



SURVEYOR'S OFFICE
Hamilton **C**ounty

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

June 12, 2019

To: Hamilton County Drainage Board

Re: Springs of Cambridge Drain – Bee Camp Creek, Sears / McCord Pointe Arm

Attached is a petition filed by Ralph E. Sears, Charlotte D. Sears along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Springs of Cambridge – Bee Camp Creek Drain, Sears / McCord Pointe Arm to be located near the northwest corner of 96th Street and Georgia Road in Fall Creek 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 Stoepfelwerth & Associates, S&A Job No. 77822CAL-S1A for McCord Pointe, Section 1A, the drain will consist of the following:

242 ft. of 15" RCP 624 ft. of open drain

The total length of the new drain will be 866 feet.

McCord Pointe subdivision is located south of 96th Street and west of Georgia Road in the Town of McCordsville, Hancock County, Indiana. Under pre-developed conditions, storm water from the site drained north to Bee Camp Creek via an existing culvert under 96th Street and an existing swale on the Sears property. Per the plans, the developer, CalAtlantic Homes of Indiana, Inc., installed a storm pipe from the subdivision's detention area to the north side of 96th street. Per requirements by this office, improvements have been made by the developer to the swale from 96th street to where the swale outlets into Bee Camp Creek at the south edge of Brooks Park, Sec. 5 Common Area 13. In addition, the developer also installed a new surface

water culvert under 96th Street as an emergency overflow per the Hamilton County Highway Department requirements. The improvements received both Highway Dept. approval for work in the right-of-way and Outlet Permit from this office for stormwater discharge to the regulated drain. These two pipe systems and offsite swale in Hamilton County are being petitioned as a new arm to the regulated drain. The rest of the storm system in McCord Point subdivision, including the pond, is under the jurisdiction of the City of McCordsville and will not be maintained by Hamilton County.

The new arm involves the following structures as shown on the plans for McCord Pointe Section 1A: 800, 801, 801A, 801B and 801C. One hundred sixty-six (166) feet (+/-) of this proposed drain is located within Hancock County. Because of this, a request for a waiver to a Joint Board was sent to the Hancock County Drainage Board as per IC 36-9-27-14. Hancock County has waived the rights for a joint Board, per the attached Hancock County Drainage Board Minutes, page 4, November 1, 2018.

The Sears parcels are currently assessed to the Springs of Cambridge / Bee Camp Creek Drain by Hamilton County. For the parcels in the contributing watershed in McCord Pointe subdivision in McCordsville, Hancock County, 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 consistent with other non-regulated drain subdivisions within the Springs of Cambridge / Bee Camp Creek watershed at a rate of \$35.00 per platted lot, \$5.00 per acre for common areas, with a \$35.00 minimum, and \$10.00 per acre for roadways. With this assessment the total annual assessment to be collected by Hancock County for this arm will be \$2,710.60.

Hancock County parcels 30-01-13-100-021.000-025 & 30-01-13-100-023.000-025 owned by CalAtlantic Homes and 30-01-13-100-022.000-025 owned by Cindy Callaway are currently being assessed to the Johnathon Stansbury/Bee Camp and John Kelly Drain in Hancock County. Hancock County will notify Hamilton County when future sections are proposed on these parcels. At that time a hearing will be held to change the watershed and assessment to the Springs of Cambridge-Bee Camp Creek Drain in Hamilton County.

The developer of McCord Pointe subdivision, CalAtlantic Homes of Indiana submitted surety for the proposed offsite swale improvements to Hamilton County. The surety which is in the form of Subdivision Bond from the developer is as follows:

Agent: Arch Insurance Company
Date: November 16, 2018
Number: SU1153392
For: McCord Pointe, Sec. 1A Offsite Ditch Improvements
Amount: \$26,056.26
HCDB-2018-00039

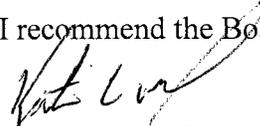
The surety submitted to McCordsville covers the entire storm drain system improvements, including the pipes located within the 96th street right-of-way. This surety is in the form of Performance Bond from the developer as follows:

Agent: Hartford Fire Insurance Company
Date: May 3, 2018
Number: 72BSBHX1005
For: Storm Sewer System Improvements
Amount: \$329,716.25

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-66. Therefore, this drain shall be designated as an Urban Drain.

