

# THE DITCHING OF HURRICANE CREEK

Early history from public records.

## HURRICANE DITCH (FRANKLIN, NEEDHAM, CLARK TOWNSHIPS)

DATE MADE A COURT DRAIN: MARCH 1901  
DATE PUT UNDER MAINTENANCE: 1973  
OTHER DRAINS IN WATERSHED: COON TILE, KERLIN TILE, A.J. RANSELL  
SECTIONS DITCH RUNS: 30-13-5      7-12-5      13-12-4  
                                 36-13-4      1-12-4      14-12-4  
                                 6-12-5      12-12-4      23-12-4  
LENGTH: 33,700 FEET

### LEGAL DESCRIPTIONS

#### LEGAL DESCRIPTION #1: ON p.174 OF MISC. RECORD-1900 UNDER THE J.L. GRIFFITH DITCH NAME

BEGINNING AT A POINT DESIGNATED BY A STAKE MARKED "0" AND LOCATED 514 FEET NORTH, AND 72 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 13 NORTH, RANGE 5 EAST:

THENCE S 9 1/2 DEG. E 522 FEET TO STATION 5+22;  
THENCE S 1 1/4 DEG. W 1029 FEET TO STATION 15+51;  
THENCE S 9 DEG. W 279 FEET TO STATION 18+30;  
THENCE S 28 DEG. W 115 FEET TO STATION 19+45;  
THENCE S 37 DEG. W 683 FEET TO STATION 26+28;  
THENCE S 39 DEG. W 372 FEET TO STATION 30+00;  
THENCE S 35 1/2 DEG. W 618 FEET TO STATION 36+18;  
THENCE S 33 DEG. W 3472 FEET TO STATION 70+90;  
THENCE S 31 1/2 DEG. W 760 FEET TO STATION 78+50;  
THENCE S 25 DEG. W 645 FEET TO STATION 84+95;  
THENCE S 20 DEG. W 195 FEET TO STATION 86+90;  
THENCE S 14 1/2 DEG. W 210 FEET TO STATION 89+00;  
THENCE S 6 1/2 DEG. W 1080 FEET TO STATION 99+80;  
THENCE S 12 1/2 DEG. W 405 FEET TO STATION 103+85;  
THENCE S 19 DEG. W 315 FEET TO STATION 107+00;  
THENCE S 10 DEG. W 1834 FEET TO STATION 125+34;  
THENCE S 1 1/2 DEG. W 983 FEET TO STATION 135+17;  
THENCE S 10 1/2 DEG. E 343 FEET TO STATION 138+60;  
THENCE S 21 1/2 DEG. E 505 FEET TO STATION 143+65;  
THENCE S 38 1/4 DEG. E 296 FEET TO STATION 146+61;  
THENCE S 57 1/2 DEG. E 154 FEET TO STATION 148+15;  
THENCE S 65 1/2 DEG. E 255 FEET TO STATION 150+70;  
THENCE S 81 DEG. E 53 FEET TO STATION 151+23;  
THENCE S 59 DEG. E 229 FEET TO STATION 153+52;  
THENCE S 40 DEG. E 118 FEET TO STATION 154+70;  
THENCE S 17 DEG. E 472 FEET TO STATION 159+42;  
THENCE S 8 DEG. E 1092 FEET TO STATION 170+34;  
THENCE S 36 DEG. E 670 FEET TO STATION 177+04;  
THENCE S 44 DEG. E 296 FEET TO STATION 180+00;  
THENCE S 17 1/2 DEG. E 357 FEET TO STATION 183+57;  
THENCE S 20 1/4 DEG. E 743 FEET TO STATION 191+00;  
THENCE S 22 1/2 DEG. E 572 FEET TO STATION 196+72;  
THENCE S 4 1/2 DEG. W 328 FEET TO STATION 200+00;  
THENCE S 1/4 DEG. E 200 FEET TO STATION 202+00;

