

SURVEYOR'S OFFICE Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
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Fax (317) 776-9628

Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

August 4, 2017

To: Hamilton County Drainage Board

Re: Williams Creek Drain, Jackson's Grant Section 4 Arm

Attached is a petition filed by Jackson's Grant Real Estate Company, LLC., along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for Jackson's Grant Section 4 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	662 ft.	24" RCP	286 ft.
15" RCP	348 ft.	6" SSD	7,366 ft.
18" RCP	287 ft.	18" SSD	150 ft.

The total length of the drain will be 9,099 feet.

The dry detention basins (BMPs) located as listed below are 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 dry detention basins (BMPs) 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.

Basin
BMP 10A
BMP 10C
BMP 11A

Location
Common Area #25
Common Area #26
Common Area #26

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:

Hobby Horse Drive
Otto Lane
Elliott Creek Drive

Front/Rear Yard SSDs:

Front yard lots 199 to 200 from Str. 574 running west to riser.
Front yard lots 200 to 204 from Str. 574 running east to riser.
Common Area #26 and rear yard lots 205 to 208 from Str. 592 running west to riser.
Common Area #26 from Str. 592 to Str. 597
Common Area #26 from Str. 597 running south to riser
Common Area #26 from Str. 596 running south to riser
Common Area #26 from Str. 587 running south to riser
Common Area #P3 from BMP SSD running west to riser
Common Area #P3 from street SSD running east to riser
Rear yard lots 211 and 212 from BMP SSD running west to riser
Common Area #P4 from BMP SSD running west to riser
Common Area #P4 from street SSD running east to riser
Rear yard lots 214 & 215 from Str. 595 running east to riser
Rear yard lots 216 to 218 from Str. 595 to Str. 576
Rear yard lot 231 from riser running south to Str. 613
Rear yard lots 228 to 231 from riser running east to riser
Rear yard lots 231 to 234 from riser running west to riser
Rear yard lots 236 to 239 from Str. 589 running 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 \$3,026.20.

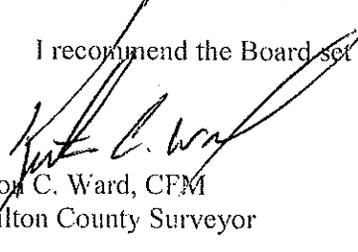
The petitioner has submitted surety for the proposed drain at this time. The sureties which are in the form of an Irrevocable Letter of Credit are as follows:

Agent: Standard Financial Corporation
Date: May 15, 2017
Number: 1273JG4
For: Storm Sewers
Amount: \$328,246.46

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 Jackson's Grant, Section 4 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



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

HAMILTON COUNTY RECORDERS OFFICE

FILED 7 8 2 5

AUG 03 2016 STATE OF INDIANA)) COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD

OFFICE OF HAMILTON COUNTY SURVEYOR

At the request of Jackson's Grant Real Estate Company, LLC by JG Development Company, LLC its manager The Hamilton County Drainage Board considered the extent of the drainage easement on the William Creek Drain in the Jackson's Grant on Williams Creek, Section 4 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: Douglas B. Wagner
APPLICANT

Douglas B. Wagner for Jackson's Grant Real Estate Company, LLC by JG Development Company, LLC its manager
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

SUBWE-2016-00524

(Revised 06/08/04)

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

FILED

SEP 15 2016

OFFICE OF HAMILTON COUNTY SURVEYOR

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

In the matter of Jackson's Grant on Williams Creek Subdivision, Section
4 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 Jackson's Grant on Williams Creek, Section 4, 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

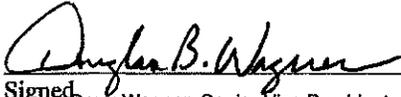
Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

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 Doug Wagner, Senior Vice President - Jackson's Grant Real Estate Company, LLC by JG Development Company, LLC its manager on behalf of Billy Creek Association, LLC

Printed Name

September 12, 2016

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

