

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

April 3, 2017

To: Hamilton County Drainage Board

Re: Sly Run Drain – George Booth Arm 2 – Ashford Place Section 2 Reconstruction

Attached is a petition from CalAtlantic of Indiana, Inc., along with plans, non-enforcement request, calculations, and quantity summary for the proposed reconstruction of George Booth Arm 2 Arm of the Sly Run Drain. The proposal is to construct a new arm to serve as the site outlet and remove part of the drain for the development of Ashford Place Section 2.

A breather will be set on the existing 5" tile at Sta. 2+35 and the tile removed running south west into Ashford Place Section 2. The drainage from Ashford Place Section 2 will be picked up with the drainage system being installed with the development and within the jurisdiction of the City of Westfield. The Ashford Place Section 2 outlet will be the new arm described below.

The new line will consist of the following: starting at the pond outlet, Structure 860, with 50 feet of 18" RCP to Str. 861, then 357 feet of 18" RCP to Str. 862, then 378 feet of 24" RCP to Str. 863, which is an end section discharging at beginning of the George Booth open channel. This is as shown of sheets C201 & C602 of the construction plans for Ashford Place, Section 2, by Stoepelwerth & Associates, dated 12/2/2016, and having job number 51940CAL-S2.

The total length of new tile shall be 785 feet. The 235 feet of original drain between Sta. 0+00 and Sta. 2+35, per the original 1905 legal description shall be vacated. This proposal will add an additional 550 feet to the Sly Run Drain, George Booth Arm total length.

The cost of the relocation is to be paid by CalAtlantic of Indiana, Inc.

The petitioner has provided the Performance Bond as follows:

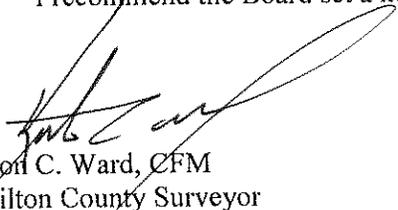
Bonding Agent: Continental Insurance Company
Bond Date: March 20, 2017
Bond Number: 30007175
For: Offsite Legal Drain Reconstruction
Bond Amount: \$44,852.40

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.

The off-site easement across parcels 08-06-29-00-00-010.001, owned by Michael A. & Jacqueline K Huser, and 08-06-29-00-00-010.006, owned by Mary K Hession, are recorded as instrument numbers 2015027535 and 2015027534, respectively.

I recommend that upon approval of the above proposed drain that the Board also approve the attached non-enforcement request. The request will be for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Ashford Place Section 2 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this matter for May 22, 2017.



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

Sly Run Drain #330

George Booth Arm 2 & outlet for Ashford Place Sec. 2

Will vacate Sta 0 to 2+35 of Arm 2. A new 785' tile arm will be added starting at the pond outlet (Str. 860) in Ashford Place Sec. 2 and running along the adjoining property boundary between the Huser & Hession Properties to the beginning of open ditch. The new tile will be for an outlet of the drainage system being installed with the development which will be assessed at the Un-regulated rate when platted.

This proposal will add an additional 550' to the drains overall length.

SUBNE-2017-00002 is for the new arm within Ashford Place Sec. 2 added with this hearing.

Inst. 2015027534 is for offsite easement on Hession property.

