



K.C.W.

SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
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Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

August 21, 2017

To: Hamilton County Drainage Board

Re: Vestal-Kirkendall Drainage Area, Fred Hines Arm, Cranbrook Relocation

Attached are petition and plans for the proposed reconstruction of the Vestal-Kirkendall Drainage Area, Fred Hines Arm. This project is to be paid for by Cranbrook Developer LLC by Platinum Properties Management Company, LLC. The proposal is to reconstruct the existing tile drains currently on parcel 10-06-33-00-00-010.000, owned by Thelma Curtis; parcel 10-06-33-00-00-010.004, owned by Cranbrook Developer LLC; State Road 32 right-of-way owned by the State of Indiana; parcel 10-10-04-00-00-002.000 owned by Janet A. & Michael P. Vawter and Marsha M. McMillen; and parcel 10-10-04-00-00-028.000 owned by the City of Noblesville, and the Midland Trace Trail right-of-way owned by the City of Noblesville, per the Cranbrook, Sec. 1 project plans by Stoepfelwerth & Associates, Job No. 75880PLA-S1, dated February 27, 2017.

Per the plans, the upstream end of this relocation will begin at a new manhole, Str. 817 (which is Sta. 25+16 of the original description) on the north side of Cranbrook, Sec. 1 and drain south through Cranbrook Subdivision. The drain will cross under State Road 32, then south along the east property line, the Vawter/McMillen parcel, then southwest to tie into an existing storm manhole on the north side of the proposed Midland Trace Trail.

This reconstruction will consist of the following:

125' of 33" RCP	79' of 42" RCP
1798' of 36" RCP	230' of Open Drain

The new drain involves the lengths of drain between the following structures: 817, 812, 813, 814, 815, 816, 835, 835A, 834A, 833, 832, MH#EX.

The newly installed drain will have a length of 2,232'.

Regarding the existing drain, this project will vacate 1,948' of existing drain between the following locations: On Arm 3, the entire 470' of the arm will be vacated from existing station 0 to 4+70. On the Main drain, 1,478' will be vacated between approximate existing Sta. 25+16 and Sta. 39+94.

This proposal will add 284' of footage to the drain's total length.

Note: Arm 4, which drains area west of Gray Road, is not affected by this relocation. Arm 4 joins the main drain on the Vawter & McMillen parcel, approximately at Sta. 39+85 (noted above). Arm 4 and the main drain between Sta. 39+94 and Sta. 42+60 will remain in place until such time as that portion of the drain is reconstructed. The portion of the existing 14" tile between S.R 32 and Sta. 39+94 shall be vacated in place and no longer be maintained as regulated drain.

The 230' of open drain noted above is the distance between str 816 and 835 in detention area / Lake 1 in Cranbrook, Sec. 1. The detention area is not to be considered part of the regulated drain for maintenance. Drain maintenance at the detention area shall include the pipe inlet and outlet as part of the regulated drain. The maintenance of the pond such as sediment removal, erosion control along the banks, mowing and aquatic vegetation control will be the responsibility of the City of Noblesville or the Homeowners Association. The Board will retain jurisdiction for ensuring the storage volume for which the pond was designed will be retained, thereby, allowing no fill or easement encroachments. The other storm facilities in Cranbrook, Sec. 1 not listed in this report will be maintained by the City of Noblesville.

The Fred E. Hines Drain was established by the Hamilton County Circuit Court in 1929 upon petition by the Commissioners of Drainage and Engineer. See Commissioners Record Book 29, pages 423- 425 and 475-476. In 2009, the drain was made an arm to the Vestal-Kirkendall Drainage Area. See Drainage Board Minutes Book 11, pages 540-544. The downstream end of this relocation connects to an existing manhole which was approved at hearing on January 27, 2014 as part of the Vestal/Kirkendall Drainage Area, Fred Hines Arm – Slater Run Section 2 Relocation. See Minutes Book 15, Pages 326-328.

