

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

May 8, 2014

To: Hamilton County Drainage Board

Re: Williams Creek Drain, Westmont Section 2

Attached is a petition filed by RH of Indiana, LP, along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Westmont Section 2 Arm, Williams Creek Drain to be located in Clay Township. I have reviewed the submittals and petition and have found each to be in proper form.

I have made a personal inspection of the land described in the petition. Upon doing so, I believe that the drain is practicable, will improve the public health, benefit a public highway, and be of public utility and that the costs, damages and expenses of the proposed drain will probably be less than the benefits accruing to the owners of land likely to be benefited. The drain will consist of the following:

6" SSD	22,943 ft.	21" RCP	428 ft.
60" x 96" Concrete Box	192 ft.	24" RCP	612 ft.
12" RCP	3,554 ft.	36" RCP x 3 rows	40 ft.
15" RCP	2,285 ft.	Open Ditch	368 ft.
18" RCP	758 ft.		

The total length of the drain will be 31,180 feet.

The open ditch listed above is the channel between the extended 3 rows of 36" RCP under 141st Street and Str. 237. This will serve as an overflow routing for the western lakes in Saddle Creek and the upstream watershed of the O.F. Henley Arm of Williams Creek Drain.

With this development, part of the O.F. Henley Arm of Williams Creek will be removed and vacated from Sta. 44+33 to Sta. 55+44 per the 1981 legal description. This is 14" tile and will be replaced with the open ditch listed above, along with a new breather set on the end of the remaining tile. This will remove 1,111 feet from the length of the O.F. Henley Arm of Williams Creek.

The retention ponds (Lake #3, Lake #4, Lake #5, and Lake #6) located in Common Areas #8, #7, #1, and #9 are to be considered part of the regulated drain. Pond maintenance shall include inlet, outlet, sediment removal and erosion control along the banks as part of the regulated drain. The maintenance of the ponds (Lake #3, Lake #4, Lake #5, and Lake #6) such as mowing and aquatic vegetation control will be the responsibility of the Homeowners Association. The Board will also retain jurisdiction for ensuring the storage volume for which the pond was designed will be retained, thereby, allowing no fill or easement encroachments.

The subsurface drains (SSD) to be part of the regulated drain are those located under the curbs and those main lines between lots or in rear yards. Only the main SSD lines, which are located within the easement and right of way, are to be maintained as regulated drain. Laterals for individual lots will not be considered part of the regulated drain. The portion of the SSD which will be regulated other than those under curbs are as follows:

Rear yard lots 52-53 from Str. 176 to Str. 177
Rear yard lots 54 to 56 from Str. 177 to Str. 178
Rear yard lots 57 to 59 from Str. 178 going north to riser
Rear yard lots 61 to 63 from Str. 187 going north to riser
Rear yard lots 127 to 132 from Str. 187 to Str. 194
Rear yard lots 134-135 from Str. 202 going south-west to riser
Rear yard lots 137 to 143 from Str. 202 to Str. 190
Rear yard lots 119 to 234 from Str. 198 going south-west to riser
Rear yard lots 116-117 from Str. 198 going east to riser
Rear yard lots 109 and 113 from Str. 211 going north to riser
Rear yard lots 105-106 from Str. 206 going east to riser
Rear yard lots 98 to 100 and 110 to 112 from Str. 239 going north to riser
Rear yard lots 96-97 from Str. 239 to Str. 240
Rear yard lots 93 to 95 from Str. 240 going south to riser
Rear yard lot 82 from Str. 214 going east to riser
Rear yard lots 79 to 81 from Str. 214 to Str. 209
Rear yard lots 75 to 78 from Str. 209 to Str. 161
Rear yard lots 74 from Str. 161 going south to riser
Rear yard lots 90-91 from Str. 153 going east to riser
Rear yard lots 42-43 from Str. 167 going south to riser
Rear yard lots 44-45 from Str. 167 going west to riser
Front yard lots 48 to 50 from Str. 173 going south to riser
Rear yard lots 71 to 73 from Str. 165 going west to riser
Rear yard lots 101 and 122 Str. 165 going north to Tee intersection
Rear yard lots 67-68 from Str. 171 going south to riser
Rear yard lots 65-66 and 125-126 from Str. 180 going east to riser
Rear yard lot 51 from Str. 248 going north to riser
Rear yard lots 48 to 50 from riser running south to open drain

I have reviewed the plans and believe the drain will benefit each lot equally. Therefore, I recommend each lot be assessed equally. I also believe that no damages will result to landowners by the construction of this drain. I recommend a maintenance assessment of \$65.00 per platted lot, \$10.00 per acre for common areas, with a \$65.00 minimum, and \$10.00 per acre for roadways. With this assessment the total annual assessment for this drain/this section will be \$7,378.10.

