



SURVEYOR'S OFFICE

# Hamilton County

*Kenton C. Ward, CFM*  
*Surveyor of Hamilton County*  
*Phone (317) 776-8495*  
*Tax (317) 776-9628*

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

February 15, 2019

To: Hamilton County Drainage Board

Re: Heron Hill Subdivision

Attached is a petition filed by Heron Hills Development LLC along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Heron Hills Subdivision to be located in Jackson 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. As per the plans by Stoepelwerth & Associates Engineering, Project No. 75910NC-S1, the drain will consist of the following:

12" RCP	128 ft.	30" CMP	48 ft.
15" RCP	419 ft.	36" CMP	78 ft.
18" RCP	272 ft.	6" SSD	2,102 ft.
21" RCP	303 ft.	12" SSD	310 ft.
24" RCP	91 ft.	Open	315 ft.

The total length of the drain will be 4,066 feet.

The 6" subsurface drains (SSD) along the north side of lots 2 & 3 and along the east side of lot 2, the 12" SSD in the dry detention facility and the 6" SSD under the road curbs are to be part of the regulated drain. Only the main lines under the curbs and within the easements are to be maintained as regulated drains. Laterals for individual lots will not be accepted as part of the regulated drain.

The length of open drain listed above runs across parcel #03-06-02-00-00-013.301 owned by Eric W. & Jane Nichols is part of the regulated drain.

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 \$150.00 per platted lot, \$25.00 per acre for common areas, with a \$150.00 minimum, and \$25.00 per acre for roadways. With this assessment the total annual assessment for this drain will be \$1,971.76. I further recommend that the collections for this be set at 8 times the annual assessment. Some tracts assessed to this drain may also be assessed to the Bear Slide Drain at some time in the future.

The dry detention area is not to be considered part of the regulated drain. The maintenance of the pond shall include the inlet, outlet and 12" underdrain as part of the regulated drain. The maintenance of the area including but not limited to sediment removal, and erosion control along the banks and mowing will be the responsibility of the Homeowners Association. The Board will also retain jurisdiction to enforce the storage volume for which the pond was designed will be retained, thereby, allowing no fill or easement encroachments. In the event the Homeowners Association or owner, in the sole discretion of the Board, fails to adequately maintain the required detention capacity, after 30 days written notice to the owner of record, the Board may perform the required maintenance and assess the cost thereof to the owner of record as a special assessment.

The 78 feet of 36" CMP is that which runs under 226<sup>th</sup> Street south of Lot 1. The ravine at the rear of Lots 6, 7, 5, 8 4 and 9 is not part of the regulated drain.

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

Agent: First Merchants Bank  
Date: August 28, 2018  
Number: 3536300  
For: Storm Sewers  
Amount: \$164,700.00  
HCDB-2018-00029

Agent: First Merchants Bank  
Date: August 28, 2018  
Number: 3536394  
For: Erosion Control  
Amount: \$33,081.60  
HCDB-2018-00031

Agent: First Merchants Bank  
Date: August 28, 2018  
Number: 3536483  
For: Monumentation  
Amount: \$5,640.00  
HCDB-2018-00030

Agent: First Merchants Bank  
Date: August 28, 2018  
Number: 3536343  
For: Sub Surface drains  
Amount: \$13,663.20  
HCDB-2018-00028

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 plats for Heron Hills as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for April 22, 2019.

A handwritten signature in black ink, appearing to read 'Kenton C. Ward', written over a diagonal line.

Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

**Heron Hills Drain**

Section 1

SUBNE-2018-00024

This subdivision has 4,066' of drain.

Hearing: 04/22/19

Collection period will be until the balance of the drain fund equals 8 times its annual assessment.

Parcel	Owner	Description	Rate	Regulated Subd.	Rate	Minimum
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills Lot 1	Regulated Subd	One Lot	\$150.00	7.61%
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills Lot 2	Regulated Subd	One Lot	\$150.00	7.61%
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills Lot 3	Regulated Subd	One Lot	\$150.00	7.61%
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills Lot 4	Regulated Subd	One Lot	\$150.00	7.61%
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills Lot 5	Regulated Subd	One Lot	\$150.00	7.61%
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills Lot 6	Regulated Subd	One Lot	\$150.00	7.61%
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills Lot 7	Regulated Subd	One Lot	\$150.00	7.61%
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills Lot 8	Regulated Subd	One Lot	\$150.00	7.61%
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills Lot 9	Regulated Subd	One Lot	\$150.00	7.61%
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills Lot 10	Regulated Subd	One Lot	\$150.00	7.61%
Not assigned yet.	Heron Hills, LLC	S2 T19 R4 Heron Hills C.A. 1, 1.57 Ac	Regulated Subd	1.57	\$150.00	7.61%
03-06-02-00-00-013.301	Nichols, Eric W & Jane	S2 T19 R4 1.93 Ac	Regulated Subd	1.93	\$150.00	7.61%
99-99-99-99-999.001	Hamilton Co. Highway Dept.	S2 T19 R4, Crooked Beak Cir & 226th	Road	6.87	\$171.76	8.71%
			Total: 10 lots &	10.37	\$1,971.76	100.00%

