

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

March 30, 2017

To: Hamilton County Drainage Board

Re: Williams Creek Drain, Shadow Wood Arm

Attached is a petition filed by Pulte Homes of Indiana, LLC., along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for Shadow Wood 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:

12" RCP	682 ft.	36" RCP	24 ft.
15" RCP	790 ft.	6" SSD	5,870 ft.
18" RCP	310 ft.	12" HDPE	16 ft.
21" RCP	606 ft.	Open Ditch	485 ft.
24" RCP	206 ft.		

The total length of the drain will be 8,989 feet.

The open ditch listed above is part of the drainage design for the 146th Street Improvement Project, but is being installed with this project, as to provide an outlet for this site. The open ditch will be in 146th Street ROW, owned by Hamilton County Highway Department, parcel 17-09-21-00-00-001.000, owned by CB Children Partnership, and parcel 17-09-21-00-16-073.000, owned by Saddle Creek Homeowners Association, Inc.

The detention basin (Lake 1) located in Common Area D is not to be considered part of the regulated drain. Basin maintenance assumed by the Drainage Board shall only include the inlets and outlet as part of the regulated drain. The maintenance of the detention basin (Lake 1) such as sediment removal and erosion control along the banks, mowing, aquatic vegetation maintenance and control, and anything required per the Storm Water Quality Maintenance and Operations Manual 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, those main lines in front/rear yards, and those in common areas. Only the main SSD lines as described below, which are located within the easement or right of way 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 and maintained are as follows:

Curbline SSD in Streets:

Carlow Run
Gum Drive
Burl Way
Fir Court
Lacewood Court

Front/Rear Yard SSDs:

Rear yard lots 1 & 2 from Str. 628 west to riser
Rear yard lots 2 & 3 from Str. 628 south-east to riser
Rear yard lot 3 from Str. 627 north-west to riser
Rear yard lot 4 from Str. 627 south to riser
Rear yard lot 5 from Str. 625 north to riser
Rear yard lot 6 & 7 from Str. 625 south to riser
Rear yard lots 8 to 10 from Str. 603 north to riser
Rear yard lot 11 & 29 from Str. 607 to Str. 608
Rear yard lots 11 to 14 from Str. 608 north to riser
Rear yard lots 14 & 15 from Str. 636 south to riser
Rear yard lot 16 from Str. 636 north to riser
Front yard lots 17 to 20 from Str. 614 running parallel to curbline SSD to riser
Front yard lots 21 to 24 from Str. 615 running parallel to curbline SSD to riser
Front yard lots 25 to 29 from Str. 609 running parallel to curbline SSD to riser
Common Area B and lots 20 to 21 from existing Str. north to riser

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 lot, \$10.00 per acre for common areas, with \$65.00 minimum, and \$10.00 per acre for roadways. With this assessment the total annual assessment for this drain will be \$2,337.70.

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: Hartford Fire Insurance Company

Date: March 14, 2017

Number: 59BSBHP7874

For: Storm Sewers

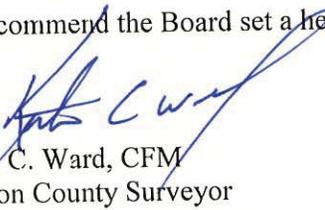
Amount: \$370,668.00

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 55' x 560' off-site easement across parcel 17-09-21-00-00-001.000, was a condemnation order recorded as instrument number 2016010931. The easement on parcel 17-09-21-00-16-073.000, is per the recorded plat for Saddle Creek Section 12, as instrument number 2003122041.

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 Shadow Wood as recorded in the office of the Hamilton County Recorder.

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



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

The Petitioner further requests that the Drain be classified as an Urban Drain as per IC 36-9-27-69(d).

RECORDED OWNER(S) OF LAND INVOLVED



Signed

Matthew Lohmeyer, Pulte Homes

Printed Name

1/18/17

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

nlc
6

2016010931 ORDER \$0.00
03/11/2016 09:41:30A 6 PGS
Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

IN THE HAMILTON CIRCUIT COURT

STATE OF INDIANA)
)SS:
COUNTY OF HAMILTON)

CAUSE NO: 29C01-1506-PL-004871

BOARD OF COMMISSIONERS OF)
HAMILTON COUNTY,)

FILED

March 9, 2016

Plaintiff,

Jenny Buis

CLERK OF THE HAMILTON
CIRCUIT COURT

vs.

CB TOWNE ROAD, LLC, AN INDIANA)
LIMITED LIABILITY COMPANY and/or)
CB CHILDREN PARTNERSHIP, AN)
INDIANA PARTNERSHIP,)

29C01-1506-PL-004871
ADMPROP
Proposed Order
024913


Defendant.)