The cost of the project is to be paid by the developer. The petitioner has submitted surety in the form of a Subdivision Performance Bond as follows:

Bonding Company: Aspen American Insurance Company

Date: July 27, 2017

Expiration Date: July 27, 2018

Number: SU14951

For: Cranbrook, Section 1, Offsite Storm Sewer, Noblesville, Indiana

Amount: \$201,856.80

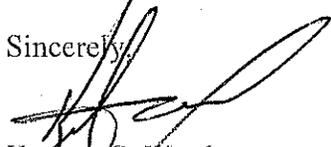
HCDB-2017-00041

Bonding Company: Aspen American Insurance Company
Date: August 8, 2017
Expiration Date: August 8, 2018
Number: SU14958
For: Cranbrook, Section 1, Onsite Storm Sewer, Noblesville, Indiana
Amount: \$201,856.80
HCDB-2017-00044

I recommend that upon approval of the above proposed drain that the Board also approve the attached non-enforcement request. The easement for the new drain will be as follows: Within existing regulated drain easement on parcel 10-06-33-00-00-010.000, owned by Thelma Curtis; within drainage easement as per the recorded plat for Cranberry, Sec. 1; within right-of-way for State Road 32; within recorded easement on parcel 10-10-04-00-00-002.000 owned by Vawter & McMillan (Easement dedication document to be recorded upon approval); Within the statutory easement on parcel 10-10-04-00-00-028.000 and right of-way owned by the City of Noblesville.

I recommend the Board set a hearing date for October 23, 2017.

Sincerely,



Keriton C. Ward
Hamilton County Surveyor

KCW/stc

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

FILED

AUG 08 2017

IN RE: Cranbrook, Section 1)
Hamilton County, Indiana)

OFFICE OF HAMILTON COUNTY SURVEYOR

PETITION FOR RELOCATION AND RECONSTRUCTION

Cranbrook Developer, LLC (hereinafter "Petitioner"),

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

1. Petitioner owns real estate through which a portion of the Fred Hines 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 Fred Hines 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 Fred Hines Drain, without cost to other property owners on the watershed of the Fred Hines Drain.

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


Signed

Tim Walter

Printed



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

FOR RECORDER'S OFFICE USE ONLY

FILED

FEB 27 2017

STATE OF INDIANA)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD

OFFICE OF HAMILTON COUNTY SURVEYOR

At the request of Cranbrook Developer, LLC by Platinum Properties Management Company, LLC The Hamilton County Drainage

Board considered the extent of the drainage easement on the Fred Hines Drain in the Cranbrook, Section 1 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 as Instrument No. and in Plat Cabinet Slide in the Hamilton County Recorders Office.
2. It will not object to the improvement of said real estate beyond such distance, and
3. Other Conditions: Per plat for main trunkline of Fred Hines Arm through Cranbrook, Sec. 1

SIGNED:

[Signature of Tim Walter]

Tim Walter

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 : Kenton C. Ward, Surveyor

Prepared by the Hamilton County Drainage Board: Michael A. Howard, Attorney

SUBNE-2017-00011

FILED

MAY 15 2017

DRAINAGE EASEMENT

OFFICE OF HAMILTON COUNTY SURVEYOR

THIS INDENTURE WITNESSETH: That Janet Vawter and Michael P and Marsha M McMillen (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.

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.

EXHIBIT "A"
Regulated Drainage Easement

REGULATED DRAINAGE EASEMENT

An easement located in the Northwest Quarter of Section 4, Township 18 North, Range 4 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Quarter Section; thence North 89 degrees 33 minutes 37 seconds East along the North line of said Quarter Section 1482.17 feet; thence South 02 degrees 17 minutes 59 seconds West 59.62 to a point on the South Right-of-Way line of State Road 32, said point also being the POINT OF BEGINNING of this description; thence continuing South 02 degrees 17 minutes 59 seconds West 500.62 feet; thence South 00 degrees 57 minutes 56 seconds West 414.06 feet; thence South 79 degrees 14 minutes 07 seconds West 249.53 feet to a point on the North Right of Way line for the Central Indiana Railroad; thence South 89 degrees 33 minutes 15 seconds West along said North Right-of-way line 154.31 feet; thence; thence North 79 degrees 14 minutes 07 seconds East 376.49 feet; thence North 00 degrees 57 minutes 56 seconds East 390.00 feet; thence North 02 degrees 17 minutes 59 seconds East 499.55 feet to a point on the aforesaid South Right-of-Way line; thence North 89 degrees 35 minutes 07 seconds East 30.00 feet along said Right-of-Way to the place of beginning, containing 0.836 acres, more or less.