THENCE S 31 1/4 DEG. E 400 FEET TO STATION 206+00;  
THENCE S 7 DEG. E 120 FEET TO STATION 207+20;  
THENCE S 16 1/2 DEG. W 94 FEET TO STATION 208+14;  
THENCE S 4 1/2 DEG. W 186 FEET TO STATION 210+00;  
THENCE S 22 1/4 DEG. E 112 FEET TO STATION 211+12;  
THENCE S 5 DEG. E 130 FEET TO STATION 212+43;  
THENCE S 32 DEG. W 147 FEET TO STATION 213+90;  
THENCE S 63 1/4 DEG. W 210 FEET TO STATION 216+00;  
THENCE S 36 1/4 DEG. W 100 FEET TO STATION 217+00;  
THENCE S 32 DEG. W 100 FEET TO STATION 218+00;  
THENCE S 15 1/4 DEG. W 100 FEET TO STATION 219+00;  
THENCE S 10 DEG. W 100 FEET TO STATION 220+00;  
THENCE S 41 DEG. W 100 FEET TO STATION 221+00;  
THENCE S 61 DEG. W 100 FEET TO STATION 222+00;  
THENCE S 78 DEG. W 173 FEET TO STATION 223+73;  
THENCE S 89 DEG. W 314 FEET TO STATION 226+87;  
THENCE S 84 1/4 DEG. W 513 FEET TO STATION 232+00;  
THENCE S 77 1/2 DEG. W 400 FEET TO STATION 236+00;  
THENCE S 51 DEG. W 125 FEET TO STATION 237+25;  
THENCE S 23 1/2 DEG. W 975 FEET TO STATION 247+00;  
THENCE S 17 DEG. W 400 FEET TO STATION 251+00;  
THENCE S 7 1/4 DEG. W 566 FEET TO STATION 256+66;  
THENCE S 39 1/2 DEG. W 498 FEET TO STATION 261+64;  
THENCE S 69 DEG. W 647 FEET TO STATION 268+11;  
THENCE S 51 DEG. W 2122 FEET TO STATION 289+33;  
THENCE S 54 1/4 DEG. W 667 FEET TO STATION 296+00;  
THENCE S 45 DEG. W 1600 FEET TO STATION 312+00;  
THENCE S 23 1/4 DEG. W 533 FEET TO STATION 317+33;  
THENCE S 37 DEG. W 267 FEET TO STATION 320+00;  
THENCE S 41 DEG. W 533 FEET TO STATION 325+33;  
THENCE S 47 3/4 DEG. W 167 FEET TO STATION 327+00;  
THENCE S 14 DEG. W 323 FEET TO STATION 330+23;  
THENCE S 1 DEG. W 677 FEET TO STATION 337+00 THE OUTLET  
LOCATED 519 FEET SOUTH AND 126 FEET EAST OF NORTHEAST CORNER OF THE  
WEST HALF OF NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 12 NORTH,  
RANGE 4 EAST. TOTAL LENGTH IS 33,700 FEET.

Above: Legal Description. Hurricane Creek was made a "legal drain" in March 1901 by the Johnson County Circuit Court. That document may be interesting, if it can be found. More important is the "date put under maintenance: 1973." That's when "ditch fees" were levied on property owners, and the Drainage Board/County Surveyor (Marlin Prince?) began the program of screwing it up, that is, straightening, dredging, "cleaning", etc.

Attn.  
 Johnson Co. Drainage Board.  
 I just cant understand why  
 we here can be charged  
 for Hurricane Drainage when  
 it isnt near this area.

I've never received such a  
 notice before I feel my  
 up keep tapes are enough  
 without paying this

Respectfully  
 Mrs. Harry (Mary) Wain  
 249 Johnson Ave  
 Franklin

FILED  
 June M. Wood  
 AUDITOR OF JOHNSON CO.

AUG 20 1973

Letter of protest from a lady (can't read the last name – perhaps a widow, & senior) on Johnson Avenue. She was right.

We object to this assessment because we will not be benefited by it and are not financially able to have any more taxes added on

FILED  
June M. Wood  
AUDITOR OF JOHNSON CO.

Jess + Josephine Mitchell  
548 Kentucky St.  
Franklin  
Indiana

AUG 27 1973

Letter of protest from the Mitchells on Kentucky Street.

7 September 1973

FILED  
June M. Wood  
AUDITOR OF JOHNSON CO.

JOHNSON COUNTY DRAINAGE BOARD  
Johnson County Court House  
Franklin, Indiana 46131

SEP 10 1973

Johnson County Drainage Board:

Please be advised that the undersigned city residents desire to go on record as objecting to the special assessment imposed on property owners in the Hurricane creek area for the periodic maintenance of the Hurricane Drain for the following reasons:

1. Periodic maintenance should be paid for out of the Real Property tax funds allocated to the city or the county since this is a Real Property maintenance for the city and/or county.
2. In speaking of the Lochry Ditch, Mayor Vandivier indicated that no special assessment will be made of north side residents whose property drains into the ditch, but that the ditch cleaning work would be paid for from available city funds. The Mayor stated, "I feel we have a responsibility to do this for those people who live inside the city and pay city tax rates." (The Daily Journal, Thursday, August 16, 1973, article entitled, "Drainage Ditch Bid Accepted by Franklin Board of Works.")

We submit that the reasoning is the same for the Hurricane Ditch area city residents as expressed by the Mayor in the above-identified article for the Lochry Ditch project.

