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*

August 28, 2012

To: Hamilton County Drainage Board

Re: Jacob Ehman #98 Drain Reconstruction

Attached is a petition, plans, drain map, drainage shed map and schedule of assessments for the reconstruction of the Jacob Ehman Drain.

The Jacob Ehman Drain was petitioned for reconstruction on December 05, 2011 by two (2) property owners representing 347.24 acres out of the 1,054.37acre watershed. This petition represents 32.93 % of the watershed. In addition to the petitioners Mr. Carmichael has been in contact with the Surveyors Office and is also very interested in seeing this project move forward.

The Jacob Ehman Drain was constructed in 1882, (see Order Book #6, page 11) and placed on maintenance November 20, 1978, (see Drainage Board Minute Book # 1, Page 283).

The total drainage area within the Jacob Ehman shed covers portions of Jackson Township, Hamilton County, Township 20 N, Sections 6, and 7, Range 4 E, and Adams Township, Hamilton County, Township 20 N, Sections 1, 2, 12, Range 3 E. The drainage area has a total of 1,054.37 acres. The Jacob Ehman watershed consists of both tile and open ditch and is located primarily in Jackson Township with portion of the drainage shed in Adams Township. The Jacob Ehman Drain terminates in Little Cicero Creek.

The open ditch has filled in with sediment. Removal of this sediment will improve agricultural drainage and reduce flood hazards to residential property and the overtopping of roads. The profile of the existing Jacob Ehman Drain has high spots that impede flow. The water backs up causing pressure on the tiles resulting in blowouts, ponding water and continuous repairs of the existing tiles.



This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

Reconstruction Project

The proposed reconstruction will consist of dredging the existing open channel of 4,100 linear feet, approximately 2 to 3 feet in depth. The existing top of bank on each side of the channel will remain the same. The base of the channel will be four feet wide and the side slopes will be graded at approximately 2 to 1 to match the existing channel banks.

The reconstruction of the Jacob Ehman Drain will not include any widening of the drain. The clearing of trees south of 281st took place along the drain to facilitate an operation side for the equipment needed for the dredging of the channel, and approximately ½ of the dredging required was completed via work order #2009-00180 until the drain maintenance funds were depleted. These improvements were from Sta.0+00 at the intersection of Little Cicero Creek north to Sta.18+65 which is north of 281st Street. Minimal tree or brush removal will be required for the balance of the dredging to be completed. After the reconstruction, the open drain will be sprayed as part of the drains maintenance to prevent the emergent trees from re- growth.

Per the proposed reconstruction plans, the project will begin North of 281st Street, and west of US-31 at Station 18+65, on the Jacob Ehman Drain, and go north until it reaches the south side of the existing culvert under 286th Street, Station 40+32.

Per the proposed reconstruction plans a sediment basin will be placed at the northern end of the Jacob Ehman open channel, rip rap will be added as bend protection at locations where the open channel changes direction sharply, and where surface water is eroding the banks. Tile outlets entering the ditch will be replaced on an as needed basis. Ditch bank slopes and top of bank areas will be seeded and spoils leveled.

Included as part of the reconstruction is the placement of a twenty foot (20') filter strip along both sides of the drain from Sta. 4+00 to Sta.12+80, Sta. 20+28 to Sta. 31+00 and Sta. 37+00 to Sta. 40+23. The filter strip shall be on the west side of the drain from Sta. 31+00 to Sta. 37+00 and the east side of the drain from Sta. 0+00 to Sta. 4+00 Sta. 13+05 to Sta. 20+28. The filter strip shall affect the following properties:

| | |
|---|---|
| Beck's Superior Hybrid, Inc. | 03-02-07-00-00-020.000 |
| Barbara D. Sowers & Judith Cummins & Susan L. Ringer T/C | 03-02-07-00-00-006.000 |
| Claude D. Carmichael | 03-02-07-00-00-005.000 |

Cost Estimate

An estimate to complete the work per plan is $28,735.00. This cost includes dredging, leveling spoils, seeding, outlet replacement, and the installation of rip rap and filter strips.



This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

Reconstruction Assessment

I have reviewed the drainage shed for the Jacob Ehman Drain and considered various factors for benefits and damages as set out in IC 36-9-27-112. Upon considering each parcel individually, I believe that each parcel within the drainage shed will have equal benefits as provided by the drain, therefore, I recommend each tract be assessed on the same basis equally. I also believe that no damages will result to landowners by the reconstruction of this drain. Therefore, damages will be set as $0.00.

I recommend a reconstruction assessment of $26.20 per acre with a minimum of $78.42.

Maintenance Assessment

As mentioned above, The Jacob Ehman Drain was placed on maintenance on November 20, 1978. The drainage shed has 1,054.32 acres and zero lots. The rates for the drain were revised by the Board on May 22nd, 2007, (see Drainage Board Minutes Book 9, pages 211& 212). The current rates are as follows:

1. Maintenance assessment for roads and streets are set at $10.00 per acre.

2. Maintenance assessment for agricultural tracts at $3.00 per acre with a $15.00 minimum.

3. Maintenance assessment for commercial, institutional and multi-family residential tracts at $10.00 per acre with a $75.00 minimum.

5. Maintenance assessment for platted lots in subdivisions whose drainage systems will not be part of the regulated drain shall be set at $35.00 per lot/minimum. Common areas within non-regulated drain subdivisions shall be assessed at $5.00 per acre with a $65.00 minimum.

6. Maintenance assessment for platted lots within subdivisions whose drainage system will be part of the regulated drain shall be set at $65.00 per lot/minimum. Common areas within the regulated drain subdivisions shall be set at $10.00 per acre with a $65.00 minimum.

These rates collect $4,356.02 annually and currently the maintenance fund has $6,203.82. I recommend that the current maintenance rates remain unchanged.

I further recommend that the period of collections be extended from the four (4) years to eight (8) years as per IC 36-9-27-43. This will provide for adequate maintenance funds in the future. With adequate funding dredging can be accomplished under maintenance in the future.



This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

I recommend the Board set a hearing for this proposed reconstruction and maintenance for October 22, 2012.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll



This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

STATE OF INDIANA )
) ss:
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
***Jacob Ehman Drain Reconstruction***

**FINDINGS AND ORDER FOR RECONSTRUCTION**

The matter of the proposed Reconstruction of the ***Jacob Ehman Drain Reconstruction*** came before the Hamilton County Drainage Board for hearing ***on October 22, 2012,*** 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 ***Jacob Ehman Drain 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

This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

***Jacob Ehman Drain 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 **Jacob Ehman Drain Reconstruction** on **October 22, 2012** at **9:35 A.M.** in Commissioners Court, Hamilton County Historic Courthouse, 33 N. 9th Street in the Historic Courtroom, 2nd Floor, 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

This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

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

IN THE MATTER OF **Jacob Ehman Drain Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **October 22, 2012** 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: Steven C. Dillinger
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY

This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060