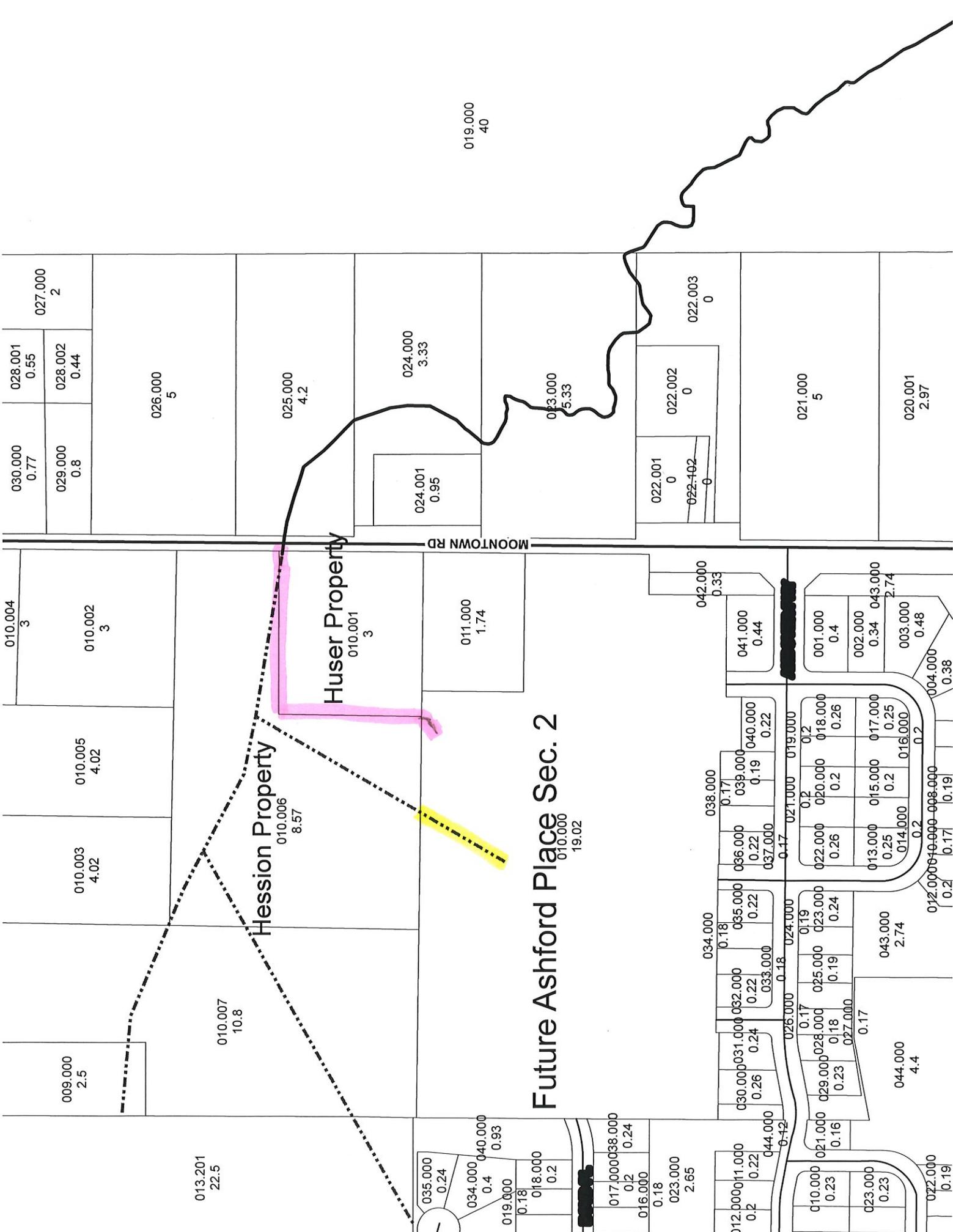
Inst. 2015027535 is for offsite easement on Huser property.

*Cost of reconstruction to be paid by CalAtlantic of Indiana Inc.

*No change in current maintenance assessment at this time.

Hearing:05-22-17

Parcel	Owner	Desc1	Desc2	Benefit	MntAsmt	RecAsmt
08-06-29-00-00-010.000	RH of Indiana LP	S29 T19 R4	19.02 Ac (Future Ashford Place 2)	*	*	*
08-06-29-00-00-010.001	Huser, Michael A & Jacqueline K	S29 T19 R4	3.00 Ac Residential/Ag	*	*	*
08-06-29-00-00-010.006	Hession, Mary K	S29 T19 R4	8.57 Ac Residential/Ag	*	*	*



Future Ashford Place Sec. 2

013.201
22.5

010.007
10.8

Hession Property
010.006
8.57

Huser Property
010.001
3

019.000
0.18

018.000
0.2

017.000
0.2

016.000
0.18

015.000
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013.000
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010.005
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024.000
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4.2

026.000
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028.002
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029.000
0.8

