



# SURVEYOR'S OFFICE Hamilton County

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

November 3, 2021

TO: Hamilton County Drainage Board

RE: Mud Creek – Sand Creek Drainage Area – T.J. Patterson Drain Arm, Hyde Park Phase 1  
Partial Vacation

Attached is a petition to vacate a portion of the T.J. Patterson Drain Arm by MAB Capital Investments, LLC to facilitate the construction of Hyde Park Phase 1. The proposal is to vacate a portion of the existing drain that is located in the southeast part of the project site, south of 141<sup>st</sup> and southeast of Brooks School Road, in the City of Noblesville. This affects the following existing parcel: 13-11-22-00-00-008.000 owned by MAB Capital Investments, LLC. Instr. No: 2019-59131.

The portions of the T.J. Patterson Drain Arm to be vacated will include the following:

- 881' of 16" tile installed in 1901 between existing stations 59+35 and 68+16.
- 173' of 16" tile (Arm 1) installed in 1901 between existing stations 12+72 and 14+45.
- 490' of 20" tile installed in 1901 between existing stations 68+16 and 73+06.
- 402' of 16" tile (Gwinn & Martin Drain Arm) installed in 1930 between existing stations 0 and 4+02.

This request will remove 1,946 feet of existing drain from the drain's total length.

The vacation of this part of the drain will not change the assessment. The parcels affected by this vacation will continue to drain within the watershed of the Mud Creek – Sand Creek Drainage Area – T.J. Patterson Drain Arm.

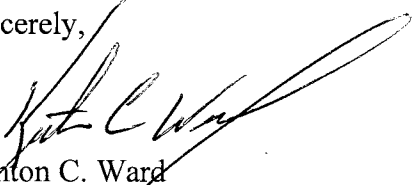
Previously, in 2014, the drain upstream of this location (Sta. 45+64 to Sta. 59+35) was vacated on parcel 13-11-23-00-00-011.000 and is known as the Mud Creek – Sand Creek Drainage Area, T.J. Patterson Arm, Corporate Parkway Vacation. (Note: The "Corporate Parkway" road name was later changed to Cabela's Parkway at this location). The vacation was

approved by the Board on July 28, 2014 as per my letter dated June 9, 2014. (See Hamilton County Drainage Board Minutes Book 15, pages 480-481) for more information.

The original T.J. Patterson Drain was established per Commissioner's Court records dated May 7<sup>th</sup>, 1901 (See C.R. 13, pages 144-145, 188, 197, 245. and C.R. 14 pages 46, 328). The Gwinn and Martin petitioned to repair the T.J. Patterson Drain, July 22, 1930 &/or March 15, 1930. (See D.R. 4 page 288).

Upon review of the request, I believe the above portion of the drain meets the requirements for vacation as set out in IC-36-9-27-34(d). In my opinion, the vacation will not adversely affect other property owners within the drainage shed. I recommend the Board set a hearing date for January 24, 2022.

Sincerely,



Kenton C. Ward  
Hamilton County Surveyor

KCW/stc

November 1, 2021

Hamilton County Drainage Board  
c/o Mr. Kent Ward  
County Surveyor  
One Hamilton County Square, #188  
Noblesville, Indiana 46060

Dear Drainage Board Members,

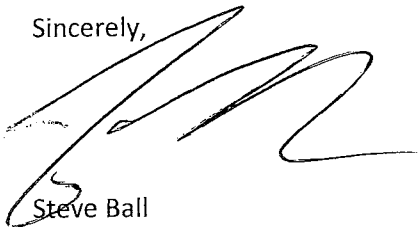
We respectfully request portions of the following legal drains be vacated and as highlighted in the attached exhibit.

- TJ Patterson Drain (347) 16-inch tile from STA 59+35 to 68+16
- TJ Patterson Drain (347) (ARM 1) 16-inch tile from STA 12+72 to 14+45
- TJ Patterson Drain (347) 16-inch tile from STA 68+16 to 73+06
- TJ Patterson Drain (347) (GWINN & MARTIN DRAIN) 16-inch tile from STA 0+00 TO 4+02

Upon inspection by the County Surveyor's Office and proposed construction of the development on the site, it was determined that these segments of pipe will no longer be needed. The vacations requested and highlighted in the attached exhibit would remove the above segments of pipe from the legal drain system.

We thank you for your time and please feel free to contact me at (317) 716-6943 if you have any questions.

Sincerely,



Steve Ball

MAB Capital investments, LLC

**Mud Creek/Sand Creek Drain, T.J. Patterson Arm**

Hyde Park Phase 1 - **Partial Vacation** (Will remove 1,946' from the drains total length.)

Vacating 881' of 16" tile between Sta. 59+35 and 68+16 of Patterson.