FILED

OCT 11 2018

OFFICE OF HAMILTON COUNTY SURVEYOR

(Revised 12/2002)

STATE OF INDIANA )  
 )  
COUNTY OF HAMILTON )

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

In the matter of Heron Hills Subdivision 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 Heron Hills, 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 for the portion of the drainage system which will be made a regulated drain. The bond will be in the amount of 100% 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).

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

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

RECORDED OWNER(S) OF LAND INVOLVED Date OCTOBER 5, 2018



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

FILED

OCT 11 2018

STATE OF INDIANA )
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD

OFFICE OF HAMILTON COUNTY SURVEYOR

At the request of Heron Hill's Development LLC The Hamilton County Drainage Board considered the extent of the drainage easement on the Heron Hills Drain in the Heron Hills 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 Recorders Office.
2. It will not object to the improvement of said real estate beyond such distance, and
3. Other Conditions:

SIGNED: Paul Vondersaar Heron Hill's Development LLC
APPLICANT 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

Revised May 2016

SUBNE-2018-00024

010.001  
136.42

017.003  
13.38

*Heron Hills Sec. 1*

007.005  
4.58

016.101  
0.42

013.101  
7.93

013.201  
1.91

013.301  
1.93

013.001  
18.32

018TH ST

PLEASANT HILL CT

014.103  
3

004.003  
7.68

001.000  
3.2

002.000  
1.9

003.000  
1.2

001.000  
6.8

004.000  
1

SCHULLEY RD

004.002  
5.03

003.000  
2.4

004.000  
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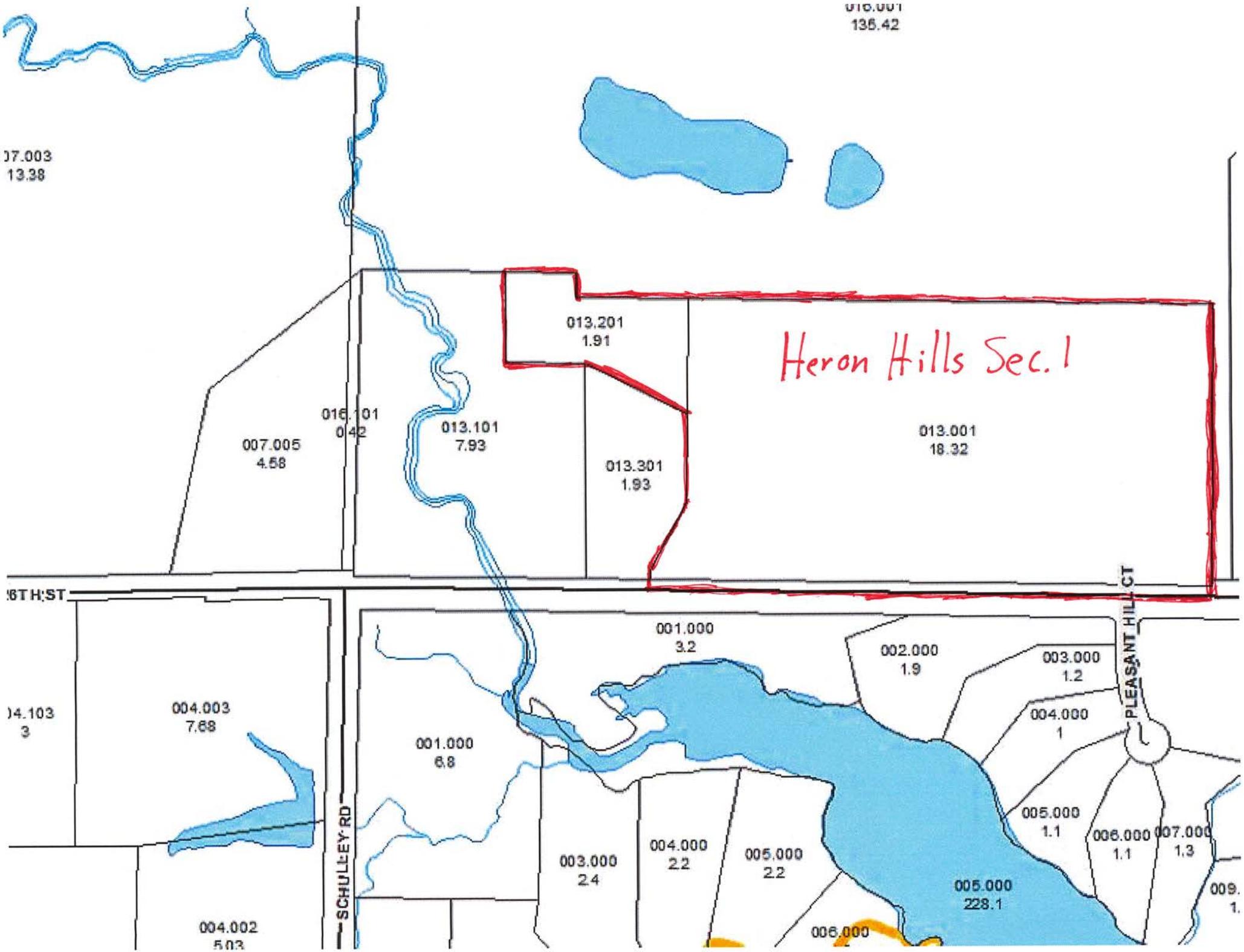
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THIS INSTRUMENT PREPARED BY:  
 DENNIS D. OLMSTEAD  
 STOEPPEL, WERTH & ASSOCIATES, INC.  
 7965 E. 106TH STREET  
 FISHERS, INDIANA 46038  
 PHONE: (317) 849-5935

