



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

October 5, 2018

To: Hamilton County Drainage Board

Re: Boone Creek Drain, Copper Run 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 Copper Run (AKA Copperleaf) Arm, Boone 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	655 ft.	24" RCP	569 ft.
15" RCP	715 ft.	30" RCP	222 ft.
15" HDPE	8 ft.	36" RCP	483 ft.
18" RCP	151 ft.	42" RCP	165 ft.
21" RCP	576 ft.	6" SSD	3,120 ft.
		Open Ditch	15 ft.

The total length of the drain will be 6,679 feet.

The retention ponds (Lake #1 and Lake #2) located in Common Area A are not to be considered part of the regulated drain. Pond maintenance assumed by the Drainage Board shall only include the inlets and outlets as part of the regulated drain. The maintenance of the retention ponds (lakes) such as sediment removal and erosion control along the banks, mowing and aquatic vegetation maintenance and control will be the responsibility of the Homeowners Association. The Board will 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 main lines located in rear yards and common areas. The SSD's in the street will not be part of the regulated drain due to street trees and the Hamilton County Drainage Board discussion on July 9, 2018, (see Hamilton County Drainage Board Minute Book 18, Pages 204 to 206). The street SSD will be the maintenance responsibility of the City of Carmel. Only the main SSD lines which are located within the easement 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 are as follows:

Rear Yard SSDs:

- Rear yard lots 1 and 2 from Str. 651 running north to riser
- Rear yard lots 3 and 4 from Str. 608 running south east to riser
- Rear yard lots 5 and 6 from Str. 644 running west to riser
- Rear yard lots 6 and 7 from Str. 644 running east to riser
- Rear yard lots 8 and 9 from Str. 638 running south to riser
- Rear yard lots 10 and 11 from Str. 638 running north to riser
- Rear yard lot 11 from Str. 613 running south to riser
- Rear yard lots 17 and 18 from Str. 644 running south to riser
- Rear yard lots 19 to 20 from Str. 647 running south to riser
- Common Area C from Str. 647 running south to riser
- Rear yard lots 21 and 22 from Str. 647 running north to riser
- Common Area C from Str. 647 running north to riser
- Rear yard lots 23 to 25 from Str. 634 running south to riser
- Rear yard lot 26 from Str. 634 running north to riser
- Rear yard lots 26 and 27 from Str. 616 running south to riser
- Rear yard lot 28 from Str. 616 running north to riser
- Common Area C from Str. 616 running south to riser
- Common Area C from Str. 616 running south to riser
- Common Area A from Str. 621 to Str. 622
- Common Area A from Str. 622 running north west 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 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 \$2,259.00. I further recommend that the maintenance assessment collections be set to eight (8) times the annual collections as allowed in IC 36-9-27-43.

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.

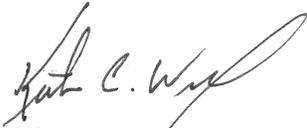
The off-site easement for this project will cross parcel number 019-10350-01 in Boone County, owned by Austin Oaks Homeowner's Association. An easement agreement is recorded as instrument number 2018009257 in the office of the Boone County Recorder.

The portion of drain within Boone County will consist of approximately 484 feet of 24" RCP and 15 feet of open ditch. The 24" RCP will begin approximately 28 feet northeast of Str. 604 and terminate at Str. 601. The open ditch shall be that section between Str. 601 and the south property line of Austin Oaks Section 10 Meadows Block "B".

Because the area of affected land in Hamilton County exceeds 80% of the total area of land affected by the proposed drain, also, because more than 90% of the length of the drain lies within Hamilton County, I have sent the Boone County Drainage Board a request for waiver of a Joint Drainage Board for this drain as per IC 36-9-27-14 (c).

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 Copper Run as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for November 26, 2018.



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll



④  
25.00  
Kendric  
Haslett

**FILED**

OCT 09 2018

*[Signature]*  
Boone County Auditor

**DRAINAGE EASEMENT**

2018009257 EASE \$25.00  
10/09/2018 11:20:52A 4 PGS  
Nicole K. (Nikki) Baldwin  
Boone County Recorder IN  
Recorded as Presented



THIS INDENTURE WITNESSETH: That Austin Oaks Homeowner Association

(referred to herein as the "Grantor") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby convey to the Board of Commissioners of Hamilton County and the Hamilton County Drainage Board, ("Grantees") a non-exclusive perpetual easement through, upon, over, along and across the following described real property located in Boone County, Indiana, ("the Easement") to-wit;

See Attached Exhibit A.