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022.003
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010.007
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Hession Property
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8.57

Huser Property
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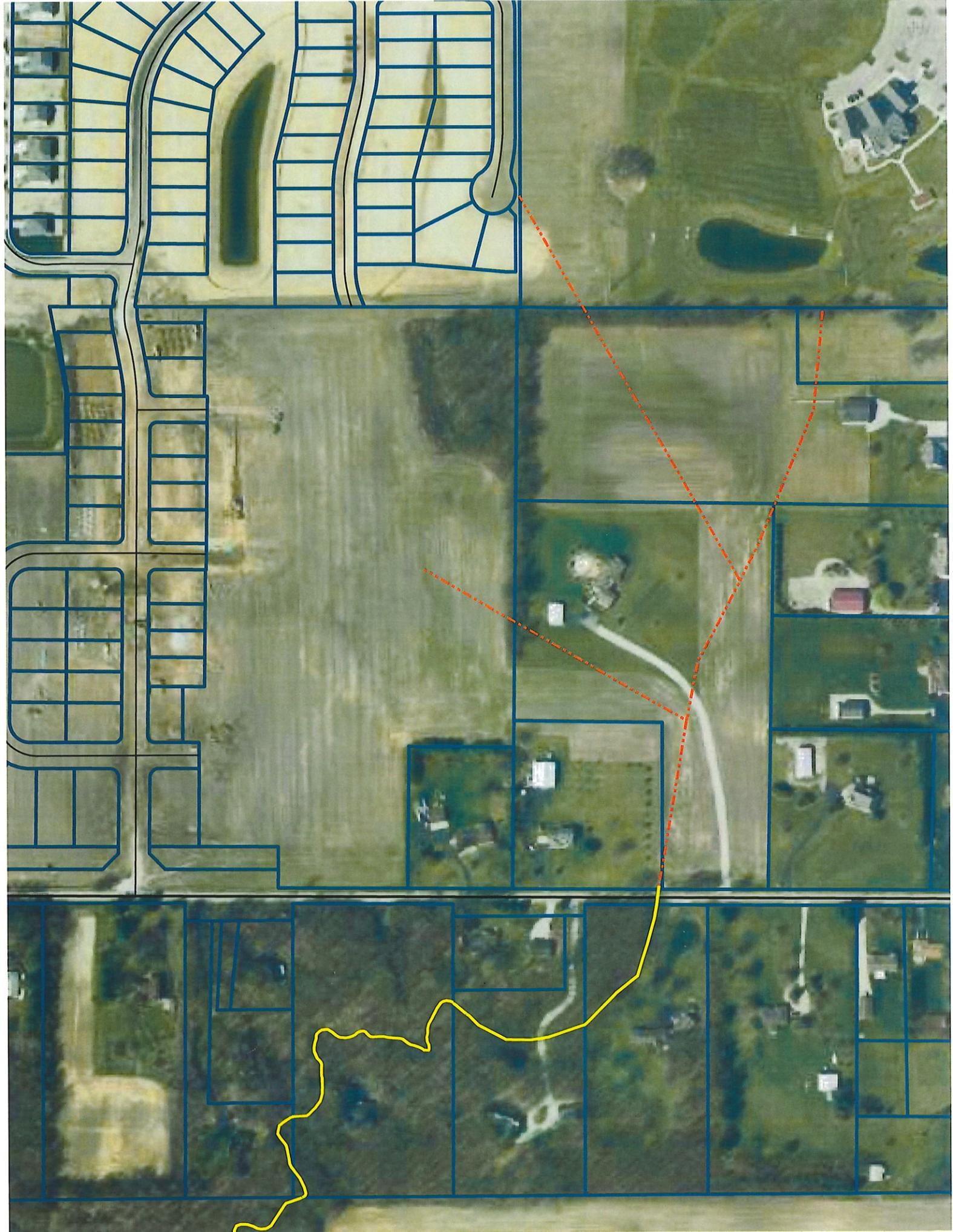
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HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

FILED
JAN 10 2017

IN RE: Ashford Place, Section 2)
Hamilton County, Indiana)

