

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

November 2, 2012

TO: Hamilton County Drainage Board

RE: Village of West Clay Drain, Section 10010C 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 the Section 10010-C Arm, Village of West Clay 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	1,295 ft.	21" RCP	149 ft.
15" RCP	361 ft.	24" RCP	178 ft.
18" RCP	982 ft.	6" SSD	1,808 ft.

This proposal will add an additional 4,773 feet to the drains total length.

The retention pond (Lake #1) which will be located in future common area #3 and retention pond (Lake #2) which will be located in future common area #4 are not to be considered part of the regulated drain for maintenance purposes. Only the inlets and outlets will be maintained as part of the regulated drain. The maintenance of the ponds (Lake #1 & #2) shall be the responsibility of the Homeowners Association as per the subdivision covenants on pages 11 and 12, sections 4 and 5, as recorded in the Office of the Hamilton County Recorder as instrument number 199909946964. The Board will however, retain jurisdiction for ensuring the storage volume for which the lake was designed will be retained, thereby, allowing no fill or easement encroachments.

The subsurface drains (SSD) under curbs are not to be part of the regulated drain. This is per the agreement between Brenwick Development and the Hamilton County Commissioners on April 26, 1999. (See Commissioner's Minute Book 93, Pages 565-566). Only the main SSD lines which are located within the easements 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 are as follows:

From Str. 410 to Str. 415 in the rear yards of lots 16, 17, 18, 19, and 20.
From Str. 415 to Str. 424 in the rear yards of lots 21, 22, 23, and 24.
From Str. 424 running north in the rear yards of lots 25 and 26.
From Str. 416A running west in the rear yards of lots 1, 2, and 3.
From Lake #1 running south then turning east in the rear yards of lots 4, 5, and 6.
From Str. 406 running south-east in in the rear yard of lot 15.
From Str. 406 to Str. 412 in the rear yards of lots 12, 13, and 14.
From Str. 412 to Str. 420 in the rear yards of lots 7, 8, 9, 10, 11, and Common Area #1.

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 \$5.00 per acre, \$5.00 per acre for roadways, with a \$120.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$3,275.40.

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:

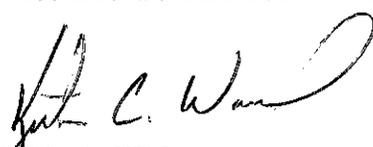
Agent: Liberty Mutual Insurance Company
Date: September 19, 2012
Number: 268002855
For: Storm Sewers
Amount: \$198,977.00

Parcels assessed for this drain will also be assessed for the J.W. Brendle Drain.

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC36-9-27-67 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 is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Village of West Clay Section 10010-C as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for December 10, 2012.


Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

Village of West Clay #312

Section 10010-C, aka West Village II at West Clay Sec. 1
 SUBNE-2012-00004

Hearing: 12/10/12

*Proposed acreage of roads will be added to the existing acreage already assessed to Village of West Clay.
 Will add 4,773' of drain to the total length.

Parcel	Owner	Description	Benefit	MntAsmt	Percent of Total
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 1	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 2	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 3	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 4	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 5	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 6	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 7	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 8	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 9	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 10	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 11	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 12	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 13	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 14	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 15	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 16	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 17	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 18	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 19	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 20	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 21	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 22	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 23	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 24	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 25	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C Lot 26	One Lot	120.00	3.66%
Not assigned yet.	Pulte Homes of Indiana LLC	Village of West Clay Sec. 10010-C CA 0.57Ac	0.57	120.00	3.66%
99-99-99-99-99-999.005	City Of Carmel, Dept. of Administration	Village of West Clay Sec. 10010-C 7.08 Ac	7.08	35.40	1.08%
Parcels: 28				\$ 3,275.40	100%
					26 lots

(Revised 06/08/04)

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

FILED
NOV 08 2012

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 The Village of West Clay Subdivision, Section
 10010-C 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 Village of West Clay, Section 10010-C, 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

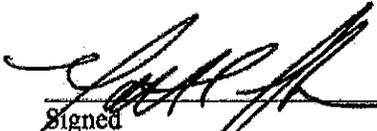
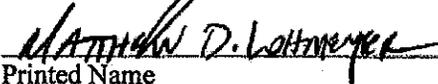
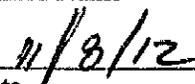
Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

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 _____

Printed Name _____

Date _____

Signed _____

Printed Name _____

Date _____

Signed _____

Printed Name _____

Date _____

Signed _____

Printed Name _____

Date _____

RECEIPT

Hamilton Co. Surveyor's Office
NAME OF UNIT, AGENCY, BOARD OR DEPARTMENT

Nonenforcement FUND

NO. 008843

Noblesville IN, Date 7/23, 2012

RECEIVED FROM Pulte Group \$ 100.⁰⁰

THE SUM OF One hundred ⁰⁰/₁₀₀ DOLLARS

ON ACCOUNT OF J.W. Brendel Drain SUBNE-2012-00004

PAYMENT TYPE
AND AMOUNT:

West Village II at Westclay Sec. 1

CASH _____ CHECK 50543981 M.O. _____

Janet Hansen
AUTHORIZED SIGNATURE

EFT _____ CC/BC _____ OTHER _____

FILED

JUL 20 2012

NON-ENFORCEMENT INFORMATION

Hamilton County Surveyor's Office
One Hamilton County Square, Suite 188
Noblesville, IN 46060
317-776-8495 fax: 317-776-9628

OFFICE OF HAMILTON COUNTY SURVEYOR

Name of Drain: J. W. Brendle Project Name: West Village II at WestClay, Section 1
Parcel Number: 17-09-29-00-00-012.000 Township: Clay
Applicant's Name: Pulte Homes Property Owner: Wendy M. Fortune
Address: 11590 North Meridian Street, Suite 530 Property Address: 2555 West Main Street
Carmel, Indiana 46032 Carmel, Indiana
Phone: (317) 575-2350 Phone: ()
Fax: (317) 575-2355 Fax: ()
Contact Name: Matthew Lohmeyer Contractor-Installer: N/A
Address: 11590 North Meridian Street, Suite 530 Address:
Phone: (317) 575-2350 Phone: ()
Fax: (317) 575-2355 Fax: ()
Purpose of Non-enforcement: Internal drain in subdivision with lots on both sides.
Reduced to: 30 feet on both side of Drain.
If Utility, how many feet is line paralleling drain:
Plan Project / Job Number: West Village II at WestClay, Section 1 / 55960PUL
Project Location: Between 126th Street & 131st Street, approximately 1/4 mile West of Town Road.
Engineering Firm: Stoepelwerth & Associates, Inc. - Brett A. Huff
Address: 7965 East 106th Street, Fishers, Indiana 46038
Phone: (317) 570-4841 Fax: (317) 849-5942

****For Office Use Only****
Permit # Project # Check #

SUBNE-2012-00004