ORDER TRANSFERRING REAL ESTATE

Part of Hamilton County Tax Parcel No. 17-09-21-00-00-001.000

Document Cross Reference No. Deed Book 358, Page 429

The Plaintiff, having filed its Complaint for Condemnation of Real Property and the same being in the words and figures as follows, to-wit:

(H.I.)

And the Court Appointed Appraisers having found that the damages due from the Plaintiff as compensation for the Real Estate with Partial Limitation of Access and the Perpetual Drainage Easement described in Plaintiff's Complaint is Two Hundred Thirty-four Thousand Six Hundred Dollars (\$234,600);

And said damages having been paid by the Plaintiff at the Clerk of this Court, and the Court Appointed Appraisers having been paid as set out in the Plaintiff's Verified Certificate of Payment.

DULY ENTERED FOR TAXATION *Cch*
Subject to final acceptance for transfer
N 11 day of March, 2016
Dawn Cooverdale Auditor of Hamilton County
Parcel # R/W

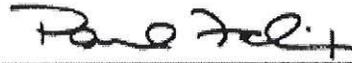
EXEMP FROM
SALES DISCLOSURES

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

1. The Plaintiff, Board of Commissioners of Hamilton County shall have all right, title, and interest in the Real Estate with Partial Limitation of Access and the Perpetual Drainage Easement described in Exhibit A and shown on Exhibit B ("the Real Estate").

2. The Auditor of Hamilton County shall transfer the real property and Drainage Easement described in Exhibit A to the Defendant and place title therein in the name of the Plaintiff effective this date.

ALL OF WHICH IS ORDERED, ADJUDGED, AND DECREED this 9 day of March, 2016.

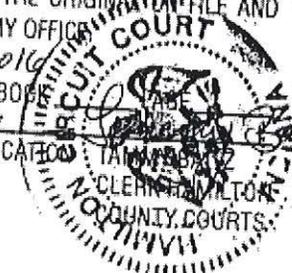


Judge, Hamilton Circuit Court

Distribution:

Michael A. Howard
Attorney at Law

J. Michael Antrim,
Church, Church, Hittle & Antrim
Two North Ninth Street
Noblesville, IN 46060

THE DOCUMENT TO WHICH THIS CERTIFICATE
IS ATTACHED IS A FULL, TRUE, AND COR-
RECT COPY OF THE ORIGINAL ON FILE AND
OF RECORD IN MY OFFICE
3-9-2016
DATED 3-9-2016 BOB
3-10-2016
DATE OF CERTIFICATION


I, affirm, under the penalties of perjury, that I have taken reasonable care to redact each social security number in the document, unless required by law. Michael A. Howard
This instrument prepared by Michael A. Howard, Noblesville City Attorney, 694 Logan Street, Noblesville, Indiana 46060, 773-4212.

dist cj 030916

Project: 1383157
Key No.: 17-09-21-00-00-001.000
Parcel: 15 Fee with Partial Limitation of Access

Sheet 1 of 2

A part of the West Half of the Northwest Quarter of Section 21, Township 18 North, Range 3 East, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked EXHIBIT "B", described as follows: Commencing at the northwest corner of said section, designated as point "218" on said plat; thence North 89 degrees 08 minutes 23 seconds East 60.00 feet along the north line of said section to the prolonged east boundary of Towne Road and the point of beginning of this description: thence continuing North 89 degrees 08 minutes 23 seconds East 1,293.31 feet along said north line to the northeast corner of said half-quarter section; thence South 0 degrees 30 minutes 52 seconds East 25.00 feet along the east line of said half-quarter section; thence South 89 degrees 08 minutes 23 seconds West 931.16 feet to point "364" designated on said plat; thence Southwesterly 47.64 feet along an arc to the left and having a radius of 155.00 feet and subtended by a long chord having a bearing of South 80 degrees 20 minutes 07 seconds West and a length of 47.45 feet to point "359" designated on said plat; thence South 42 degrees 01 minute 08 seconds West 81.82 feet to point "358" designated on said plat; thence Southwesterly 95.20 feet along an arc to the left and having a radius of 135.00 feet and subtended by a long chord having a bearing of South 19 degrees 29 minutes 55 seconds West and a length of 93.24 feet to point "357" designated on said plat; thence South 0 degrees 45 minutes 05 seconds East 161.10 feet to point "356" designated on said plat; thence Southwesterly 165.81 feet along an arc to the right and having a radius of 235.00 feet and subtended by a long chord having a bearing of South 36 degrees 10 minutes 06 seconds West and a length of 162.39 feet to point "355" designated on said plat; thence South 54 degrees 43 minutes 34 seconds West 54.90 feet to point "350" designated on said plat; thence South 0 degrees 42 minutes 09 seconds East 143.09 feet to the south line of the grantor's land, designated as point "372" on said plat; thence South 89 degrees 08 minutes 23 seconds West 85.00 feet along said south line to the east boundary of said Towne Road; thence North 0 degrees 42 minutes 09 seconds West 644.49 feet along said east boundary and along the prolonged east

Project: 1383157
Key No.: 17-09-21-00-00-001.000
Parcel: 15 Fee with Partial Limitation of Access

Sheet 2 of 2

boundary of said Towne Road to the point of beginning and containing 3.436 acres, more or less, inclusive of the presently existing right-of-way which contains 0.297 acres, more or less.