OFFICE OF HAMILTON COUNTY SURVEYOR

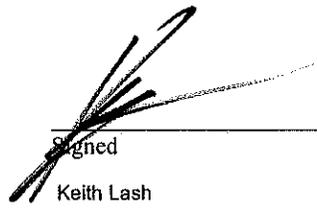
PETITION FOR RELOCATION AND RECONSTRUCTION

CalAtlantic of Indiana, Inc. (hereinafter Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the Sly Run Regulated Drain, and in support of said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Sly Run Regulated Drain runs.
2. Petitioner plans to develop its real estate with roads, buildings, utilities, storm drains, sanitary sewers and other structures.
3. Petitioner's proposed development of its real estate will require relocation and reconstruction of a portion of the Sly Run Regulated Drain, as specifically shown on engineering plans and specifications filed with the Hamilton County Surveyor.
4. The work necessary for the proposed relocation and reconstruction will be undertaken at the sole expense of the Petitioner and such work will result in substantial improvement to the Sly Run Regulated Drain, without cost to other property owners on the watershed of the Sly Run Regulated Drain.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County Drainage Board authorizing relocation and reconstruction of the Sly Run Regulated Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.



Signed
Keith Lash

Printed

180
④
100 mm

2015027534 EASEMENTS \$19.00
06/08/2015 01:56:06P 4 PGS
Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented
[Barcode]

DRAINAGE EASEMENT

THIS INDENTURE WITNESSETH: That Mary K. Hession

(referred to herein as the "Grantor") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby convey to the Board of Commissioners of Hamilton County, ("Grantee") a non-exclusive perpetual easement through, upon, over, along and across the following described real property located in Hamilton County, Indiana, ("the Easement") to-wit;

See Exhibit A & B

This Easement is granted for the purpose of providing overland or subsurface paths and courses for the construction, maintenance, preservation of storm drainage. The Grantor reserves for themselves and their successors and assigns the right to use the Easement for any uses which are not inconsistent with the purposes herein. However, in the event the Grantor, or their successors, elect or desire to do any construction or alterations to the Real Estate within the Easement, they shall do so only upon approval of the Grantee. The Grantor further agrees that they shall not grant any easements to any other utilities, or other persons, through the real estate described herein, without the consent of the Grantees, and if said grants are given, those easements shall be subject to the Grantee's rights to regulate and permit construction or alteration with the Easement.

In the event the Grantee, its employees, or contractors are required to come upon the real estate contained in the Easement to replace, restore, or clear any drainage structures, ditches, drains, or swales contained therein, the Grantee shall only be liable to restore the Grantor's real estate to its previous grade, and to re-seed and undertake erosion control measures as are required by 327 IAC15-5 as amended. The Grantee, its employees, or contractors shall not be liable to Grantor, or his successor in title, for any improvements to the real estate, landscaping, sod, or any other improvements within the Easement which are damaged in the course of the repair of the drainage structure, ditches, drains, or swales contained in the Easement area.

This Drainage Easement and the agreements herein shall run with the land and shall be binding upon and inure to the benefit of the Grantor and its successors and assigns and upon the Grantee and its successors.

IN WITNESS WHEREOF, The Grantor has executed this Drainage Easement on this 30 day of May, 20 15.

GRANTOR

* Mary K. Hession
MARY K. Hession

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Subscribed and sworn to before me, a Notary Public this 30th day of May,
2015 personally appeared the within named Mary K. Hession
and acknowledged the execution of the foregoing document.

WITNESS my hand and official seal.



Lisa Wright

Notary Public,
Residing in Hamilton County, IN

My Commission Expires:

Sep. 24, 2015

This instrument prepared by Michael A. Howard, Attorney at Law, 694 Logan Street, P.O. Box 309, Noblesville, Indiana 46060, (317) 773-4212.

Adobe PDF Ffillable Form

"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."