The easement for this arm will be as follows: For the drain within the McCord Pointe subdivision the easement will be as per the drain easement as shown on the secondary plat for McCord Pointe, Sec. 1, as recorded in the Hancock County Recorder's Office. For the drain located within the 96th Street right-of-way, the easement will be the statutory 75' per half as measured from the centerline of the storm pipes. For the drain located north of 96th street, the easement will be 25' from the top of bank as per the attached Non-enforcement Request and legal description (Exhibit A) submitted by Ralph E. & Charlotte D. Sears, landowners of affected parcels 13-15-12-00-00-013.006, 13-15-12-00-00-013.001, and 13-15-12-00-00-014.000. Pursuant to the easement on the Sears property, the Non-enforcement requests to allow a pedestrian bridge and tile drain outlet. I recommend that upon approval of the proposed drain arm that the Board also approve the attached non-enforcement request. The easement for the area where the swale outlets into Bee Camp Creek at the south edge of Brooks Park, Sec. 5 Common Area 13 is currently within Regulated Drain Easement and is designated as drainage easement per the secondary plat for Brooks Park, Sec. 5.

I recommend the Board set a hearing for this proposed drain for August 26, 2019.



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/stc

Springs of Cambridge/Bee Camp Creek #262

Sears/McCord Pointe Arm (Offsite drainage for the benefit of McCord Pointe in Hancock County.)

Will add 866' of new drain (166' of proposed drain is located within Hancock County.)

Hancock County waived it's right to a joint board.

INDNE-2018-00018 - For pedestrian bridge and tile drain outlet.

**When future sections are proposed a hearing will be held to change the watershed and assessment.

***Hamilton County parcels are already assessed and there will be no change in current assessment.

Maintenance	Rate	Minimum
Residential/Ag	5.00	15.00
Un-Reg Sub	5.00	35.00
Regulated Sub	10.00	50.00
Commercial	10.00	75.00
Roads	10.00	

Hearing: 08-26-19

Parcel	Owner	Description	Rate	Benefit	MntAsmt	Total	% of
McCord Pointe 1A&1B	Town of McCordsville Clerk-Treasurer	57lots, 10CA's*\$35=\$2,345 + 12.63 Rds*\$10=\$126.30	Lump Sum	LS*	\$2,471.30	91.17%	
30-01-13-100-013.000-018	CalAtlantic Homes of Indiana Inc	ED N NE S13 T17 R5, 47.858 Ac	Residential/Ag	47.86	\$239.30	8.83%	
30-01-13-100-021.000-025	CalAtlantic Homes of Indiana Inc	SED NE S13 T17 R5, 18.936 Ac	To be platted in future	**	**	**	
30-01-13-100-023.000-025	CalAtlantic Homes of Indiana Inc	NED SE NE S13 T17 R5, 4.35 Ac	To be platted in future	**	**	**	
30-01-13-100-022.000-025	Callaway, Cindy	SE NE S13 T17 R5, 17.78 Ac	To be platted in future	**	**	**	
13-15-12-00-00-013.006	Sears, Ralph & Charlotte D	S12 T17 R5 5.50 Ac	Easement	***	***	***	
13-15-12-00-00-013.001	Sears, Ralph & Charlotte D	S12 T17 R5 2.00 Ac	Easement	***	***	***	
13-15-12-00-00-014.000	Sears, Ralph & Charlotte D	S12 T17 R5 1.00 Ac	Easement	***	***	***	
					Total:	\$2,710.60	100.0%