Respectfully submitted,

*Herold H. Losche, J. D.*  
Herold H. Losche, J.D.

1171 Hillview Drive  
Franklin, Indiana 46131

*Helen L. Losche*  
Helen L. Losche

Letter of protest from the Losches on Hillview.

THE JOHNSON COUNTY DRAINAGE BOARD

WORK TO BE CONTRACTED FOR UNDER THE MAINTINANCE PROGRAM

NAME OF LEGAL DRAIN HURRICANE

LOCATION: IN NEEDHAM AND CLARK Twp

BETWEEN COUNTY ROAD 400 N and COUNTY ROAD 500 N

CONTRACT DATE:-----  
CONTRACT AMOUNT:-----

Office copy

DATE 7 Aug 1978

1. CONTRACTOR SHALL FURNISH ALL BONDS AND INSURANCE PRESCRIBED BY LAW.
2. NO WORK OR MATERIALS WILL BE PAID FOR UNTILL SAME HAS BEEN INSPECTED AND APPROVED BY THE JOHNSON COUNTY SURVEYOR.
3. THE WORK SHALL COMENCE WITHIN -----DAYS OF CONTRACT SIGNING.
4. THE BIDS SHALL BE BY LUMP SUM ~~OR UNIT PRICE~~.

- 1a. <sup>CLEARING</sup> ~~GRADING~~: STARTING AT BRIDGE 250 LN. FT. SOUTH OF NORTH LINE OF SECTION 36-13-4 AND WORKING NORTH TO COUNTY RD. 500N  
CLEAR AND DISPOSE OF ALL TREES, BRUSH, AND DEBRIS
- 2a. DREDGING: FROM THE ABOVE BRIDGE NORTH TO Co. Rd. 500N  
DREDGE TO A 6' BOTTOM WITH A MINIMUM SHAPE 1 1/2 TO 1 ON BANKS
- 3a. SPREADING SOIL: FROM THE ABOVE BRIDGE NORTH TO Co. Rd. 500N  
SPREAD SPOIL TO A FARMABLE CONDITION, TAKING CARE NOT TO POCKET ANY SURFACE WATER.

1978 order from the Drainage Board to STRIP ALL TREES BETWEEN 400N & 500N.

MARLIN H. PRINCE  
County Surveyor  
COURT HOUSE  
FRANKLIN, INDIANA

Date 20 DEC, 78

TO THE JOHNSON COUNTY DRAINAGE BOARD:

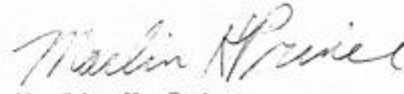
I Marlin H. Prince the Johnson County Surveyor has made a personal inspection of the repair work completed by

VICTOR B. NASBY on the HURRICAN DITCH

and found the work completed and meets with my approval.

TOTAL CONTRACT	\$ 19,500.-
PARTIAL PAYMENT	9,750.-
RETAINAGE	<u>9,750.-</u>

OK



Marlin H. Prince

Johnson County Surveyor

Amount that was apparently paid for the contract on the previous page. Vic Nasby is still around, living in Milroy, but, oddly, his brother Kermit Nasby, a.k.a. Kerm Nasby, d.b.a. Nasby Construction LLC, is still submitting the lowest "sealed bid" year after year. I do believe that, if records can be found and checked, the county has stuck with the Nasbys for some 20 years. Winning the bids for that long, what're the odds of that?

DOUGLAS K. LECHNER, L.S.

PHONE 736-3716

County Surveyor

86 W. 368 COURT ST. • RM. 305  
COURTHOUSE ANNEX  
FRANKLIN, INDIANA 46131

October 23, 1987

Steve Williams, President  
Franklin Engineering Company  
151 West Jefferson Street  
Franklin, Indiana, 46131

Re: Hurricane Legal Drain

Dear Steve:

As you may already be aware of, the County Drainage Board has a program in place for the maintenance of the legal drains here in Johnson County. This program consists of clearing ditch banks, dipping, and straightening when necessary.

The Drainage Board contracted such work to be performed on the Hurricane Legal Drain, and omitted a portion of that work in the area of the new bridge that Franklin City built. That work was omitted and approval given by the County Drainage Board on the condition that a portion of the ditch be filled in and abandoned. The County Drainage Board is still of the opinion that this work be performed as agreed to.

Therefore, would you please advise the County Drainage Board as to the status of this work and why it has not been completed yet?

DKL/mlj

Sincerely,

Douglas K. Lechner

When I asked Lechner when he first took office, he said he couldn't remember. This shows that (like the county library system director) he's been there since at least 1987. Time flies when you're raking in assessments! Plus for a long time his night job was running the county GOP.