ALSO,

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as 146th Street and as Project No. 1383157) to and from the grantor's abutting lands along the lines depicted on the attached Right of Way Parcel Plat, marked EXHIBIT "B", described as follows: Beginning at a point on the north line of said section North 89 degrees 08 minutes 23 seconds East 177.21 feet from the northwest corner of said section, said northwest corner being designated as point "218" on said plat; thence South 51 degrees 27 minutes 57 seconds West 123.08 feet to point "361" designated on said plat; thence South 0 degrees 42 minutes 09 seconds East 265.00 feet to point "360" designated on said plat and the point of terminus. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for The Board of Commissioners of Hamilton County, Indiana by Timothy J. Coomes, Indiana Registered Land Surveyor, License Number 20600004, on the 23rd day of July, 2014.



EXHIBIT A, P.2

Project: 1383157
Key No.: 17-09-21-00-00-001.000
Parcel: 15A Perpetual Drainage Easement

A part of the West Half of the Northwest Quarter of Section 21, Township 18 North, Range 3 East, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked EXHIBIT "B", described as follows: Commencing at the northwest corner of said section, designated as point "218" on said plat; thence South 0 degrees 42 minutes 09 seconds East 644.49 feet along the west line of said section to the prolonged south line of the grantor's land; thence North 89 degrees 08 minutes 23 seconds East 145.00 feet along said prolonged south line and along the south line of the grantor's land to the point of beginning of this description: thence North 0 degrees 42 minutes 09 seconds West 55.00 feet to point "349" designated on said plat; thence North 89 degrees 08 minutes 23 seconds East 560.00 feet to point "354" designated on said plat; thence South 0 degrees 42 minutes 09 seconds East 55.00 feet to the south line of the grantor's land; thence South 89 degrees 08 minutes 23 seconds West 560.00 feet along said south line to the point of beginning and containing 0.707 acres, more or less.

This description was prepared for The Board of Commissioners of Hamilton County, Indiana by Timothy J. Coomes, Indiana Registered Land Surveyor, License Number 20600004, on the

23rd day of July, 2014.

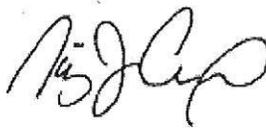
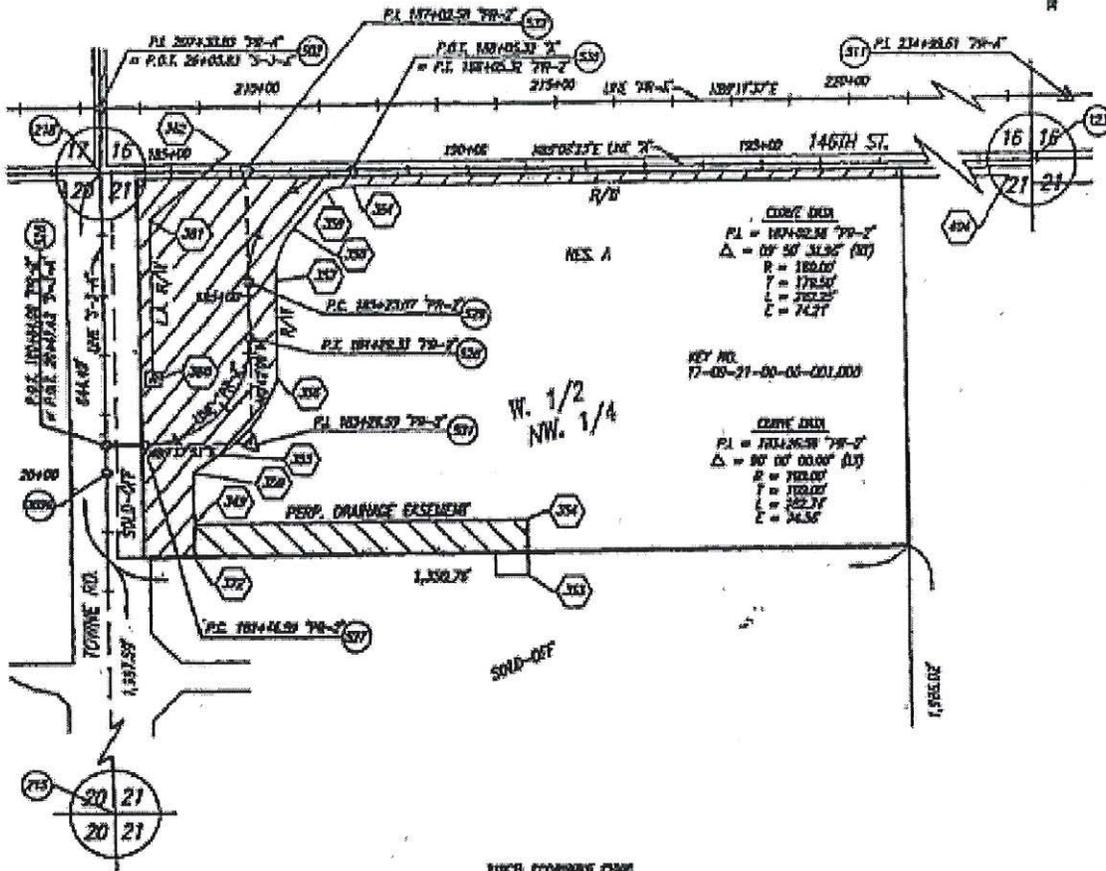