2 of 4
Form revised 01/02/02

(name) Michael A. Howard

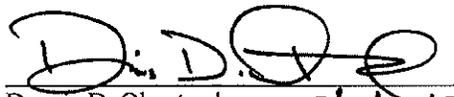
EXHIBIT 'A'
Drainage Easement

DRAINAGE EASEMENT

A part of the Southeast Quarter of Section 29, Township 19 North, Range 4 East, located in Washington Township, Hamilton County, Indiana, described as follows:

Commencing at the Northeast corner of the Southeast quarter of said Section 29; thence South 00 degrees 21 minutes 32 seconds West along the East line of said Southeast quarter 935.34 feet to the POINT OF BEGINNING of this description; thence continuing South 00 degrees 21 minutes 32 seconds West along said East line 15.00 feet to the South line of the grantor's land as recorded in Instrument Number 2006-067322 in the Office of the Recorder of Hamilton County, Indiana; thence along the boundary of said grantor's land by the next three(3) courses: 1) North 89 degrees 23 minutes 32 seconds West 397.86 feet; 2) South 00 degrees 21 minutes 32 seconds West parallel with the aforesaid East line 328.46 feet to the South line of the aforesaid grantor's land 3) North 89 degrees 23 minutes 32 seconds West along said South line 15.00 feet; thence North 00 degrees 21 minutes 32 seconds East parallel with the aforesaid East line 325.42 feet; thence North 22 degrees 02 minutes 50 seconds West 80.77 feet; thence North 67 degrees 57 minutes 10 seconds East 30.00 feet; thence South 22 degrees 02 minutes 50 seconds East 73.75 feet; thence South 89 degrees 23 minutes 32 seconds East parallel with the aforesaid South line 387.80 feet to the aforesaid said East line also being the place of beginning, containing 0.303 acres, more or less. Subject to all other easements, restrictions and rights-of-way of record.

05/04/15


Dennis D. Olmstead
Registered Land Surveyor
No. 900012



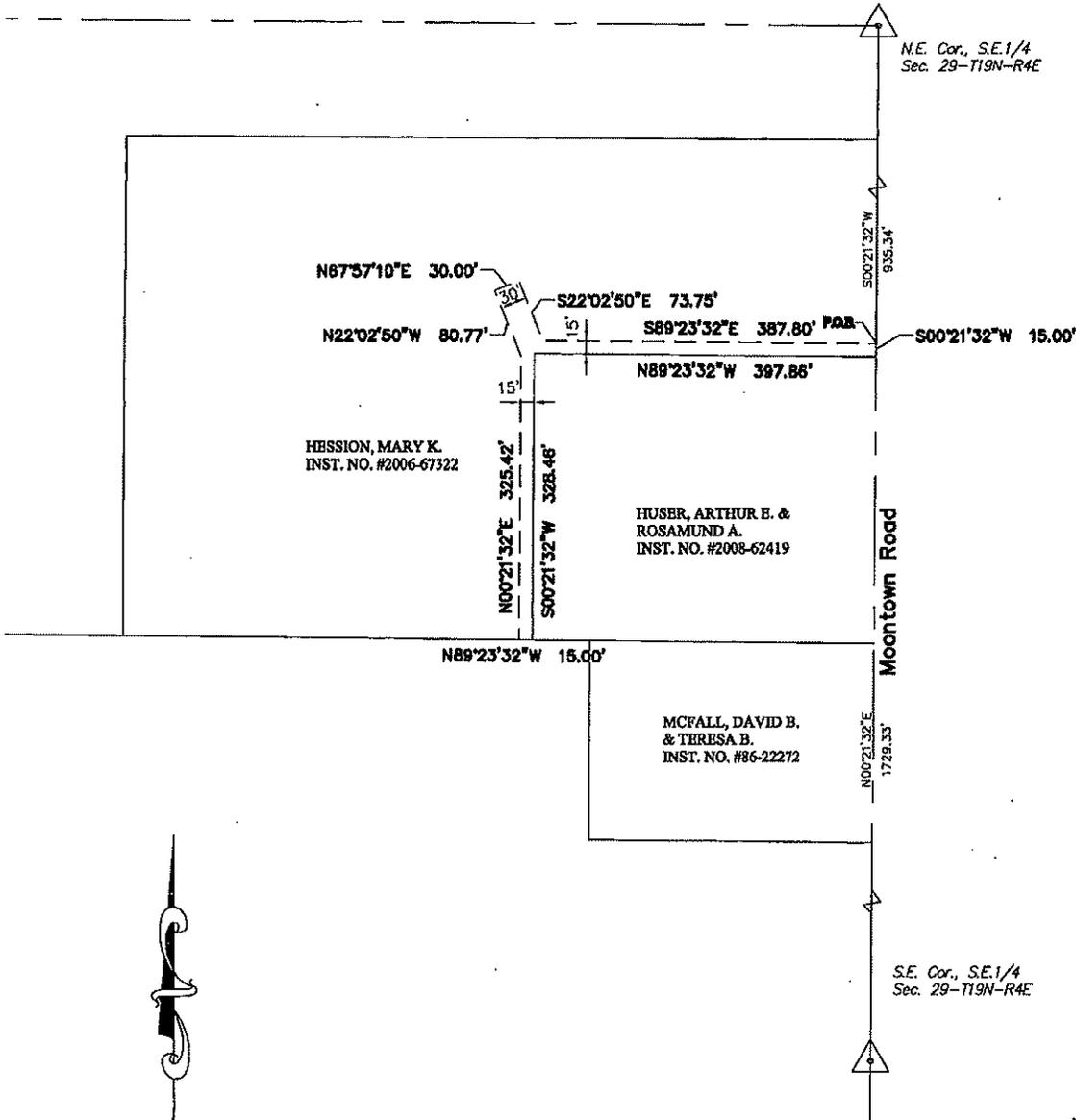
This instrument was prepared by Dennis D. Olmstead, PLS.

