



KW

SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, CFM
 Surveyor of Hamilton County
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Suite 188
 One Hamilton County Square
 Noblesville, Indiana 46060-2230

June 6, 2019

TO: Hamilton County Drainage Board

RE: Williams Creek Drainage Area, West Rail at the Station Section 3 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 3 Arm, Little Eagle Creek Drain 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 benefitted. The drain will consist of the following.

12" RCP	1311 ft.	24" RCP	261 ft.
15" RCP	171 ft.	30" RCP	204 ft.
18" RCP	208 ft.	6" SSD	5665 ft.
21" RCP	484 ft.		

The total length of drain will be 8304 feet.

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 individuals 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:

Curbline SSD in Streets:

Locomotive Street
West Rail Drive
Conductors Drive

Rear Yard SSD's:

Rear yard lots 138 and 143 from Str. 296 NE to riser
Rear yard lots 144 and 145 from Str. 295 SE to riser
Rear yard lots 91 and 94 from Str. 273 SE to riser
Rear yard lots 85 and 86 from Str. 264 South to riser
Rear yard lots 151 and 154 from Str. 245 to 244
Rear yard lots 155 and 157 from Str. 244 to 233

The retention ponds (Ponds 3 & 4) located in Common Areas B & C are not to be considered part of the regulated drain. Pond maintenance assumed by the Drainage Board shall only include the inlets and outlet as part of the regulated drain. The maintenance of the retention pond (lakes) such as sediment 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.

With this project, the portion of the Chas. Osborn and J.R. Collins Drain No. 2, Arm 3 of the Williams Creek Drain shown on the Sheet C300 from approximately Sta. 15+91 to Sta. 26+54 was vacated with the West Rail at the Station Sec. 2 DB hearing on July 23, 2018. (See Hearing Drainage Board Minutes Book 18, Pages 219 to 221).

A portion of the storm drain facilities in Section 3 were installed with the expansion of Pond 4 located in Common Area "C" in Sec. 2. The portion of storm drain installed with West Rail at the Station Sec. 2 are located between Lots 95-96 and 154-155 (See Hearing Drainage Board Minutes Book 18, Pages 217 to 219).

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 the 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 \$3,077.90

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 request. 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 3 as recorded in the office of the Hamilton County Recorder.

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

A handwritten signature in black ink, appearing to read "Kenton C. Ward", written in a cursive style.

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/jll

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 West Rail at the Station Subdivision, Section
Three 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 Three, 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

Neil Weiderhaft
Signed

NEIL WEIDERHAFT
Printed Name

3/11/19
Date

Signed

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

STATE OF INDIANA)
COUNTY OF HAMILTON)

BEFORE THE 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 3 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:

[Signature]
APPLICANT

NEIL WEIDERHAET
PRINTED NAME

BEAZER HOMES INDIANA LLP
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

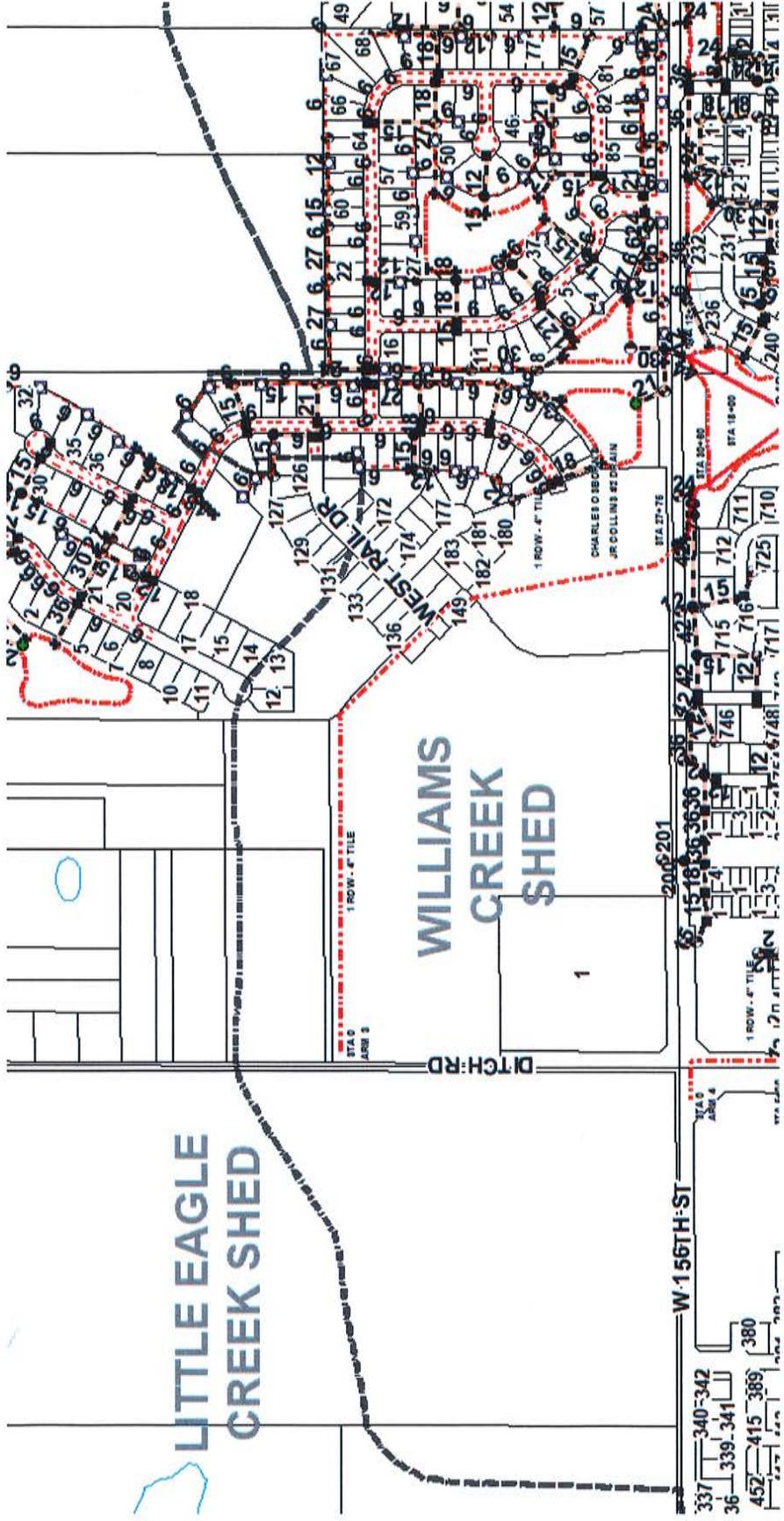
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law : Kenton C. Ward, Surveyor

Prepared by the Hamilton County Drainage Board: Michael A. Howard, Attorney

Revised May 2016

SUBNE-2019-00006

Adobe PDF Ffillable Form



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CREEK SHED

WILLIAMS
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