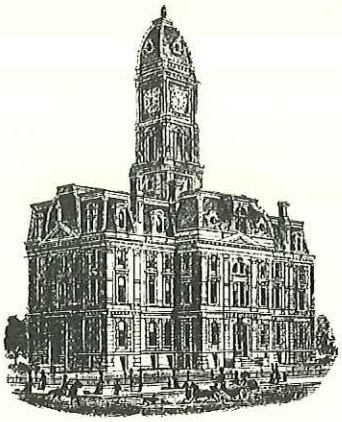
KCW



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

October 7, 2014

To: Hamilton County Drainage Board

Re: Cool Creek Drain – Springmill Villages Arm, 156th Street & Springmill Road – Roundabout

Attached are petition, plans, and other information for the proposed reconstruction of the Cool Creek Drain – Springmill Villages Arm, for the 156th Street and Springmill Road Roundabout project. The reconstruction was petitioned by the City of Westfield. During this reconstruction, the Cool Creek Drain – The Crossings – Section 1B Arm or the Springmill Villages Arm will be affected. Those changes are as follows:

Cool Creek Drain

Cool Creek Drain – The Crossings Section 1B Arm to the Springmill Villages Arm: The project will remove 203 feet of 12" RCP from Str. 139 running west to Str. 140 and moving Str. 130 east 10 feet, by removing 10 feet of 12" RCP. This is shown on Sheets 9 and 16 of the plans prepared by A&F Engineering, Inc., having contract number 36438, project number 1173468 and dated April 28, 2014.

The road project will remove 213 feet of the Cool Creek Drain, The Crossings Section 1B Arm of the Springmill Villages Arm.

The cost of the reconstruction is to be paid by the City of Westfield.

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

The parcels affected by this project are as follows:

Parcel	Owner
08-09-14-01-04-006.000	Dennis & Gladys Hollinger
08-09-14-01-04-007.000	Dale & Carolyn Gentner
08-09-14-01-04-014.000	Susan & Edward Seitz
08-09-14-01-04-013.000	Evan & Amy Hiple
08-09-14-01-04-012.000	Springmill Villages Homeowners Assoc.
156th Street ROW	City of Westfield
Springmill Road ROW	City of Westfield

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I recommend the Board set a hearing for this proposed reconstruction for November 24, 2014.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

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FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

Cool Creek Drain, Springmill Villages Arm
156th Street & Springmill Road Roundabout

The Crossings Section 1B
Removing 203 Ft. of 12" RCP from Structure 139 to Structure 140
& Moving Structure 130 east 10 Ft.

On this ***24th day of November, 2014***, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the ***Cool Creek Drain, Springmill Villages Arm, 156th Street & Springmill Road Roundabout - The Crossings Section 1B, removing 203 Ft. of 12" RCP from Structure 139 to Structure 140 and moving Structure 130 east 10 Ft.***

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 ***Cool Creek Drain, Springmill Villages Arm, 156th Street & Springmill Road Roundabout - The Crossings Section 1B, removing 203 Ft. of 12" RCP from Structure 139 to Structure 140 and moving Structure 130 east 10 Ft.***

HAMILTON COUNTY DRAINAGE BOARD

President

Member

Member

Attest:

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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
Cool Creek Drain, Springmill Villages Arm, 156th Street & Springmill Road Roundabout

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the ***Cool Creek Drain, Springmill Villages Arm, 156th Street & Springmill Road Roundabout*** came before the Hamilton County Drainage Board for hearing ***on November 24, 2014,*** 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 ***Cool Creek Drain, Springmill Villages Arm, 156th Street & Springmill Road Roundabout*** 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

Cool Creek Drain, Springmill Villages Arm
156th Street & Springmill Road Roundabout

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 **Cool Creek Drain, Springmill Villages Arm, 156th Street & Springmill Road Roundabout** on **November 24, 2014** at **9:30 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 **Cool Creek Drainage Area, Springmill Villages Arm, 156th Street & Springmill Road Roundabout**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **November 24, 2014** 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

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