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.

Dennis D. Olmstead, PLS.

 STOEPPELWERTH ALWAYS ON 7965 East 106th Street, Fishers, IN 46038-2505 phone: 317.849.5935 fax: 317.849.5942	JOB NO. 51940SSG	PAGE
	DRAWN BY: KJJM	2
	CHECKED BY: BKR	
	DATE DRAWN: 05/01/15	
	FIELDWORK DATE:	
	OF 3 SHEETS 4	

EXHIBIT 'B'
Drainage Easement



[Signature]
Dennis D. Olmstead
Registered Land Surveyor
No. 900012
5/6/2015



NOTE: This drawing is not intended to represent a retracement survey, an original boundary survey, a route survey or a surveyor's location report.

<p>STOEPPELWERTH</p> <p>ALWAYS ON</p> <p>7965 East 106th Street, Fishers, IN 46038-2505 phone: 317.849.5935 fax: 317.849.5942</p>	JOB NO. 51940SSG	PAGE 1 OF 4 SHEETS 4
	DRAWN BY: KJJM	
	CHECKED BY: BKR	
	DATE DRAWN: 05/01/15	
	FIELDWORK DATE:	

DRAINAGE EASEMENT

THIS INDENTURE WITNESSETH: That Michael A. Huser

(referred to herein as the "Grantor") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby convey to the Board of Commissioners of Hamilton County, ("Grantee") a non-exclusive perpetual easement through, upon, over, along and across the following described real property located in Hamilton County, Indiana, ("the Easement") to-wit;

See Exhibit A & B

This Easement is granted for the purpose of providing overland or subsurface paths and courses for the construction, maintenance, preservation of storm drainage. The Grantor reserves for themselves and their successors and assigns the right to use the Easement for any uses which are not inconsistent with the purposes herein. However, in the event the Grantor, or their successors, elect or desire to do any construction or alterations to the Real Estate within the Easement, they shall do so only upon approval of the Grantee. The Grantor further agrees that they shall not grant any easements to any other utilities, or other persons, through the real estate described herein, without the consent of the Grantees, and if said grants are given, those easements shall be subject to the Grantee's rights to regulate and permit construction or alteration with the Easement.

In the event the Grantee, its employees, or contractors are required to come upon the real estate contained in the Easement to replace, restore, or clear any drainage structures, ditches, drains, or swales contained therein, the Grantee shall only be liable to restore the Grantor's real estate to its previous grade, and to re-seed and undertake erosion control measures as are required by 327 IAC15-5 as amended. The Grantee, its employees, or contractors shall not be liable to Grantor, or his successor in title, for any improvements to the real estate, landscaping, sod, or any other improvements within the Easement which are damaged in the course of the repair of the drainage structure, ditches, drains, or swales contained in the Easement area.