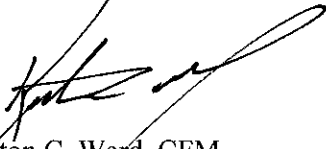
The petitioner has submitted surety for the proposed drain at this time. The sureties which are in the form of a Performance Bond are as follows:

Agent: North American Specialty Insurance Company
Date: April 4, 2014
Number: 2183492
For: Storm Sewers and Sub-surface drains
Amount: \$917,639.40

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, this drain shall be designated as an Urban Drain.

I recommend that upon approval of the above proposed drain that the Board also approve the attached non-enforcement requests. The request is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plats for Westmont Section 2 as recorded in the office of the Hamilton County Recorder as allowed in IC 36-9-27-33(e).

I recommend the Board set a hearing for this proposed drain for July 28, 2014.



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

FILED

JAN 28 2014

OFFICE OF HAMILTON COUNTY SURVEYOR

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON
COUNTY DRAINAGE BOARD

At the request of RH of Indiana, LP The Hamilton County Drainage Board considered the extent of the drainage easement on the Williams Creek Drain in the Westmont, Section Two Subdivision. Upon the agreement in writing by the recorded owner(s) of land involved that such owner(s) agree and covenants that neither the Hamilton County Drainage Board nor any Contractor nor Workman operating under the authority of said Board will be held liable for any damages resulting from construction, reconstruction, or maintenance of the above named drain at said location, whether to the real estate or improvements thereon the Board agreed:

- 1. That it will not enforce the easement beyond those shown on the Subdivision plat recorded in Plat Cabinet Slide in the Hamilton County Records Office.
- 2. It will not object to the improvement of said real estate beyond such distance, and
- 3. Other Conditions:

SIGNED:

Wes Livingston

Wes Livingston
PRINTED NAME

 RH of Indiana, LP by Wes Livingston
PRINTED NAME (Owner of Land)

FOR BOARD USE ONLY

AGREEMENT WILL BECOME EFFECTIVE UPON RECORDING. SIGNED THIS
 DAY OF 20 . **BY THE HAMILTON**
COUNTY DRAINAGE BOARD.

PRESIDENT OF DRAINAGE BOARD

MEMBER OF DRAINAGE BOARD

MEMBER OF DRAINAGE BOARD

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law Wes Livingston "

Prepared by the Hamilton County Drainage Board: Kenton C. Ward

(Surveyor)

Revised February 2011

FILED

JAN 28 2014

NON-ENFORCEMENT INFORMATION

Hamilton County Surveyor's Office
One Hamilton County Square, Suite 188
Noblesville, IN 46060
317-776-8495 fax: 317-776-9628

OFFICE OF HAMILTON COUNTY SURVEYOR

Name of Drain: Williams Creek Project Name: Westmont, Section 2
Parcel Number: 17-09-21-00-00-007.000 Township: Clay
Applicant's Name: RH of Indiana, LP Property Owner: RH of Indiana, LP
Address: 9025 North River Road Property Address: South side of 141st Street
Indianapolis, Indiana 46240 between Towne Road and Ditch Road
Phone: (317) 710-6176 Phone: ()
Fax: (317) 846-4224 Fax: ()
Contact Name: Wes Livingston Contractor-Installer:
Address: 9025 North River Rd., Ste. 100 Address:
Phone: (317) 710-6176 Phone: ()
Fax: (317) 846-4224 Fax: ()
Purpose of Non-enforcement: Development of Single Family Subdivision Lots.
Reduced to: 30 / 40 feet on North / South side of Drain.
If Utility, how many feet is line paralleling drain:
Plan Project / Job Number: Westmont, Section Tw0 / 52415MI-S2
Project Location: South side of 141st Street between Towne Road and Ditch Road.
Engineering Firm: Stoepfelwerth & Associates, Inc.
Address: 7965 East 106th Street, Fishers, Indiana 46038
Phone: (317) 570-4841 Fax: (317) 849-5942

For Office Use Only
SUBNE-2014-00005
Permit # Project # Check #

RECEIPT *Surveyor's Office*

HAMILTON COUNTY DRAINAGE BOARD

NO. 000509

1000-County General

GENERAL DRAIN

Nonenforcement

NOBLESVILLE, IN

DATE

1/29, 20*14*

RECEIVED FROM

Stoepplwerth

\$*100.00*

THE SUM OF

One hundred 00/100

DOLLARS

ON ACCOUNT OF

Williams Creek Area SUBNE-2014-00005

PAYMENT TYPE AND AMOUNT:

Westmont Sec. 7, 17-09-21-00-00-007.000

CASH

CHECK *27752* M.O.

E.F.T.

C.C./B.C.

OTHER

Janet Hansen
AUTHORIZED SIGNATURE

