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RESOLUTION NO. DB-05-29-07-B

A RESOLUTION OF THE HAMILTON COUNTY DRAINAGE BOARD  
CONCERNING THE REVIS CARSON DRAIN

WITNESS THAT:

WHEREAS, the Hamilton County Drainage Board has jurisdiction to regulate the discharge of storm water from certain parcels of real estate which directly or indirectly discharge into the Revis Carson Drain ("the Drain"); and,

WHEREAS, the Hamilton County Surveyor has been advised that owners of certain parcels within the drainage shed served by the Drain, ("the Watershed") are interested in developing said parcels; and,

WHEREAS, the development of the parcels within the Watershed served by the Drain will create additional impervious surface which will result in additional storm water being discharged into the Drain; and,

WHEREAS, the Hamilton County Surveyor, pursuant to the authority granted by Indiana Code 36-9-27-17(d) has investigated the condition of the Drain which serves the Watershed; and,

WHEREAS, the following property owners own the designated parcels of real estate within the Watershed of the Revis Carson Drain:

<u>Land Owner</u>	<u>Hamilton County Tax Parcel No.</u>	<u>Cross Reference No.</u>
Earl, Mary Lou	03-02-32-00-00-009.000	9809372
ORear, Robert & Rita ½ & Jane & Richard Spencer½	03-02-32-00-00-010.000	2004-41364
ORear, Robert C & Rita J	03-02-32-00-00-011.000	9614306
Young, Lila J	03-06-05-51-00-001.000	304-563
Browning, Denver L. & Pauleeta A	03-06-05-51-00-005.004	294-163
Carson, John C & Ruth A Proctor T/C	03-06-05-51-00-006.000	9412576
Edwards, Todd P. & Shannon M	03-06-05-51-00-008.002	2004-60419
Struve, William A & Cheryl J. Trustees	03-06-05-51-00-008.004	2006-33959
Robertson, Gloria & Roscoe & Julia	03-06-05-51-00-008.005	2006-43308
Titus, Jeffrey A & Cheryl A	03-06-05-51-00-009.001	9405701
Pine Lakes LLC	03-06-05-51-00-010.000	2004-60859
Hiatt, Jane A	03-06-05-51-00-010.001	2004-19731
Rice, Jeffrey S & Ronald E Sterrett Jt/Rs	03-06-05-51-00-010.002	2006-37966
Pine Lakes LLC	03-06-05-51-00-010.003	2004-60859
Moore, Robert D. & Brynn B	03-06-05-51-01-002.000	2004-60399

; and,

WHEREAS, the Hamilton County Surveyor has investigated the capacity of the portion of the Drain serving the Watershed and has filed his Report of May 3, 2007, ("the Report") a copy of which is attached hereto; and,

WHEREAS, the Report further includes a finding that the Drain is inadequate to handle additional flow of water resulting from more than a few additional connections without being reconstructed, and recommends that further connections to the Drain be substantially limited until the Drain is reconstructed under Indiana Code 36-9-27-49 through Indiana Code 36-9-27-17; and,

WHEREAS, a Notice of a Public Hearing to consider the Report was duly published at least ten (10) days in advance of the public hearing held on May 29, 2007, and the property owners within the Watershed have been mailed the Notice of the Public Hearing; and,

WHEREAS, the Drainage Board has held a public hearing on May 29, 2007, and considered all of the evidence presented at the public hearing, including the Report.

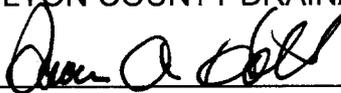
IT IS THEREBY RESOLVED by the Hamilton County Drainage Board as follows:

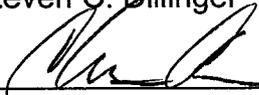
1. The Hamilton County Drainage Board hereby ratifies and approves the Report of the Hamilton County Surveyor of May 3, 2007.
2. Because of the limited capacity of the Drain, the only way to equitably allocate access to the Drain is to permit one residential connection for each parcel in the Watershed. The connection shall be for the purpose of a septic perimeter drain, a sump pump drain for residence basement or crawl space and foundation perimeter drain.
3. The Hamilton County Drainage Board will not permit more than one residential connection, to discharge directly or indirectly into the Revis Carson Drain, from the above parcels of real estate. Should any parcel be split or subdivided from the above parcels, those resulting parcels will not be permitted a connection.