This Drainage Easement and the agreements herein shall run with the land and shall be binding upon and inure to the benefit of the Grantor and its successors and assigns and upon the Grantee and its successors.

IN WITNESS WHEREOF, The Grantor has executed this Drainage Easement on this 4 day of ~~June~~ MAY, 20 15.

GRANTOR

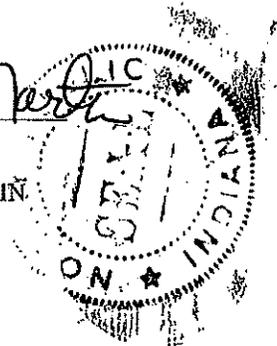
x Michael A. Huser
~~Arthur A. Huser~~ Michael A Huser
MAH
x ~~Rosamund A. Huser~~

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Subscribed and sworn to before me, a Notary Public this 4 day of June ~~May~~, 20 15, personally appeared the within named Michael A Huser MAH ~~Arthur E. and Rosamund A. Huser~~ and acknowledged the execution of the foregoing document.

WITNESS my hand and official seal.

Christine A. M...
Notary Public,
Residing in Hamilton County, IN.



My Commission Expires:
10/12/15

This instrument prepared by Michael A. Howard, Attorney at Law, 694 Logan Street, P.O. Box 309, Noblesville, Indiana 46060, (317) 773-4212.

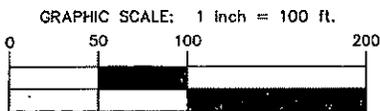
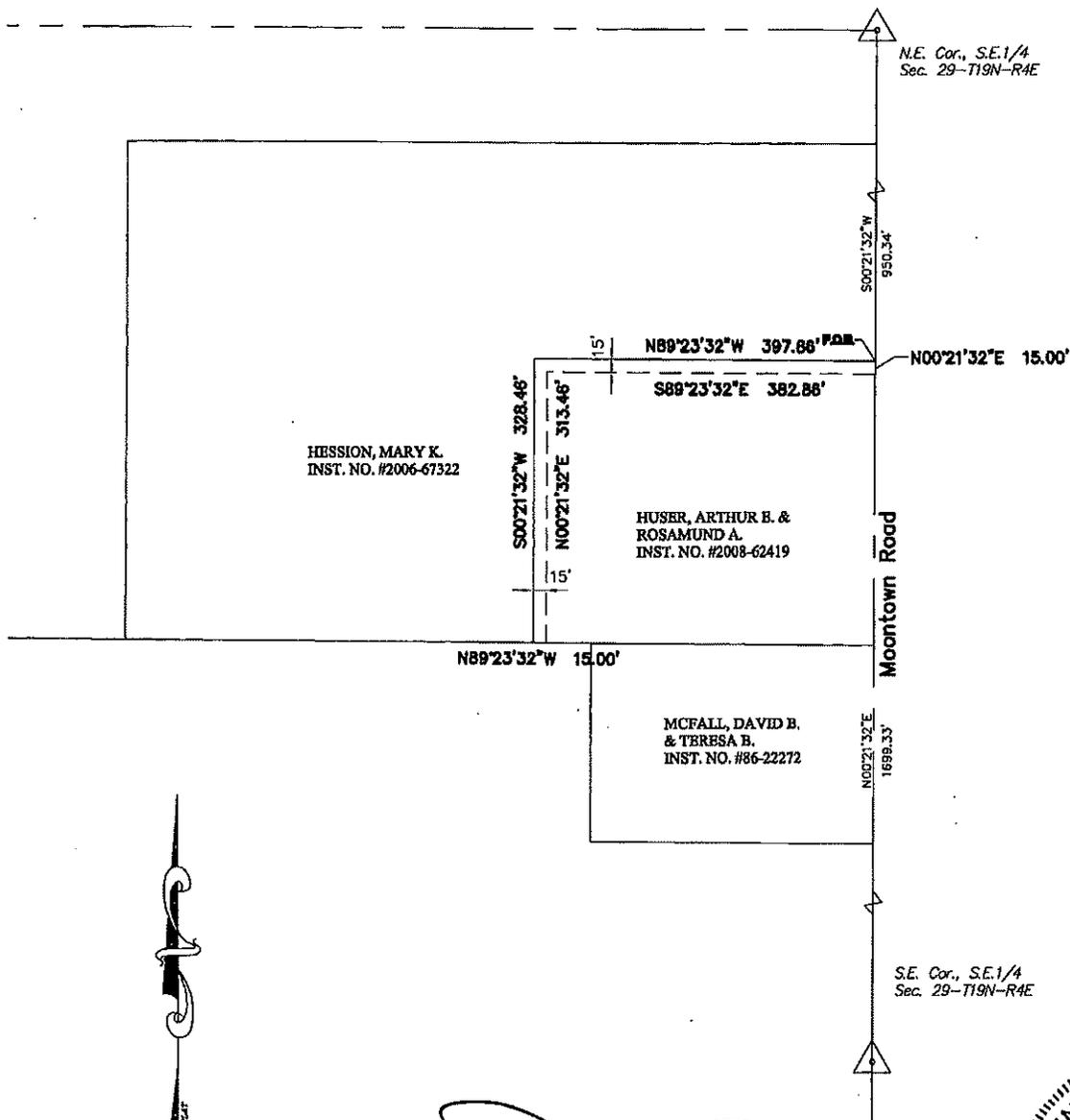
Adobe PDF Ffillable Form

