

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

November 9, 2015

To: Hamilton County Drainage Board

Re: Anna Kendall Drain, Goodrich Brothers Arm, U.S. 31 Reconstruction - **Revised**

This report is a revised report to replace the previous Surveyor's Report dated February 5, 2013 and approved by the Drainage Board on April 22, 2013 (DB Minute Book 14, Pages 569-570).

Attached are petition, plans, and other information for the proposed reconstruction of the Goodrich Brothers Arm of the Anna Kendall Drain, for the U.S. 31 Road Project. The reconstruction was petitioned by the Indiana Department of Transportation. During the road reconstruction, the Anna Kendall Drain, Goodrich Brothers Arm will be affected and those changes are as follows:

Goodrich Brothers Arm

The project will reconstruct a portion of Anna Kendall Drain, Goodrich Brothers Arm. The reconstruction will start by placing a new manhole approximately 75 feet east of existing structure 501, per the original 1905 legal description. The new drain shall begin at the new manhole, Str. 7703A, then 171 feet of 15" RCP to new Str. 7703B, then 371 feet of 15" RCP to new Str. 7703C, then 396 feet of 15" RCP to new Str. 7703D, then 396 feet of 15" RCP to new Str. 7703E, and then 407 feet of 15" RCP to a new end section discharging to the Anna Kendall Drain about Sta.137+86. The existing Arm 1 of the Goodrich Brothers Arm, from existing Str. 100 to Str. 101, along with Str. 500 on the main line, which is within the west Right of Way for U.S. 31, shall be removed. This is as shown on sheets 41-A, 42-A, 43-A, 77-A, 79-A, 80-A, 92-A, and 93-A of the U.S. 31 Construction plans having project number 1298685, contract number IR-35602, and dated May 29, 2013.

The total length of new drain shall be 1,741 feet. The 577 feet of original drain between Sta. 7+60 and Sta. 11+65 of the main drain, which runs under U.S. 31, and Sta. 0+00 and Sta. 1+72 of Arm 1 shall be vacated. This proposed reconstruction will result in an additional 1,164 feet to the total length of the Goodrich Brothers Arm.

The responsibility of the original tile from Sta. 7+60 to Sta. 11+65 under the approach ramps to the U.S. 31 Bridge over S.R. 32 will be that of Indiana Department of Transportation.

The cost of the reconstruction is to be paid by the Indiana Department of Transportation.

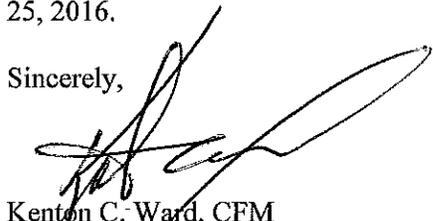
Since the petitioner is the Indiana Department of Transportation and is being performed under public bid process, no bond is required for the relocation/reconstruction work.

The easement for this drain shall remain the existing statutory 75' from the centerline of the tile, as per IC 36-9-27-33, or the western ROW line of U.S. 31, which is about 45' west of the center line of the tile in the narrowest spot. This will change or add easement on the following parcels:

<u>Parcel</u>	<u>Owner</u>
09-09-01-01-02-005.000	CSX Transportation, Inc.
09-09-01-02-01-016.000	City of Noblesville
Westfield Business Park Court ROW	City of Westfield
U.S. 31 ROW	Indiana Department of Transportation

I recommend the Board set a hearing for this proposed drain reconstruction for January 25, 2016.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/plf

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

FILED

SEP 14 2015

OFFICE OF HAMILTON COUNTY SURVEYOR

IN RE: US 31 Reconstruction)
Hamilton County, Indiana)

PETITION FOR RELOCATION AND RECONSTRUCTION

Indiana Department of Transportation (hereinafter "Petitioner"),
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a
section of the Goodrich Brothers Arm (GBA), Anna Kendall Drain, and in support of
said petition advises the Board that:

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

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

KimberLee Peters
Signed

KimberLee Peters, INDOT Project Manager
Printed

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

Anna Kendall Drain, Goodrich Brothers Arm, U.S. 31 Reconstruction

Station 7+60 to Station 11+65 of main drain and
Station 0+00 to Station 1+72 of Arm 1

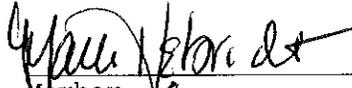
On this 25th day of January, 2016, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Anna Kendall Drain, Goodrich Brothers Arm, U.S. 31 Reconstruction; Station 7+60 to Station 11+65 of main drain and Station 0+00 to Station 1+72 of Arm 1.

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 Anna Kendall Drain, Goodrich Brothers Arm, U.S. 31 Reconstruction; Station 7+60 to Station 11+65 of main drain and Station 0+00 to Station 1+72 of Arm 1.

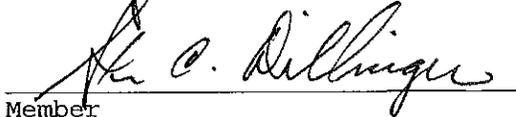
HAMILTON COUNTY DRAINAGE BOARD



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
Anna Kendall Drain, Goodrich Brothers Arm, U.S. 31 Reconstruction

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Anna Kendall Drain, Goodrich Brothers Arm, U.S. 31 Reconstruction* came before the Hamilton County Drainage Board for hearing on *January 25, 2016*, 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.

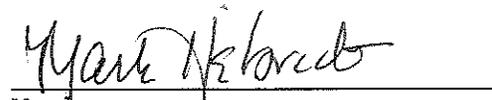
The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the *Anna Kendall Drain, Goodrich Brothers Arm, U.S. 31 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

***Anna Kendall Drain, Goodrich Brother Arm
U.S. 31 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 **Anna Kendall Drain, Goodrich Brother Arm, U.S. 31 Reconstruction** on **January 25, 2016 at 9:00 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 **Anna Kendall Drain, Goodrich Brothers Arm,
U.S. 31 Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **January 25, 2016** 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