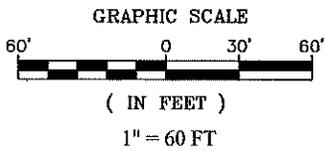
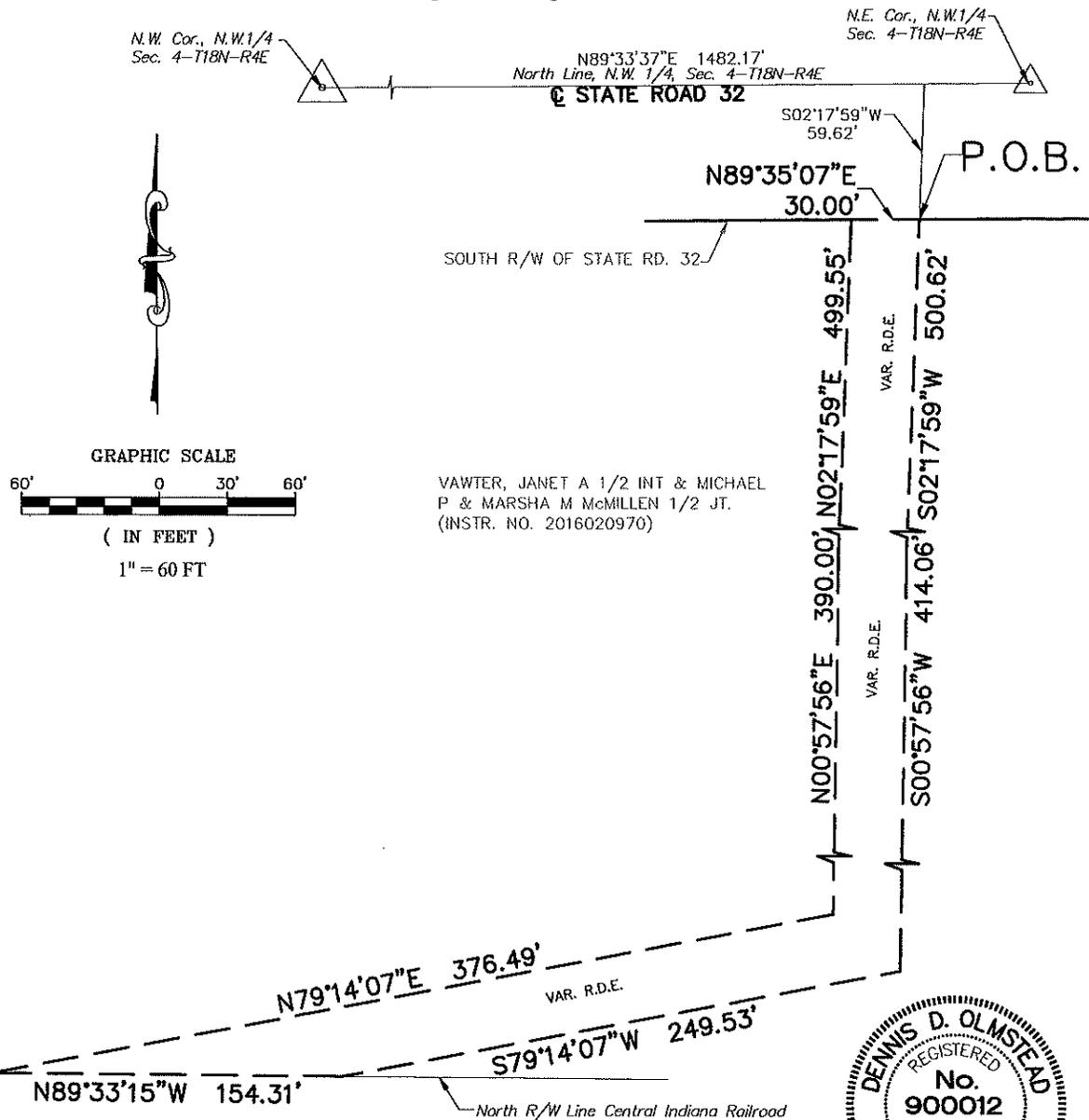
Dennis D. Olmstead
Professional Land Surveyor
Indiana No. 900012