EXHIBIT * RIGHT-OF-WAY PARCEL PLAT

Prepared for The Board of Commissioners, Hamilton County, Indiana
by United Consulting (Job No. 07-410)

0 50 100 200
SCALE: 1" = 200'



FENCE COORDINATE CHART

Point	Line	Station	Dist	COORD	EAST	Point	Line	Station	Dist	COORD	NORTH	EAST	
124, 214, 218 & 2005	SEE NOTE SURVEY PLAN					362	78'-2"	200+58.00	75.00	RL	120471.4790	103112.0920	
348	S-3-C	10+33.84	145.00	RL	118920.3369	103417.9226	372	78'-2"	201+05.33	25.00	RL	120471.8440	103112.0920
350	S-3-C	13+89.00	145.00	RL	118920.3369	103417.9226	404	78'-2"	204+08.00	125.00	RL	120472.3440	103112.0920
352	S-3-C	19+63.00	705.00	RL	118785.3015	103193.0105	502	78'-2"	P.I. 207+33.85			122563.6397	103174.8254
354	S-3-C	19+12.45	705.00	RL	118785.3015	103193.0105	501	78'-2"	P.I. 204+09.81			122562.3432	103112.0920
356	78'-2"	102+50.00	35.00	RL	118785.3015	103193.0105	528	78'-2"	P.O. 180+94.89			122565.0630	103071.2611
358	78'-2"	102+77.00	35.00	RL	120101.7142	103152.4283	527	78'-2"	P.C. 181+41.50			122565.8284	103071.2611
360	78'-2"	107+05+21.67	45.00	RL	120092.3090	103028.3034	526	78'-2"	P.T. 183+37.33			122168.0123	103011.5263
362	78'-2"	108+45.00	45.00	RL	120092.3090	103028.3034	525	78'-2"	P.C. 186+23.67			122011.7130	102919.3888
364	78'-2"	102+50.00	25.00	RL	120410.9188	103041.2856	520	78'-2"	P.T. 188+05.32			120411.0108	103042.6205
366	S-3-C	79+62.00	80.00	RL	120086.6718	103046.8168	521	78'-2"	P.A. 183+26.50			119880.0367	103033.7008
368	S-3-C	24+25.00	81.00	RL	120083.5970	103046.8168	522	78'-2"	P.I. 182+02.58			120411.2418	103042.6205

NONE STAKES & OFFSETS CONTROL OVER NOTE NUMBER & EAST COORDINATES AND BEARINGS & DISTANCES.

SURVEYOR'S STATEMENT

In the best of my knowledge and belief, this plat, together with the 'Location Control Route Survey' recorded in Instrument No. 200600004 in the Office of the Recorder of Hamilton County, Indiana, incorporated and made a part hereof by reference constitute a Route Survey executed in accordance with Indiana Administrative Code: 855 IAC 1-12, (Title 12).

Given under my hand and seal 7/23/14
Date

Timothy J. Coomes
TIMOTHY J. COOMES
Registered Land Surveyor No. 20600004
State of Indiana



OWNER : CH CHILDREN PARTNERSHIP	DRAWN BY: R.P. KORVAUS 10-51-13
PARCEL : 15	CHECKED BY: T.J. COOMES 11-1-13
CODE :	DES. NO. : 130157
PROJECT : 1303157	
ROAD : 146TH STREET	
COUNTY : HAMILTON	
SECTION : 21	
TOWNSHIP : 16N	
RANGE : 3E	

DEED RECORD 358, PAGE 426, DATED 7-25-06
INSTRUMENT NO. 20060002764, DATED 4-21-00
INSTRUMENT NO. 2011024920, DATED 3-8-11

Drawings shown are from the above listed Record Documents.