

KCW

SURVEYOR'S OFFICE

Hamilton County

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

May 5, 2014

TO: Hamilton County Drainage Board

RE: Village of West Clay Drain, Section 10010E Arm.

Attached is a petition filed by Pulte Homes of Indiana, LLC., along with 2 non-enforcement request, plans, calculations, quantity summary and assessment roll for the Section 10010-E Arm, Village of West Clay 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:

12" RCP	771 ft.	15" RCP	263 ft.
18" RCP	600 ft.	21" RCP	56 ft.
6" SSD	1,768 ft.		

This proposal will add an additional 3,458 feet to the drains total length.

The retention pond (existing Lake #1) which is located in Common Area #6 and retention pond (existing Lake #2) which is located in Common Area #4 are not to be considered part of the regulated drain for maintenance purposes. Only the inlets and outlets will be maintained as part of the regulated drain. The maintenance of the ponds (Lake #1 & #2) shall be the responsibility of the Homeowners Association as per the subdivision covenants on pages 11 and 12, sections 4 and 5, as recorded in the Office of the Hamilton County Recorder as instrument number 199909946964. The Board will however, retain jurisdiction for ensuring the storage volume for which the lake was designed will be retained, thereby, allowing no fill or easement encroachments.

The subsurface drains (SSD) under curbs are not to be part of the regulated drain. This is per the agreement between Brenwick Development and the Hamilton County Commissioners on April 26, 1999. (See Commissioner's Minute Book 93, Pages 565-566). Only the main SSD lines which are located within the easements are to be maintained as regulated drain. Laterals for individual lots will not be considered part of the regulated drain. The portions of the SSD which will be regulated are as follows:

From Str. 454 running north in the rear yards of lots 1256 to 1258.
From existing Str. 410 running south in the rear yards of lots 1259 to 1262.
From Str. 435 to Str. 436 in the rear yards of lots 1252 to 1255.
From Str. 436 to Str. 437 in the rear yards of lots 1250 and 1251.
From Str. 440 running north in the rear yard of lots 1249.
From Str. 440 to Str. 441 in the rear yards of lots 1244 to 1248.
From Str. 441 to Str. 449 in the rear yards of lots 1242 and 1243.
From Str. 449 running south in Common Area #7.

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 \$5.00 per acre, \$5.00 per acre for roadways, with a \$120.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$3,061.96.

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:

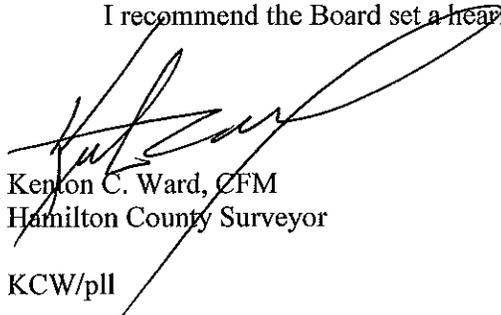
Agent: RLI Insurance Company
Date: April 1, 2014
Number: CMS271574
For: Storm Sewers
Amount: \$152,334.26

Parcels assessed for this drain will also be assessed for the Long Branch Drain.

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC36-9-27-67 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 non-enforcements are for the reduction of the Village of West Clay Drain and the Long Branch Drain easements. The request is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Village of West Clay Section 10010-E as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for June 23, 2014.



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

Village of West Clay #312

Section 10010-E

SUBNE-2013-00013=Village of West Clay Drain

SUBNE-2014-00012=Long Branch, J.W. Brendle Arm

Hearing: 06/23/14

*Proposed acreage of roads will be added to the existing acreage already assessed.

To be platted from part of 17-09-29-00-00-012.000 & will also be assessed to Long Branch.

Rate	Rate	Minimum
Regulated Subd.	5.00	120.00
Roads	5.00	120.00

Parcel	Owner	Description	Rate	Benefit	MntAsmt	Percent of Total
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1242	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1243	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1244	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1245	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1246	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1247	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1248	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1249	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1250	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1251	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1252	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1253	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1254	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1255	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1256	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1257	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1258	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1259	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1260	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1261	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E Lot 1262	Regulated Subd.	One Lot \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E CA	Regulated Subd.	2.34 \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E CA	Regulated Subd.	1.00 \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E CA	Regulated Subd.	3.53 \$	120.00	3.92%
Not assigned yet.	Pulte Homes of Indiana, LLC	Village of West Clay Sec. 10010-E CA	Regulated Subd.	1.30 \$	120.00	3.92%
99-99-99-99-99-999.005	City Of Carmel, Dept. of Administration	Featherbell, Teaberry, Moonseed, 126th & 131st	Road-VOWC 10010E	12.39 \$	61.96	2.02%
Parcels: 26			Total:	20.56 \$	3,061.96	100%
						21 lots



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

FOR RECORDING - OFFICE OF PUBLIC RECORDS

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON
COUNTY DRAINAGE BOARD

At the request of Pulte Homes of Indiana, LLC The Hamilton County Drainage Board considered the extent of the drainage easement on the Village of West Clay Drain in the Village of WestClay, Section 10010-E 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:

Matthew Lohmeyer

APPLICANT

PRINTED NAME

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 Matthew Lohmeyer"

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

(Surveyor)

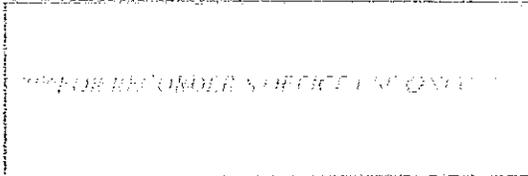
Revised February 2011



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

FILED

MAY 09 2014



OFFICE OF HAMILTON COUNTY SURVEYOR

STATE OF INDIANA)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD

At the request of Pulte Homes of Indiana, LLC The Hamilton County Drainage Board considered the extent of the drainage easement on the Long Branch (J.W. Brendle) Drain in the Village of WestClay, Section 10010-E 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:

[Signature]

APPLICANT

Matthew Lohmeyer

PRINTED NAME

Pulte Homes of Indiana

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 Matthew Lohmeyer

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

(Surveyor)

Revised February 2011