Date: March 23, 2017



 STOEPPELWERTH ALWAYS ON 7965 East 106th Street, Fishers, IN 46038-2505 phone: 317.849.5935 fax: 317.849.5942	JOB NO. 75880PLA-S1	PAGE
	DRAWN BY: JRS	1
	CHECKED BY: DDO	
	DATE DRAWN: 03/23/2017	
	FIELDWORK DATE:	
	OF 2 SHEETS	

Exhibit "B"
Regulated Drainage Easement



VAWTER, JANET A 1/2 INT & MICHAEL P & MARSHA M McMILLEN 1/2 JT.
(INSTR. NO. 2016020970)

Dennis D. Olmstead

Dennis D. Olmstead
Professional Land Surveyor
Indiana No. 900012

Date: APRIL 13, 2017



THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY OR A SURVEYOR 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. 75880PLA-S1	<p>PAGE</p> <p align="center">2</p> <p>OF 2 SHEETS</p>
	DRAWN BY: JRS	
	CHECKED BY: DDO	
	DATE DRAWN: 04/13/2017	
	FIELDWORK DATE:	

Vestal-Kirkendall, Fred Hines Arm

Relocation for the benefit of Cranbrook Subdivision.

Adding 2232' of new drain & vacating 1478' from Sta. 25+16 to 39+94 and 470' from Arm 3 from Sta. 0 to 4+70. Will add 284' to the drains total length.

SUBNE-2017-00011=New easement for main trunk line of Fred Hines Arm through Cranbrook Sec. 1. Drainage easement has been dedicated on

Vawter/McMilliam property and to be recorded upon approval. New drain to be in existing easement on Curts property and in State RW of S.R. 32.