This Easement is granted for the purpose of providing subsurface paths and courses for the construction, maintenance, preservation of storm drainage. The Grantor reserves for themselves and their successors and assigns the right to use the Easement for any uses which are not inconsistent with the purpose herein. However, in the event the Grantor, or their successors, elect or desire to do any construction or alterations to the Real Estate within the Easement, they shall do so only upon approval of the Grantee. The Grantor further agrees that they shall not grant any easements to any other utilities, or other persons, through the real estate described herein, without the consent of the Grantees, and if said grants are given, those easements shall be subject to the Grantees' rights to regulate and permit construction or alteration within the Easement.

The Grantee will be responsible to maintain the storm sewer pipe within the said drainage easement.

In the event the Grantees, their employees, or contractors are required to come upon the real estate contained in the Easement to replace, restore, or clear any drainage structures, ditches,

drains, or swales contained therein, the Grantees shall be liable to restore the Grantor's real estate to its previous grade, to re-seed, and to restore any disturbed areas to the condition in which the property was found, and undertake erosion control measures as are required by 327 IAC15-5 as amended. The Grantees, their employees, or contractors shall not be liable to Grantor, or his successor in title, for any improvements to the real estate, landscaping, sod, or any other improvements within the Easement which are damaged in the course of the repair of the drainage structure, ditches, drains, or swales contained in the Easement area.

This Drainage Easement and the agreements herein shall run with the land and shall be binding upon and inure to the benefit of the Grantor and its successors and assigns and upon the Grantee and its successors.

IN WITNESS WHEREOF, The Grantor has executed this Drainage Easement on this 18th day of September 2018.

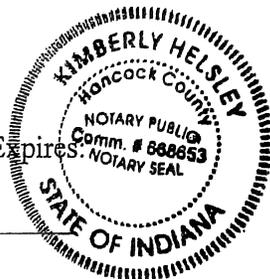
GRANTOR

William A. Ruddell  
Austin Oaks HOA President  
William A. Ruddell

STATE OF INDIANA )  
 ) SS:  
COUNTY OF BOONE )

Subscribed and sworn to before me, a Notary Public this 18th day of September, 2018 personally appeared the within named William A. Ruddell and acknowledged the execution of the foregoing document.

WITNESS my hand and official seal.



My Commission Expires 6/21/2023

Kimberly Helsley  
Notary Public,  
Residing in Hancock County, IN

"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."

NAME: KENDRIC HASLETT

Document Prepared by:

Kenneth Hedge  
Boone County Surveyor  
116 W Washington Street, Rm 102  
Lebanon, IN 46052

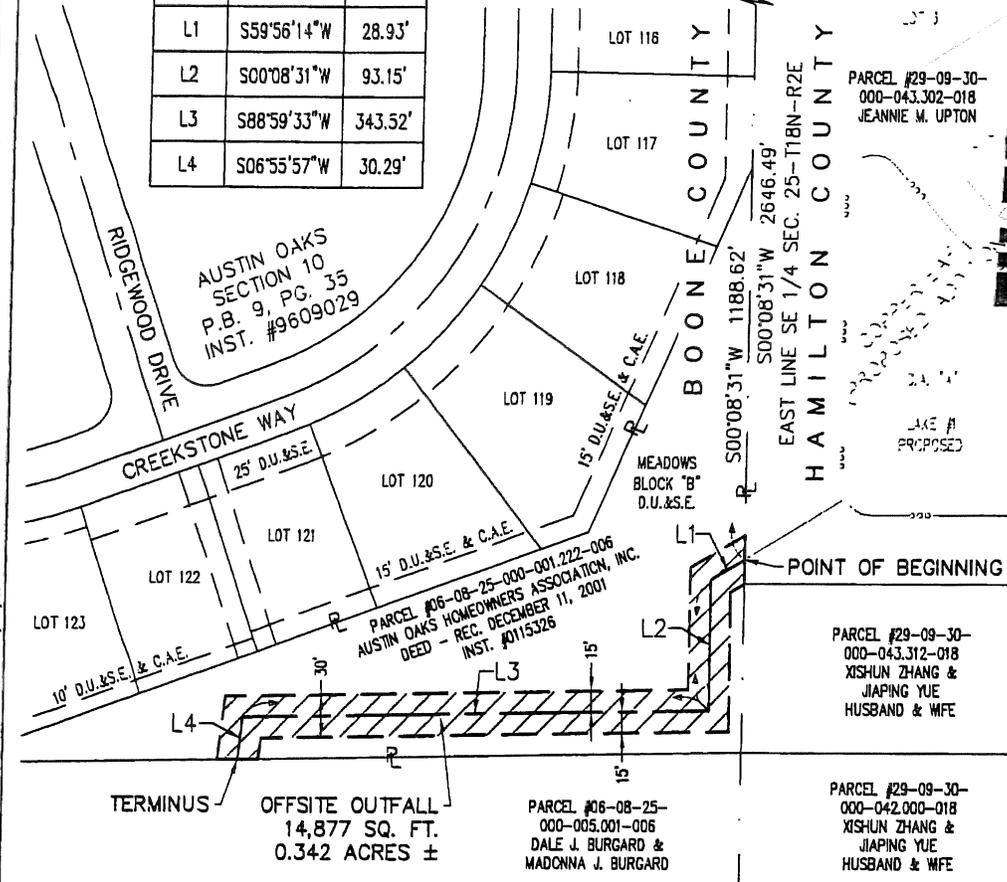
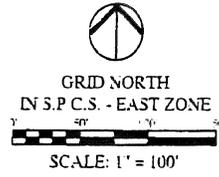
**LEGEND**

