	PATRICK M. RILEY
Debbie Riley	Debbie Riley

Adobe PDF Fillable Form

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STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Jonas Rogers Drain, J. M. Gustin Arm

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the ***Jonas Rogers Drain, J. M. Gustin Arm*** came before the Hamilton County Drainage Board for hearing ***on April 22, 2013,*** 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 ***Jonas Rogers Drain, J. M. Gustin 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

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BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Jonas Rogers Drain, J. M. Gustin Arm
(Smothers-Riley-Miller Petition)

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 **Jonas Rogers Drain, J. M. Gustin Arm (Smothers-Riley-Miller Petition)** on **April 22, 2013** at **9:40 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

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STATE OF INDIANA)
) SS BEFORE THE HAMILTON
)
COUNTY OF HAMILTON) DRAINAGE BOARD

IN THE MATTER OF **Jonas Rogers Drain, J. M. Gustin Arm**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **April 22, 2013** 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

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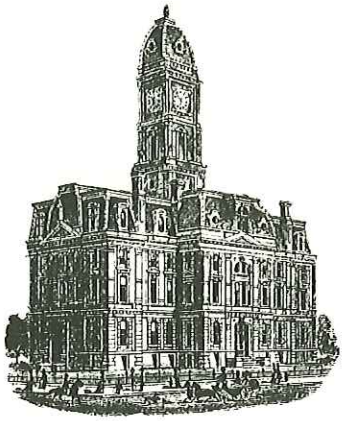

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Map Correction-Field Verification

Drain Number: 360

Drain Length: 404 ft

Drain Name: Jonas Rogers – JM Gustin Arm

Change + / - : 33

Date: 2-18-2014

New Length: 437 ft

Verified By: SAB, WO-2013-00119

Notes & Sketch: See attached map

This tile was jetted and repaired. There was one 6" riser and 6" PVC breather set.

(Drain is located on 296th Street west of Carpenter Rd.)

Suzanne L. Mills
GIS Specialist

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