

R. Ward

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

April 25, 2018

To: Hamilton County Drainage Board

Re: Williams Creek Drain, West Rail at the Station Section 2 Arm

Attached is a petition filed by Beazer Homes of Indiana, LLP, along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the West Rail at the Station Section 2 Arm, Williams Creek Drain to be located in Washington 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	952 ft.	24" RCP	174 ft.
15" RCP	381 ft.	30" RCP	618 ft.
18" RCP	154 ft.	6' SSD	4,503 ft.
21" RCP	200 ft.		

The total length of the new drain will be 6,982 feet.

With this project, 1063 feet of the Charles Osborn Arm 3 of the William Creek Drain from Sta. 15+91 to Sta. 26+54 shall be vacated. This drain is being replaced by the subdivision storm sewers being installed to drain this area. This will result in a total change of 5,919 being added to the Williams Creek Drain's total length.

The subsurface drains (SSD) to be part of the regulated drain are those located under the curbs and those main lines in rear yards. Only the main SSD lines 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 portion of the SSD which will be regulated other than those under curbs are as follows:

Curblin SSD in Streets:

Turntable Court  
West Rail Drive

Rear Yard SSDs:

Rear yard lots 126 to 127 from Str. 217 to Str. 218  
Rear yard lots 128 to 130 from Str. 217 running west to riser  
Rear yard lots 131 to 133 from Str. 260 running north to riser  
Rear yard lots 134 to 136 from Str. 260 to Str. 259  
Rear yard lot 137 from Str. 259 running south to riser  
Rear yard lots 170 to 172 from Str. 249 running west to riser  
Rear yard lots 173 and 174 from Str. 248 running west to riser  
Rear yard lots 147 and 148 from Str. 245 running north to riser  
Rear yard lot 149 from Str. 245 running south to riser  
Rear yard lots 175 to 177 from Str. 248 to Str. 225  
Rear yard lot 180 from Str. 233 to Str. 244  
Rear yard lots 181 to 183 from Str. 244 to Str. 245

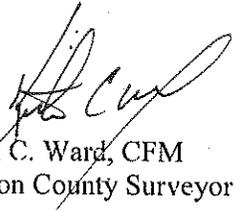
I have reviewed the plans and believe the drain will benefit each lot equally. Therefore, I recommend each lot be assessed equally. I also believe that no damages will result to landowners by the construction of this drain. I recommend a maintenance assessment of \$65.00 per platted lot, \$10.00 per acre for common areas, with a \$65.00 minimum, and \$10.00 per acre for roadways. With this assessment the total annual assessment for this drain will be \$2,196.90.

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 requests. The request will be for the reduction of the regulated drain easement to those easement widths as shown on the secondary plats for West Rail at the Station Section 2 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for July 23, 2018.



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

**Williams Creek #315**

West Rail at the Station Sec. 2 Arm

The part of Section 2 going to Williams Creek will add 6,982' of new drain.

The Charles Osborn Arm 3 from Sta. 15+91 to 26+54 will have 1,063' vacated.

The overall new footage for this hearing will be 5,919'.

SUBNE-2018-00008

Hearing: 07/23/18

Parcel	Owner	Desc	Rate	Ben	Annual Assmt.	% of Total
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 125	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 126	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 127	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 128	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 129	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 130	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 131	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 132	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 133	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 134	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 135	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 136	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 137	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 147	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 148	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 149	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 169	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 170	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 171	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 172	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 173	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 174	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 175	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 176	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 177	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 178	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 179	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 180	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 181	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 182	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 Lot 183	Regulated Subd.	One Lot	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 CA A, 6.30Ac	Regulated Subd.	4.14	\$ 65.00	2.96%
Not assigned yet.	Beazer Homes Indiana, LLP	S10 T18 R3 West Rail at the Station Sec 2 CA B, 0.85Ac	Regulated Subd.	0.85	\$ 65.00	2.96%
99-99-99-99-99-999.010	City of Westfield	S10 T18 R3 West Rail at the Station Sec 2 Roads, 5.19Ac	Roads	5.19	\$ 51.90	2.36%
Parcels: 34		West Rail Dr, Turntable Dr. & Ct.		10.18	\$2,196.90	100.0%
			Totals: 31 lots &			



**NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS**

FILED

APR 27 2018

STATE OF INDIANA )

BEFORE THE HAMILTON

OFFICE OF HAMILTON COUNTY SURVEYOR )  
COUNTY OF HAMILTON )

COUNTY DRAINAGE BOARD

At the request of Beazer Homes of Indiana, LLP The Hamilton County Drainage Board considered the extent of the drainage easement on the Williams Creek Drain in the West Rail at the Station - Section 2 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:

APPLICANT

RYAN SMITH  
PRINTED NAME

BEAZER HOMES  
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-2018-00008

Adobe PDF Ffillable Form

STATE OF INDIANA )  
 )  
COUNTY OF HAMILTON )

**FILED**

**APR 27 2018**

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 West Rail at the Station Subdivision, Section  
Two 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 West Rail at the Station Section Two, 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

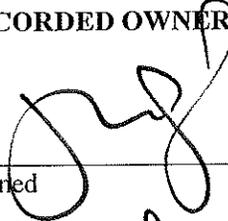
Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

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).