***Lump Sum to McCordsville**

30-01-13-100-004.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L4	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-005.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L5	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-013.008-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B CA1B-1	Un-Regulated Subd	0.49	\$35.00		
30-01-13-100-013.009-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B CA1B-2	Un-Regulated Subd	0.37	\$35.00		
30-01-13-100-013.010-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B CA1B-3	Un-Regulated Subd	2.39	\$35.00		
30-01-13-100-013.011-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B CA1B-4	Un-Regulated Subd	0.19	\$35.00		
30-01-13-100-022.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L22	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-023.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L23	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-024.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L24	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-025.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L25	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-026.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L26	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-027.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L27	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-028.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L28	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-029.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L29	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-030.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L30	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-031.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L31	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-032.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L32	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-033.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L33	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-034.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L34	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-035.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L35	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-036.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L36	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-037.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L37	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-038.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L38	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-039.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L39	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-040.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L40	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-197.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L197	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-198.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L198	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-199.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L199	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-200.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L200	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-205.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L205	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-206.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L206	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-207.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L207	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-208.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L208	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-209.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L209	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-210.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L210	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-211.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L211	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-212.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L212	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-213.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L213	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-214.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L214	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-215.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L215	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-216.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L216	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-313.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L313	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-314.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L314	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-315.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1B L315	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-001.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L1	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-002.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L2	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-003.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L3	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-013.001-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A CA1, 5.50 Ac	Un-Regulated Subd	5.50	\$35.00		
30-01-13-100-013.002-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A CA2, 0.44 Ac	Un-Regulated Subd	0.44	\$35.00		
30-01-13-100-013.003-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A CA3, 1.12 Ac	Un-Regulated Subd	1.12	\$35.00		
30-01-13-100-013.004-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A CA4, 0.20 Ac	Un-Regulated Subd	0.20	\$35.00		
30-01-13-100-013.005-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A CA5, 0.09 Ac	Un-Regulated Subd	0.09	\$35.00		
30-01-13-100-013.006-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A CA6, 0.04 Ac	Un-Regulated Subd	0.04	\$35.00		
30-01-13-100-041.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L41	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-042.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L42	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-043.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L43	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-044.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L44	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-191.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L191	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-192.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L192	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-193.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L193	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-194.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L194	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-195.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L195	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-196.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L196	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-201.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L201	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-202.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L202	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-203.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L203	Un-Regulated Subd	One Lot	\$35.00		
30-01-13-100-204.000-018	CalAtlantic Homes of Indiana Inc	S13 T17 R5 McCord Pointe S1A L204	Un-Regulated Subd	One Lot	\$35.00		
McCord Pointe Roads	Town of McCordsville Clerk-Treasurer	1A (2.31*3)=6.93 Ben; 1B (2.70*3)=5.70 Ben	Roads	12.63	\$126.30		
					*LS Total: 57 lots &	23.46	\$2,471.30

To: Hamilton County Drainage Board

Date: 1-23-2018

Re: Springs of Cambridge / Bee Camp Creek Drain

Ralph E. and Charlotte D. Sears (Here-in-after "Petitioner"),

hereby petitions the Hamilton County Drainage Board under IC 36-9-27-66 for an arm to be installed to the Springs of Cambridge / Bee Camp Creek Drain in order to serve the property of the petitioner. The petitioner, in support of said petition, advises the Board that:

1. The Springs of Cambridge / Bee Camp Creek Drain is presently on a maintenance program and that land of the petitioner is assessed as benefited by the maintenance of the regulated drain
2. There is no known adequate open or tiled drain connecting the land of the petitioner with the regulated drain;
3. The waters from the petitioners land flow over or through land owned by others to reach the regulated drain;
4. The legal description of lands through which the new regulated drain will run along with the parcel numbers, name and address of each owner of that land is shown on Exhibit "A" which is attached;
5. The general route of the proposed new regulated drain and method of construction is shown on Exhibit "B" which is attached.
6. Petitioner agrees to pay all legal and construction costs involved with the construction of the proposed new regulated drain.

Signed

Printed

Ralph E. Sears
Charlotte D. Sears

RALPH E SEARS
CHARLOTTE D. SEARS

Exhibit A

Part of the East Half of the Southeast Quarter of Section 12, Township 17 North, Range 5 East of the Second Principal Meridian in Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the said Southeast Quarter; thence South 86 degrees 22 minutes 46 seconds West (assumed bearing) along the South line of the said Southeast Quarter 330.00 feet to the Point of Beginning; thence continuing South 86 degrees 22 minutes 46 seconds West along the said South line 277.12 feet; thence North 00 degrees 11 minutes 40 seconds East parallel with the West line of the East Half of the said Southeast Quarter 714.67 feet to the South line of a tract of land conveyed to 98th Street Properties, LLC per Quitclaim Deed recorded as Instrument #200000052921 in the Office of the Recorder of Hamilton County, Indiana (the next three courses are along the South line of said tract); 1) thence South 76 degrees 17 minutes 12 seconds East 140.70 feet; 2) thence South 59 degrees 05 minutes 20 seconds East 242.28 feet; 3) thence North 71 degrees 43 minutes 31 seconds East 274.35 feet to the East line of the said Southeast Quarter; thence South 00 degrees 09 minutes 02 seconds West along the said East line 208.54 feet to the Northeast corner of a two acre tract of land conveyed to Ralph and Charlotte Sears per Warranty Deed recorded in Deed Book 326, page 179 in the said Recorder's Office (the next two courses are along the North and West boundary of said "Sears" tract); 1) thence South 86 degrees 22 minutes 46 seconds West parallel with the South line of the said Southeast Quarter 330.00 feet; 2) thence South 00 degrees 09 minutes 02 seconds West parallel with the East line of the said Southeast Quarter 98.00 feet to the Northwest corner of a one acre tract of land conveyed to Ralph and Charlotte Sears per Warranty Deed recorded in Deed Book 148, page 155 in the said Recorder's Office; thence South 00 degrees 09 minutes 02 seconds West along the West line of said one acre "Sears" tract 297.00 feet to the point of beginning, containing 5.479 acres, more or less.