THIS INSTRUMENT PREPARED FOR:  
 HERON HILLS DEVELOPMENT, LLC  
 1105 BEAR CUB DRIVE  
 CICERO, INDIANA 46034  
 PHONE: (317) 710-5157  
 CONTACT PERSON: PAUL VONDERSAAR

# HERON HILLS SECTION 1 SECONDARY PLAT

(PART OF SW. 1/4 OF SEC. 2, T19N, R4E -  
 HAMILTON COUNTY, INDIANA)



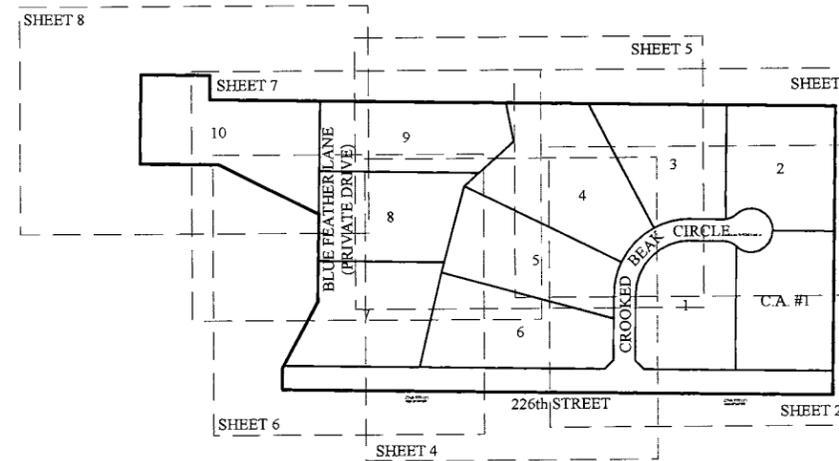
Dennis D. Olmstead  
 Registered Land Surveyor  
 No. 900012

LEGEND	
1	LOT NUMBER
R.D.E.&U.E.	REGULATED DRAINAGE EASEMENT & UTILITY EASEMENT
D.U.&S.S.E.	DRAINAGE UTILITY & SANITARY SEWER EASEMENT
D.&U.E.	DRAINAGE & UTILITY EASEMENT
L.M.A.E.	LANDSCAPE MAINTENANCE ACCESS EASEMENT
I.E.E.	INGRESS-EGRESS EASEMENT
N.A.E.	NON-ACCESS EASEMENT
S.L.E.	SIGN, LANDSCAPE EASEMENT
D.E.	DRAINAGE EASEMENT
B.L.	BUILDING SETBACK LINE
R/W	RIGHT OF WAY
C.A.	COMMON AREA
B.M.P.E.	BEST MANAGEMENT PRACTICES EASEMENT
VAR.	VARIABLE

### SUBDIVISION MONUMENTATION

AN AFFIDAVIT, CROSS-REFERENCED TO THIS RECORDED PLAT, WILL BE RECORDED AFTER THE SUBDIVISION MONUMENTATION HAS BEEN COMPLETED, PER STANDARDS SET FORTH IN TITLE 865 IAC 1-12-18 SUBSECTION (b)(1)(2). THE INSTALLATION OF BELOW MENTIONED MONUMENTS MAY BE DELAYED FOR UP TO TWO YEARS FROM RECORDATION OF PLAT.