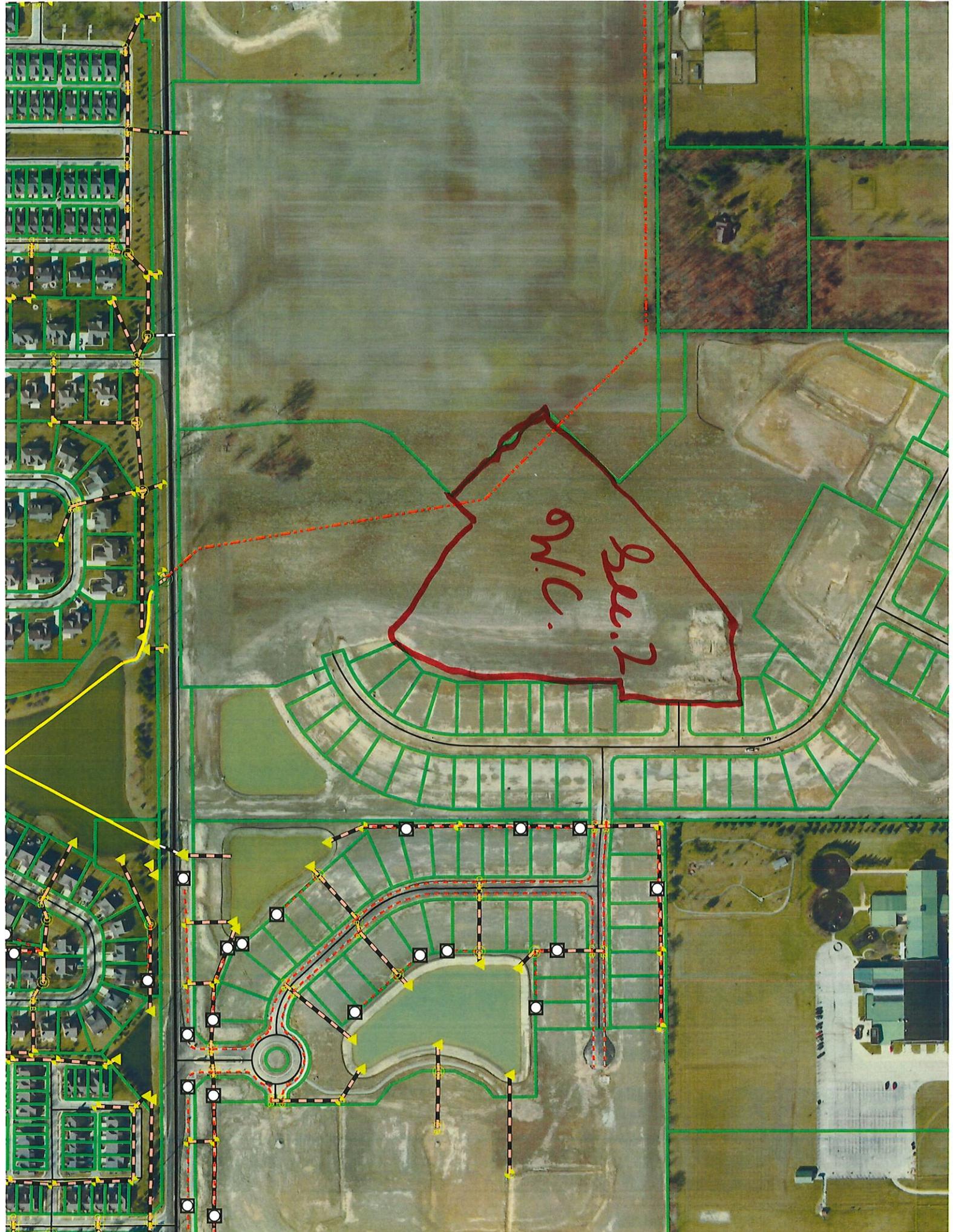
**RECORDED OWNER(S) OF LAND INVOLVED**

Signed   
Printed Name RYAN SMITH  
Date 4/25/18

Signed \_\_\_\_\_  
Printed Name \_\_\_\_\_  
Date \_\_\_\_\_

Signed \_\_\_\_\_  
Printed Name \_\_\_\_\_  
Date \_\_\_\_\_

Signed \_\_\_\_\_  
Printed Name \_\_\_\_\_  
Date \_\_\_\_\_



Sec. 2  
O.M.C.

LA 47

LA 47