AND

A part of the East 1/2 of the Southeast 1/4 of section 12, township 17 north, Range 5 East, described as follows:

Commence at the Southeast corner of said Southeast 1/4 and run thence West on the South line of said Section 11 rods to a point which is the place of beginning; from this point of beginning run North 18 rods on a line parallel with the East line of said Section; thence run West 9 rods on a line parallel with the South line of said section; thence run South 18 rods on a line parallel with the East line of said section; thence East on the South line of said section 9 rods to the place of beginning, containing 1 acre more or less.

AND

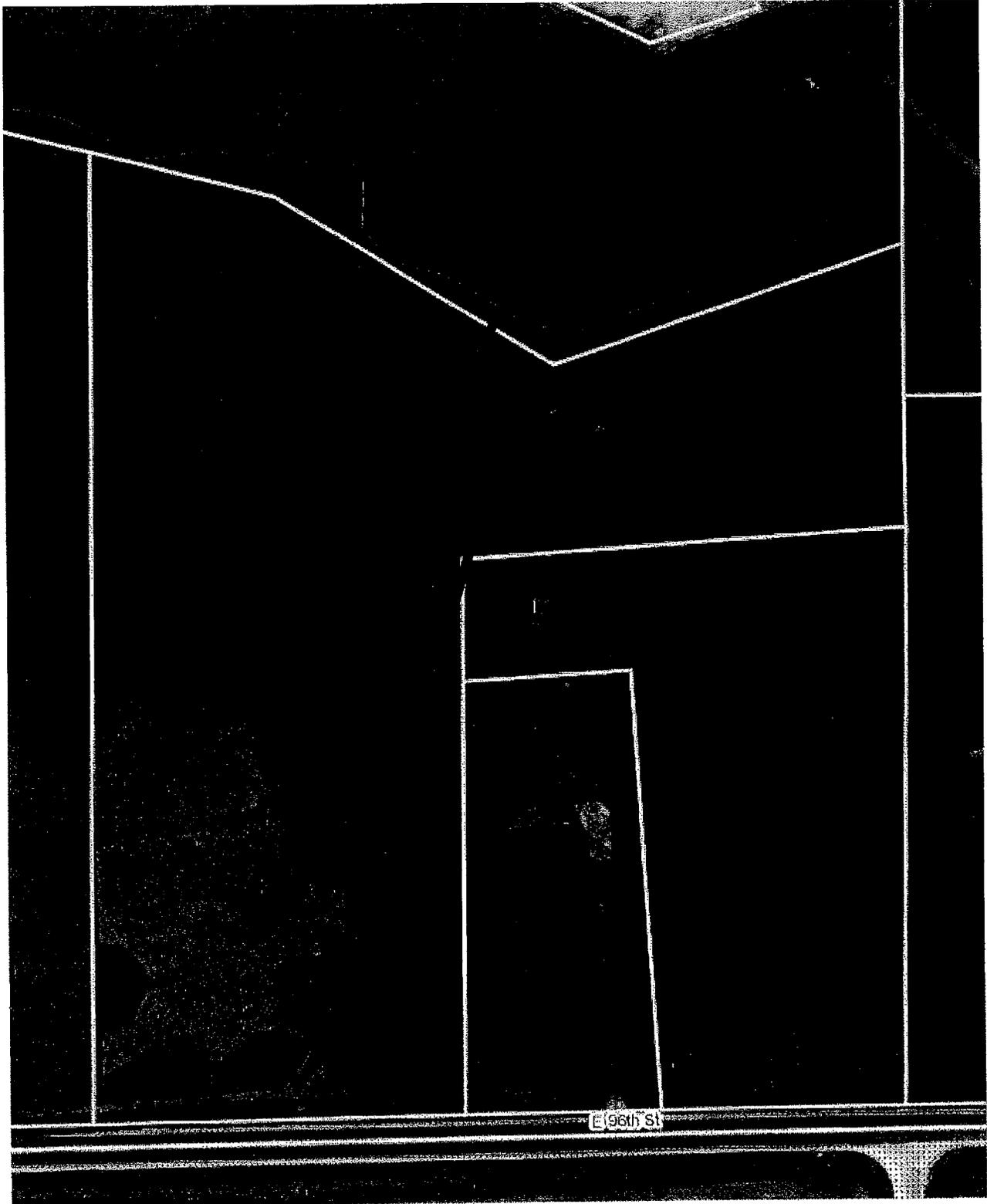
Part of the East Half of the Southeast Quarter of Section Twelve (12), Township Seventeen (17) North, Range Five (5) East, described as follows:

Commence at the Southeast corner of said Southeast Quarter; thence North on the East line of said Section 24 rods; thence West 20 rods on a line parallel with the South line of said Section; thence South 6 rods on a line parallel with the East line of said Section; thence East 9 rods on a line parallel with the South line of said Section; thence South 18 rods on a line parallel with the East line of said Section; thence East on the South line of said Section 11 rods to the place of beginning, containing two (2) acres, more or less, in Hamilton County, Indiana.

Parcel No's:

13-15-12-00-00-013.006 (5.479 acres)
13-15-12-00-00-014.000 (1 acre)
13-15-12-00-00-013.001 (2 acres)

EXHIBIT B



Steve T. Cash

From: Kenton C. Ward
Sent: Friday, November 02, 2018 1:42 PM
To: Susan Bodkin
Cc: Steve T. Cash; Janet M. Hansen
Subject: RE: McCord Pointe - Bee Camp

Thanks Susan.

From: Susan Bodkin [mailto:sbodkin@hancockcoingov.org]
Sent: Thursday, November 01, 2018 3:09 PM
To: Kenton C. Ward <Kenton.Ward@hamiltoncounty.in.gov>
Subject: McCord Pointe - Bee Camp

Kent
The Drainage Board approved waiving our rights to a joint board and I talked to Mark Witsman, Town Engineer. The Towns Stormwater Utility will pay the assessment for the subdivision and we will send it to you. I will send you a copy of the minutes when Donna gets them completed. Let me know if you have any questions.

Susan Bodkin
Hancock County Surveyor
111 South American Legion Place Suite 171
Greenfield, IN 46140
(317) 477-1150

DRAINAGE BOARD MINUTES

Page 4

November 1, 2018

WAIVE RIGHTS FOR JOINT BOARD – HAMILTON COUNTY-MCCORD POINTE

Susan explained she received a letter from Hamilton County Surveyor, Kent Ward. The letter was in reference to McCord Pointe located at 500W and 1000N. The subdivision drains across the County Line into Hamilton County. Susan asked for the Board to waive rights for a joint board. Hamilton County has the controlling outlet into Springs of Cambridge – Bee Camp Creek Drain and will have the majority of the legal court drain. Susan stated she has e-mailed Mark Witsman at McCordsville to clarify how they want to handle assessment. Some of the drain assessments within the corporate limits of McCordsville are paid by the Town out of their Stormwater Utility fees. That has not been confirmed at this time. Today's action is for Hancock County to waive their rights for a Joint Board with Hamilton County.

Motion made by Marc Huber for Hancock County to waive their rights to a joint board with Hamilton County for the McCord Pointe arm to Bee Camp Creek. Seconded by Brad Armstrong, motion carried by a vote of 5-0.

WAIVE RIGHTS FOR JOINT BOARD – RUSH COUNTY- THOMAS C. GRAY

After much research, Rush County or Hancock County cannot find where the Thomas Gray Drain has been relinquished by either County for a joint board. Rush County has been the controlling County for many years. Marvin Reese the Rush County Surveyor is getting ready to do a partial reconstruction on the drain and would like to clear up the issue. Rush County has sent Hancock County a letter asking that Hancock County relinquish their rights for a joint board. 90% of the length of the affected drain is in Rush County. 80% of the affected land of the drain is in Rush County.