- DENOTES A 5/8"x30" REBAR WITH CAP STAMPED "S&A FIRM #0008". A 5/8"x30" REBAR WITH CAP STAMPED "S&A FIRM #0008" SHALL BE SET AT ALL LOT OR PARCEL CORNERS.
- DENOTES A 2" MAG NAIL WITH WASHER STAMPED "S&A FIRM #0008".
- DENOTES A 4"x4"x36" LONG PRECAST CONCRETE MONUMENT WITH A CROSS CAST IN THE TOP, SET FLUSH WITH THE FINISH GRADE.
- DENOTES A STREET CENTERLINE MONUMENT. EITHER A "COPPERWELD", A 5/8" DIA. STEEL ROD 12" LONG WITH 1-1/2" DIA. TAPERED BRASS CAP HAVING A CUT "X" IN TOP, SET FLUSH WITH THE FINISHED SURFACE COAT OR A 2" MAG NAIL, TEMPORARILY SET FLUSH WITH THE INTERMEDIATE COAT (BINDER).



DESIGN SPEED: 25 M.P.H.

WHERE COMMON DRIVES ARE SHOWN ON THIS PLAT, THOSE LOT OWNERS ABUTTING SUCH DRIVES SHALL OWN EQUAL AND UNDIVIDED INTEREST IN SUCH DRIVES AS TENANTS IN COMMON, AND IT SHALL BE THE OBLIGATION OF EACH OWNER IN COMMON WITH THE OTHER LOT OWNERS ABUTTING SUCH A DRIVE TO CONTRIBUTE AN EQUAL SHARE OF THE COST OF THE MAINTENANCE OF SUCH DRIVES. WHERE A MAJORITY OF LOT OWNERS SERVED BY A PRIVATE DRIVE ELECT TO REPAIR THE PRIVATE DRIVE AND ONE OR MORE LOT OWNERS FAILS TO PAY THEIR ALLOCABLE SHARE OF SUCH REPAIR, THEN THE OWNERS PAYING SUCH COST MAY FILE A LIEN FOR THE REASONABLE VALUE OF LABOR PERFORMED AND MATERIALS FURNISHED AS PRESCRIBED BY LIEN LAWS OF THE STATE OF INDIANA AGAINST ANY SUCH LOT OWNER THEREOF AND RECOVER THE FULL ASSESSMENT OWED TOGETHER WITH INTEREST FROM DUE DATE AND REASONABLE ATTORNEY'S FEES. THE PRIVATE DRIVE MAY CONTAIN UTILITIES TO SERVE SAID LOTS IN WHICH EVENT THE SEVERAL PROPERTY OWNERS SHALL MAINTAIN THE UTILITIES NOT OTHERWISE MAINTAINED BY THE RESPECTIVE UTILITY IN THE SAME MANNER AS SET OUT FOR DRIVES. ALL PRIVATE DRIVES MAY ALSO BE A UTILITY EASEMENT.

VONDERSAAR HOME, INC. AND ANY AND ALL SUCCESSORS AND ASSIGNS HEREBY WAIVE ALL RIGHTS TO PETITION THE HAMILTON COUNTY HIGHWAY DEPARTMENT, THE HAMILTON COUNTY BOARD OF COMMISSIONERS, OR HAMILTON COUNTY, OR THE SUCCESSOR UNIT OF GOVERNMENT TO BE RESPONSIBLE FOR THE MAINTENANCE OF THE COMMON DRIVE (INGRESS-EGRESS EASEMENT), OR TO HAVE THE EASEMENT CONSIDERED A PUBLIC ROAD NECESSITATING MAINTENANCE BY ANY UNIT OF GOVERNMENT.

CURVE TABLE: ROAD C

CURVE	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING	DELTA
C1	121.18'	52.31'	26.57'	51.91'	N13°14'15"E	24°44'03"
C2	226.05'	97.59'	49.57'	96.84'	N13°14'11"E	24°44'10"
C3	150.00'	235.99'	150.38'	212.40'	N45°48'56"E	90°08'36"

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING	DELTA
C4	125.00'	196.66'	125.51'	177.00'	N45°48'56"E	90°08'36"
C5	50.00'	36.14'	18.90'	35.36'	S68°24'29"E	41°24'35"
C6	50.00'	0.48'	0.24'	0.48'	S47°58'36"E	0°32'49"
C7	50.00'	114.20'	109.37'	90.95'	S66°19'07"W	130°51'46"
C8	50.00'	114.68'	110.76'	91.14'	S64°49'03"E	131°24'35"
C9	50.00'	28.77'	14.79'	28.37'	N65°57'40"E	32°58'01"
C10	50.00'	7.37'	3.69'	7.36'	N86°39'57"E	8°26'34"
C11	175.00'	87.81'	44.85'	86.89'	N76°30'47"E	28°44'55"
C12	175.00'	110.14'	56.96'	108.33'	N44°06'29"E	36°03'40"
C13	175.00'	77.38'	39.33'	76.75'	S13°24'39"W	25°20'01"

VICINITY MAP  
 NOT TO SCALE