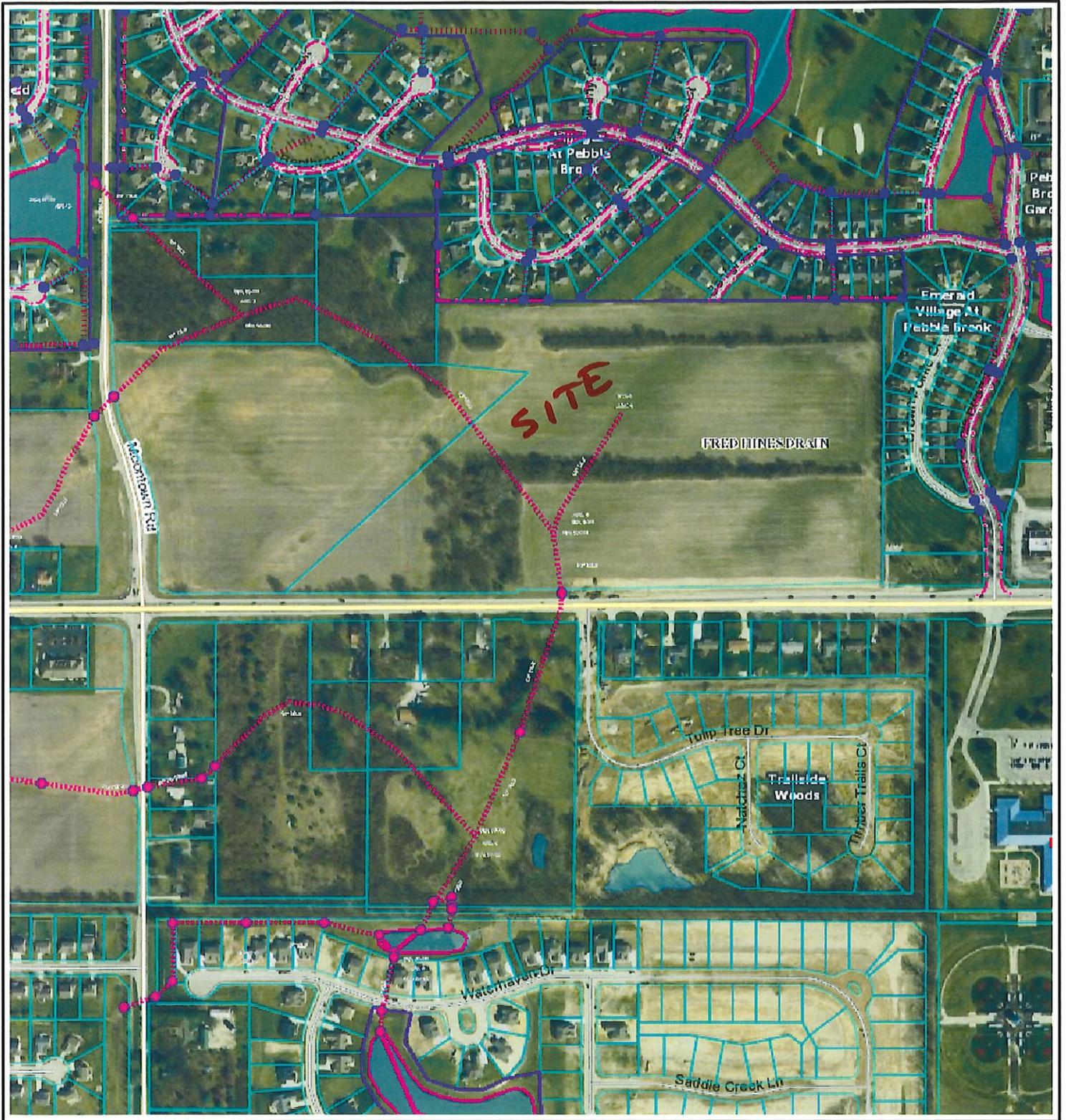
The City of Noblesville will have the statutory easement on parcel 10-10-04-00-00-028.000 and the Midland Trace Trail. Platinum Properties has

applied for an Application-Encroachment Permit (ENCR-0805-2017) from the Noblesville Street Dept. for crossing the Hines Drain & Midland Trace Trail.

*No change in current maintenance assessment, relocation to be paid by Cranbrook Dev. LLC by Platinum Properties Mngmnt.

Hearing: 10/23/17

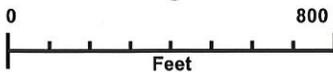
Parcel	Owner	Description	Benefit	MntAsmt	Reconst	Percent
10-10-04-00-00-028.000	City Of Noblesville	S4 T18 R4 1.00 Ac	n/a	*	*	*
99-99-99-99-99-999.008	City Of Noblesville	S4 T18 R4 Midland Trace Trail	n/a	*	*	*
10-06-33-00-00-010.004	Cranbrook Developer LLC	S33 T19 R4 35.39 Ac	n/a	*	*	*
10-06-33-00-00-010.000	Curts, Thelma	S33 T19 R4 19.95 Ac	n/a	*	*	*
99-99-99-99-99-999.002	Indiana Department Of Transportation	SR 32 between S4 T18 R4 & S33 T19 R4	n/a	*	*	*
10-10-04-00-00-002.000	Vawter, Janet 1/2 & Michael & Marsha McMillen 1/2	S4 T18 R4 11.99 Ac	n/a	*	*	*



Cranbrook, Sec. 1

Fred Hines Drain Arm (Vestal-Kirkendall Drainage Area)

Printed: May 10, 2017



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