Motion made by Steve Hill for Hancock County to waive their rights to a joint board with Rush County for the Thomas C. Gray Regulated Drain. Seconded by Marc Huber, motion carried by a vote of 5-0.

UPDATED STORMWATER ORDINANCE AND TECHNICAL STANDARDS

Susan presented the new updated Stormwater Ordinance and Technical Standards that that has been finalized. The ordinance will go to the Commissioners for approval and will then become effective January 1, 2019. Susan went over some of the new highlights. Some of the new things: Fluvial erosion - meaning you can't build your house at the top of the bank, release rates will remain the same, there are some different ways they can design now. Something we have been doing but they don't really know is outlet control. One thing to change is that outlets are required to have orifices. Before in a small event no water was being detained, now water will be detained even in the small events. Before the 12" outlet in a small event was not detaining any water.



NON-ENFORCEMENT OF DRAINAGE EASEMENT ON INDIVIDUAL TRACTS

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON
COUNTY DRAINAGE BOARD

WHEREAS, Ralph E. & Charlotte D. Sears ("the Landowner") are owner(s) of a certain parcel of real estate located in Hamilton County, Indiana, which is commonly known as Hamilton County Tax Parcel No. 13-15-12-00-00-013.006 ("the Real Estate"); and, 13-15-12-00-00-013.001
13-15-12-00-00-014

WHEREAS, the Real Estate is described in the Deed of the Landowner(s) in Deed Book 326, Page 179 & Instrument No. 200100006588 in the Office of the Hamilton County Recorder; and, 200100006589

WHEREAS, the Real Estate is subject to a Drainage Easement for the Bee Camp Creek Drain ("the Drainage Easement") and the Landowner(s), have requested that the Drainage Board ("the Drainage Board") waive the right to enforce certain restrictions within the Drainage Easement.

IT IS THEREBY AGREED by the Drainage Board and the Landowner(s) as follows:

1.) The Drainage Board agrees that the Landowner(s) may construct Drain Tile and Pedestrian Bridge within the Drainage Easement subject to existing locations and approvals

2.) In consideration of the consent set out in the above paragraph, the Landowner(s), on behalf of themselves, successors, and assigns, as Owners of the Real Estate acknowledge that if necessary, in order to maintain, construct, or reconstruct the drainage improvements in the Drainage Easement, the Drainage Board, its contractors and workers working under said authority, may remove all improvements located within the Drainage Easement

3.) In the event of said removal, the Landowner(s), on behalf of themselves, and successors in title to the Real Estate hereby release and waive any claim that they may have against the Drainage Board, or any contractor or workmen operating under the authority of the Drainage Board for the costs or damage to the improvements located within the Drainage Easement.

4.) The Drainage Board agrees not to enforce its easement rights beyond a distance of 25 feet from the each side of the top of bank and/or centerline of the tile within the Drainage Easement, unless for maintenance or construction described in Section 2 above.



NON-ENFORCEMENT OF DRAINAGE EASEMENT ON INDIVIDUAL TRACTS

Tax Parcel Number 13-15-12-00-00-013.006

Drain Name Bee Camp Creek

THIS AGREEMENT WILL BECOME EFFECTIVE UPON DRAINAGE BOARD APPROVAL.

Dated this 17 day of April, 2018, by the Landowner(s).

LANDOWNER(s)

By: Ralph E. Sears

By: Charlotte D. Sears

Printed: Ralph E. Sears

Printed: Charlotte D. Sears

STATE OF INDIANA)
)SS:
COUNTY OF HAMILTON)

Subscribed and sworn to before me, a Notary Public this 17th day of APRIL, 2018, personally appeared the within named RALPH E. SEARS, and CHARLOTTE D. SEARS as Landowner(s) and acknowledged the execution of the foregoing document.

WITNESS my hand and official seal

My Commission Expires:
08/22/2022



Mary E. Bredlau
Notary Public,
Residing in HAMILTON County, IN

Dated this _____ day of _____, 20____, by the Hamilton County Drainage Board.