"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."

Form revised 01/02/02

(name) Michael A. Howard

EXHIBIT 'B'
15' Drainage Easement



Dennis D. Olmstead
5/6/2015

Dennis D. Olmstead
Registered Land Surveyor
No. 900012



NOTE: This drawing is not intended to represent a retracement survey, an original boundary survey, a route survey or a surveyor's location report.

 STOEPPELWERTH ALWAYS ON 7965 East 106th Street, Fishers, IN 46038-2505 phone: 317.849.5935 fax: 317.849.5942	JOB NO. 51940SSG	PAGE
	DRAWN BY: KJJM	1
	CHECKED BY: BKR	
	DATE DRAWN: 05/01/15	
	FIELDWORK DATE:	OF 3 SHEETS 4

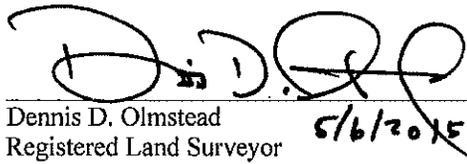
EXHIBIT 'A'
15' Drainage Easement

DRAINAGE EASEMENT

A part of the Southeast Quarter of Section 29, Township 19 North, Rang 4 East, located in Washington Township, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of the Southeast quarter of said Section 29; thence South 00 degrees 21 minutes 32 seconds West along the East line of said Southeast quarter 950.34 feet to the North line of the grantor's land as recorded in Instrument Number 2008-062419 in the Office of the Recorder of Hamilton County, Indiana also being the POINT OF BEGINNING of this description; thence along the boundary of said grantor's land by the next three(3) courses: 1) North 89 degrees 23 minutes 32 seconds West 397.86 feet; 2) South 00 degrees 21 minutes 32 seconds West parallel to the aforesaid East line 328.46 feet to the South line of the aforesaid grantors land; 3) North 89 degrees 23 minutes 32 seconds West along said South line 15.00 feet; thence North 00 degrees 21 minutes 32 seconds East parallel with the aforesaid North line of the grantor's land 382.86 feet to the aforesaid East line; thence North 00 degrees 21 minutes 32 seconds East 15.00 feet along said East line to the place of beginning, containing 0.244 acres, more or less. Subject to all other easements, restrictions and rights-of-way of record.

05/04/15


Dennis D. Olmstead
Registered Land Surveyor
No. 900012
5/6/2015



This instrument was prepared by Dennis D. Olmstead, PLS.

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.

Dennis D. Olmstead, PLS.

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