4. The Hamilton County Surveyor shall cause a copy of this Resolution to be recorded in the Office of the Hamilton County Recorder, and this Resolution shall be cross referenced to the last Deed of record of all of the property owners listed above.
5. The Hamilton County Drainage Board reserves unto itself the right to amend or modify this Resolution upon petition from any property owner within the Watershed.

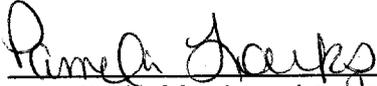
ALL OF WHICH IS RESOLVED this 29<sup>th</sup> day of May, 2007.

HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
Steven A. Holt

\_\_\_\_\_  
Steven C. Dillinger  
  
\_\_\_\_\_  
Christine Altman

ATTEST:

  
\_\_\_\_\_  
~~Lynette L. Mosbaugh~~ Pamela Looks

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each social security number in the document, unless required by law.

Michael A. Howard



SURVEYOR'S OFFICE

# Hamilton County

*Kenton C. Ward, CFM*  
*Surveyor of Hamilton County*  
*Phone (317) 776-8495*  
*Tax (317) 776-9628*

*Suite 188*  
*One Hamilton County Square*  
*Noblesville, Indiana 46060-2230*

May 3, 2007

To: Hamilton County Drainage Board

Re: Revis Carson Drain

It has recently come to the attention of this office that several property owners within the drainage shed of the Revis Carson Drain wish to subdivide their parcels. This was reported to the Board at its meeting on April 9, 2007 (Drainage Board Minutes Book 10, Pages 202-203).

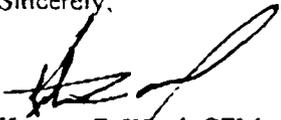
Upon review and inspection of this drain it has been found and determined that the drain is inadequate to handle any additional drainage other than one single family residence with an out building on each of the following tracts:

<u>Parcel Number</u>	<u>Owner</u>
03-06-05-51-00-008.002	Edwards, Todd P. & Shannon M.
03-06-05-51-00-008.004	Struve, William A. & Cheryl J.
03-06-05-51-00-008.005	Robertson, Gloria C. & Roscoe R.
03-02-32-00-00-009.000	Earl, Mary Lou
03-06-05-51-00-009.001	Titus, Jeffrey A. & Cheryl
03-02-32-00-00-010.000	O'Rear, Robert C. & Rita Jean
03-02-32-00-00-011.000	O'Rear, Robert C. & Rita J.
03-06-05-51-00-005.004	Browning, Denver L. & Pauletta
03-06-05-51-00-006.000	Carson, John C. & Ruth A. Proctor
03-06-05-51-00-001.000	Young, Lila J.
03-06-05-51-01-002.000	Moore, Robert D. & Bryann B.
03-06-05-51-00-010.003	Pine Lakes, LLC
03-06-05-51-00-010.001	Hiatt, Jane A.
03-06-05-51-00-010.000	Pine Lakes, LLC
03-06-05-51-00-010.002	Rice, Jeffery S. & Ronald Sterrett

This shall limit each tract to one connection of no larger than 6" diameter. This connection shall be for the purpose of septic perimeter drain, sump pump drain for residence basement or crawl space and foundation perimeter drain.

Any further construction of impervious surface shall overload the existing tile and shall require reconstruction of the Revis Carson Drain as per IC 36-9-27-17.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Ward', written over the printed name below.

Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/llm