HAMILTON COUNTY DRAINAGE BOARD

ATTEST:

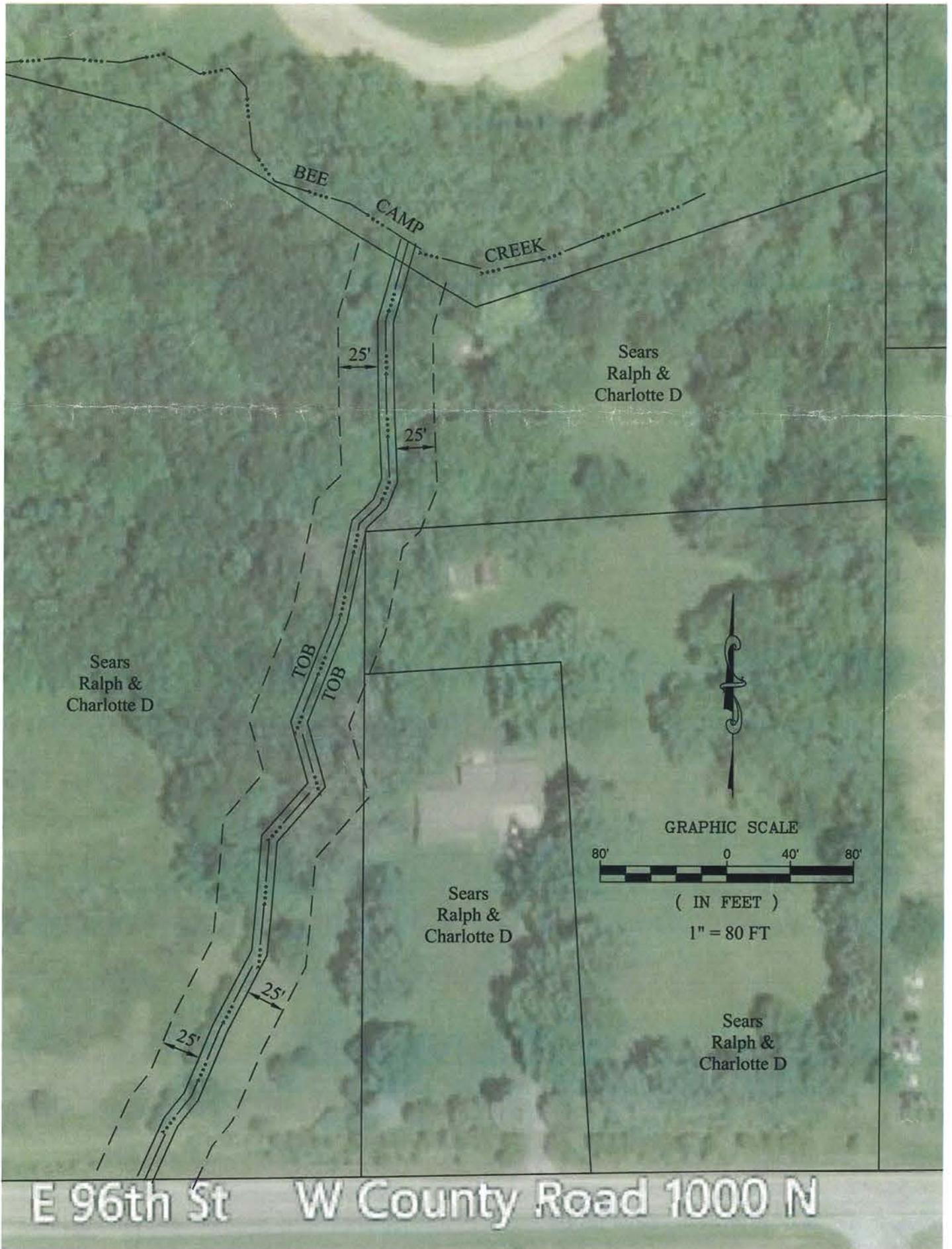
President

Lynette Mosbaugh, Secretary

"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

EXHIBIT "A"
REGULATED DRAINAGE EASEMENT



 STOEPPELWERTH ALWAYS ON <small>7965 East 106th Street, Fishers, IN 46038-2505 phone: 317.849.5935 fax: 317.849.5942</small>	JOB NO. 77822CAL-S1A	PAGE 1 OF 1 SHEETS
	DRAWN BY: ADG	
	CHECKED BY: BAH	
	DATE DRAWN: 04/04/18	
	FIELDWORK DATE:	