**EXHIBIT "A"**

-  OFFSITE OF T'FALL
-  PROPERTY LINE

Line Table		
Line #	Direction	Length
L1	S59°56'14"W	28.93'
L2	S00°08'31"W	93.15'
L3	S88°59'33"W	343.52'
L4	S06°55'57"W	30.29'

POINT OF COMMENCEMENT  
NE COR. SE 1/4  
SEC. 25-T18N-R2E  
HARRISON MON. FOUND  
FLUSH PER B.C.S. REF. TIES



**FILED**

8102 6 0 2018

2018009257 Page 4 of 4

Boone County Auditor

**OFFSITE OUTFALL**  
A part of Meadows - Block "B" in Austin Oaks, Section 10, a subdivision located in the Southeast Quarter of Section 25, Township 18 North, Range 2 East of the Second Principal Meridian, Boone County, Indiana, per plat recorded in Plat Book 9, page 35, as Instrument Number 9609029 in the Office of the Recorder of Boone County, Indiana, being a strip of land thirty (30) feet in width, lying fifteen (15) feet on each side of the following described centerline:

COMMENCING at the northeast corner of said Southeast Quarter, said point being marked by a Harrison monument; thence South 00 degrees 08 minutes 31 seconds West (grid bearing per Indiana State Plane East Zone, NAD83(2011)EPOCH 2010.000) along the east line of said Southeast Quarter and along the east line of said Austin Oaks, Section 10 a distance of 1188.62 feet to the POINT OF BEGINNING of the above-described centerline; thence South 59 degrees 56 minutes 14 seconds West a distance of 28.93 feet; thence South 00 degrees 08 minutes 31 seconds West a distance of 93.15 feet; thence South 88 degrees 59 minutes 33 seconds West a distance of 343.52 feet; thence South 06 degrees 55 minutes 57 seconds West a distance of 30.29 feet to the south line of said Austin Oaks, Section 10 and the TERMINUS. The sidelines of said strip being lengthened or shortened to intersect with the east line and the south line of said Austin Oaks, Section 10. Containing 0.342 acres, more or less.

SE CORNER SE 1/4  
SEC. 25-T18N-R2E  
HARRISON MON. FOUND  
FLUSH PER B.C.S.  
REFERENCE TIES



*Michael G. Judt*  
Michael G. Judt  
Professional Surveyor #21500017  
August 15, 2018  
E-Mail: mjudt@hwcengineering.com

**PREPARED BY**



**HWC ENGINEERING**  
135 N. PENNSYLVANIA ST. SUITE 2800  
INDIANAPOLIS, IN 46204  
317-347-3663  
INDIANAPOLIS - TERRE HAUTE  
LAFAYETTE - MUNCIE - NEW ALBANY www.hwcengineering.com

**COPPERLEAF  
OFFSITE OUTFALL  
CARMEL, INDIANA**

**Note:**  
This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report.

PG 1 OF 1

**DRAWN BY**  
MGJ

**CHECKED BY**  
KKE

**DATE**  
08/15/2018

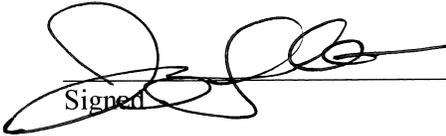
**SCALE**  
1" = 100'

**JOB NUMBER**  
2017-232



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

Jeremy Lollar, Pulte Homes  
Printed Name

7/19/18  
Date

Signed

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

