

# SURVEYOR'S OFFICE Hamilton County

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May 28, 2018

To: Hamilton County Drainage Board

Re: Mud Creek – Sand Creek Drainage Area, George Burk Arm, Silverton, Sec. 6  
Reconstruction

Attached are petition and plans for the proposed reconstruction of the Mud Creek – Sand Creek Drainage Area, George Burk Arm. This project is to be paid for by Boomerang Development. The proposal is to reconstruct the existing tile drain currently on parcels owned by Boomerang Development, per the Silverton, Sec. 6 project plans by Schneider Corp, Job No. 8015.600, revision date 2/6/2018.

Per the plans, the upstream end of this relocation will begin at a new manhole, Str. 304 on the north side of Silverton, Sec. 6 near 136<sup>th</sup> street and drain southwest through Common Area "P". At the downstream end of the reconstruction under this petition, the drain will connect to a manhole, Str. 301, near Prairie Baptist Road. Note: The drain at each end of this project is also being petitioned for reconstruction as the 136<sup>th</sup> & Prairie Baptist Road Intersection Reconstruction.

This reconstruction will consist of the following:

755' of 36" RCP      85' of 45"x 29" ERCP

The new drain involves the lengths of drain between the following structures: 301, 302, 303, & 304.

The newly installed drain with this petition will have a length of 840'.

Regarding the existing drain, this project will vacate 845' of existing drain between the following locations: Existing Sta. 75+64 and 84+09.

This proposal will subtract 5' of footage from the original George Burk drain's total length.

The original drain was referenced in the original viewers report dated August 29, 1891 per the Commissioner's Record 10, pages 234 to 237. See also my report dated June 8, 2006 and approved at public hearing by the Drainage Board on August 28, 2006 as referenced in Minutes Book 9 pages 399 – 401 at which time the Burk Drain was made an arm of the Mud Creek – Sand Creek Drainage Area.

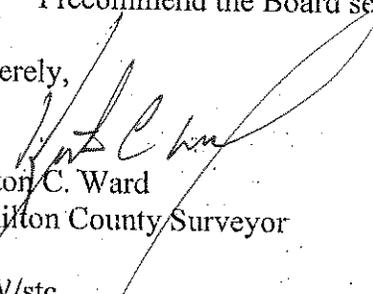
The cost of the project is to be paid by the developer. The petitioner has submitted surety in the form of a Subdivision Performance Bond as follows:

Bonding Company: Lexon Insurance Company  
Date: April 20, 2018  
Expiration Date: N/A  
Number: 1155710  
For: Drain Reconstruction  
Amount: \$108,150.00  
HCDB-2018-00013

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 per the easements shown on the secondary plats for Silverton, Sec. 6, Sec. 1A and Sec. 5A as recorded in the office of the Hamilton County Recorder, and 75' per half where located within right-of-way for 136<sup>th</sup> street, Prairie Baptist Road. This Non-enforcement includes the proposed asphalt path that will connect to the existing paths along 136<sup>th</sup> Street and Prairie Baptist Road.

I recommend the Board set a hearing date for July 23, 2018.

Sincerely,



Kenton C. Ward  
Hamilton County Surveyor

KCW/stc

**Mud Crk/Sand Crk, Geo. Burk Arm**

Silverton Sec. 6 Reconstruction

Adds 755' of 36" RCP & 85' of 45" x 29" ERCP between Sta. 75+64 to 84+09 and vacate 845' of original drain.  
This proposal will remove 5' of footage from the drain's total length.

SUBNE-2018-00005

\*Cost of reconstruction to be paid by the developer. No change in current maintenance assessment.  
Hearing: 07/23/18

Parcel	Owner	Description	Benefit	MntAsmt	Reconst	Percent
99-99-99-99-99-999.007	City of Fishers	S30 T18 R6 136th & Prairie Baptist	n/a	*	*	*
99-99-99-99-99-999.001	Hamilton County Highway Department	S30 T18 R6 136th & Prairie Baptist	n/a	*	*	*
13-12-30-00-00-001.000	Saratoga Holdings LLC	S30 T18 R6 5.68 AC	n/a	*	*	*
13-12-30-00-00-001.001	Saratoga Holdings LLC	S30 T18 R6 2.79 AC	n/a	*	*	*
13-12-30-00-03-035.000	Silverton Property Owners Assoc.	S30 T18 R6 3.31 AC	n/a	*	*	*



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

FILED

APR 05 2018

STATE OF INDIANA )
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD

At the request of Saratoga Development LLC The Hamilton County Drainage Board considered the extent of the drainage easement on the Mud Creek-George Burk Arm Drain in the Silverton Section 6 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: [Signature]

APPLICANT

CHRISTOPHER W WERTH
PRINTED NAME

SARATOGA HOLDINGS 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

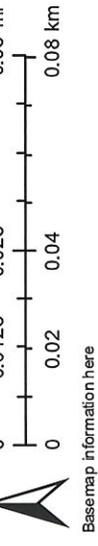
Revised May 2016

SUBNE-2018-00005

# Mud Cr - Sand Cr Drainage Area, George Burk Arm



May 13, 2018



- All Other Structures
- ⊕ MUNICIPAL MANHOLE
- CLOSED DRAIN
- MUNICIPAL DRAIN
- OPEN DRAIN
- SSD
- Regulated Drains Waterways
- Regulated Drains Drainage Pool

Drain Name