

KCS

SURVEYOR'S OFFICE
Hamilton County

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

August 7, 2017

To: Hamilton County Drainage Board

Re: Williams Creek Drain, Clay Corner Arm

Attached is a petition filed by Clay Corner Developer, LLC., along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for Clay Corner 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	995 ft.	24" RCP	602 ft.
15" RCP	729 ft.	30" RCP	387 ft.
18" RCP	251 ft.	6" SSD	11,001 ft.
21" RCP	904 ft.	Open Ditch	555 ft.

The total length of the drain will be 15,424 feet.

The length of open ditch listed above are those straight line distances through Lake #1 from the inlet structures (Str. 500, 514, and 534) and the outlet structure (Str. 548).

The detention basin (Lake # 1) located in Common Area #3 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:

Lash Street
Jensen Drive
Corey Avenue
Georgianne Lane
Mairn Avenue

Front/Rear Yard SSDs:

Rear yard alley lots 1 to 7 from Str. 527 west to street SSD
Side yard alley lot 7 from Str. 527 to Str. 530
Rear yard alley lots 8 to 14 from Str. 528 to Str. 546
Rear yard alley lots 34 to 37 from street SSD east to riser
Rear yard alley lots 38 to 42 from Str. 516 north to street SSD
Side yard alley lot 48 from street SSD south to riser
Rear yard alley lots 52 to 55 and side yard alley lot 55 from street SSD running west and then south to street SSD.
Rear yard lot 75 from Str. 508 to Str. 509
Rear yard lots 74 & 75 from Str. 509 to Str. 510
Rear yard lots 72 & 73 from Str. 510 north to riser
Rear yard lots 68 to 70 from Str. 510 to Str. 511
Rear yard lot 71 from Str. 511 north and east to riser
Rear yard lot 56 from Str. 536 to Str. 537
Rear yard lots 56 & 57 from Str. 536 to Str. 535

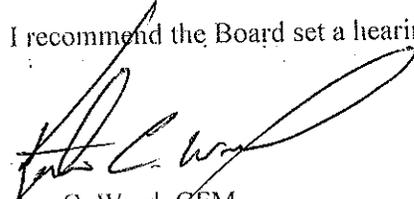
I have reviewed the plans and believe the drain will benefit each lot equally. Therefore, I recommend each lot be assessed equally. I also believe that no damages will result to landowners by the construction of this drain. I recommend a maintenance assessment of \$65.00 per lot, \$10.00 per acre for 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 \$5,504.50.

In accordance with IC 36-7-4-709, the petitioner did not submit surety for the proposed drain prior to construction commencing. If the petitioner/developer wants to submit final secondary plat for recording prior to the final inspection and approved as-built drawings, a bond will be required at that time.

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 request. The request will be for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Clay Corner as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for October 23, 2017.



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

FILED

MAY 17 2017

TO: HAMILTON COUNTY DRAINAGE BOARD
% Hamilton County Surveyor
One Hamilton County Square, Suite 188
Noblesville, IN. 46060-2230

OFFICE OF HAMILTON COUNTY SURVEYOR

In the matter of Clay Corner Subdivision, Section
NA Drain Petition.

Petitioner is the owner of all lots in the land affected by the proposed new regulated drain. The drainage will affect various lots in Clay Corner, a subdivision in Hamilton County, Indiana. The general route of such drainage shall be in existing easements and along public roads as shown in the plans on file in the Surveyor's Office.

Petitioner believes that the cost, damages and expenses of the proposed improvement will be less than the benefits which will result to the owners of the land likely to be benefited thereby. Petitioner believes the proposed improvements will:

- (a) improve public health
- (b) benefit a public street
- (c) be of public utility

Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

The Petitioner also agrees to the following:

1. To provide the Drainage Board a Performance Bond or Non-Revocable Letter of Credit for the portion of the drainage system which will be made a regulated drain. The bond will be in the amount of 120% of the Engineer's estimate. The bond will be in effect until construction of 100% of the system is completed and so certified by the Engineer.
2. The Petitioner shall retain an Engineer throughout the construction phase. At completion of the project the Petitioner's Engineer shall certify that the drainage system which is to be maintained as a regulated drain has been constructed as per construction plans.
3. The Petitioner agrees to request in writing to the County Surveyor any changes from the approved plan and must receive written authorization from the County Surveyor prior to implementation of the change. All changes shall be documented and given to the Surveyor to be placed in the Drain file.
4. The Petitioner shall instruct his Engineer to provide a reproducible print on a 24" x 36" Mylar of the final design of the Drainage System. This shall be submitted to the County Surveyor prior to the release of the Performance Bond.
5. The Petitioner shall comply with the Erosion Control Plan as specified on the construction plans. Failure to comply with the Erosion Control Plan shall be determined by the Board as being an obstruction to the drainage system. The County Surveyor shall immediately install or repair the needed measures at Petitioners cost as per IC 36-9-27-46.

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

TIMOTHY J. WALTER
Printed Name

5/10/17
Date

Signed

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

FOR RECORDER'S OFFICE USE ONLY

FILED

MAY 19 2017

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON
COUNTY DRAINAGE BOARD

OFFICE OF HAMILTON COUNTY SURVEYOR

At the request of Clay Corner Developer LLC The Hamilton County Drainage Board considered the extent of the drainage easement on the Williams Creek - Elliot Creek Drain in the Clay Corner Subdivision 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 Records Office.
2. It will not object to the improvement of said real estate beyond such distance, and
3. Other Conditions: _____

SIGNED:

Tim Berry
PRINTED NAME

Clay Corner Developer LLC
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

Revised May 2016

SUBNE-2017-00020

Adobe PDF Fillable Form