Vacating 173' of 16" tile between Sta. 12+72 and 14+45 of Arm 1.

Vacating 490' of 20" tile between Sta. 68+16 and 73+06 of Patterson.

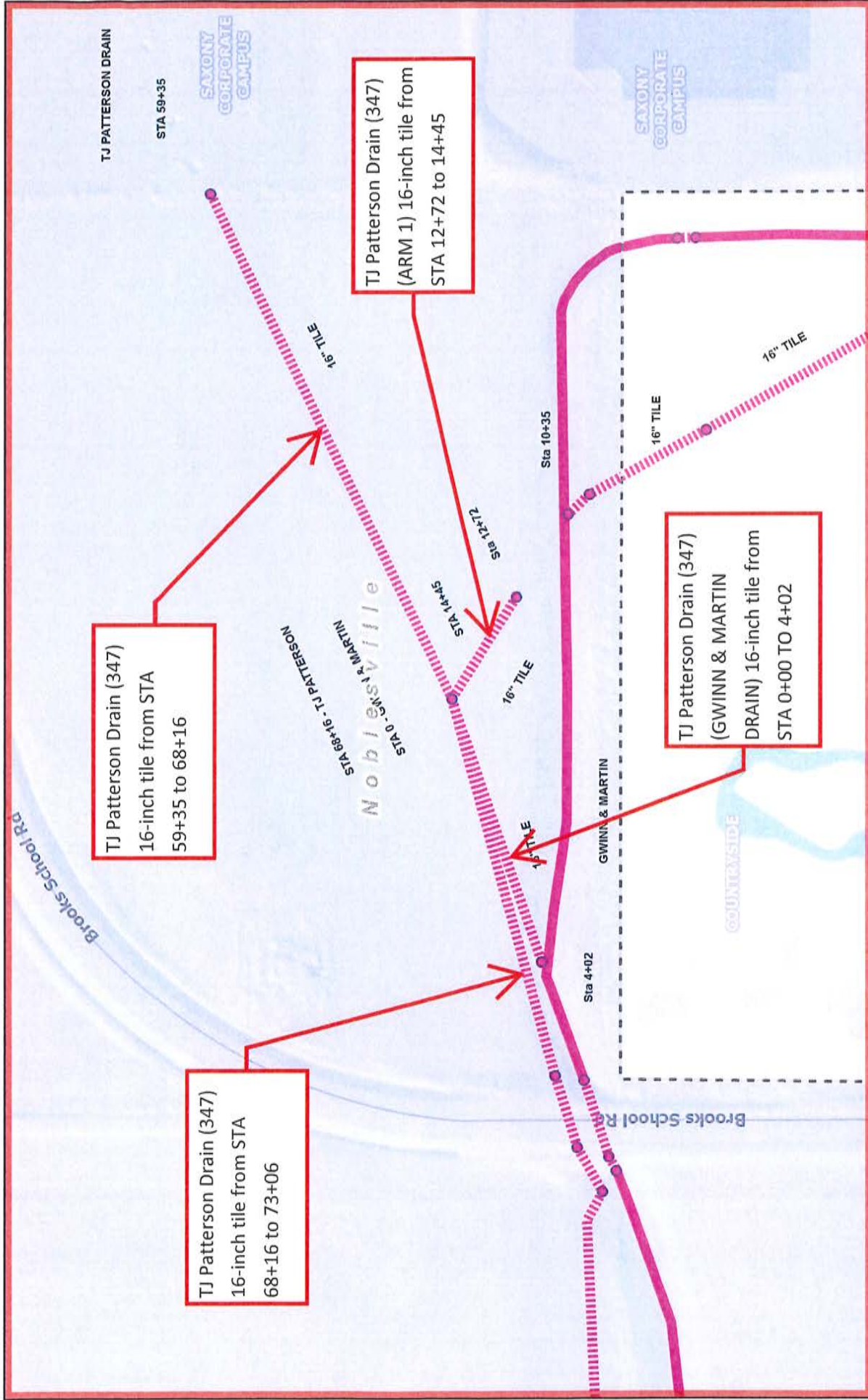
Vacating 402' of 16" tile between Sta. 0 and 4+02 of Gwinn & Martin Arm

\*No change in current maintenance assessment rates.

Hearing: 01/24/22

Parcel	Owner	Address	City	Description1	Benefit	Mnt Asmt	% of Total
13-11-22-00-00-008.000	MAB Capital Investments LLC	15240 Endeavor Dr	Noblesville, IN 46060	S22 T18 R5	118.96 Ac	*	*

# Hamilton County, Indiana



November 1, 2021

Regulated Drains  
 CLOSED DRAIN

OPEN DRAIN Drainage Structures  
 All Other Structures