

KCW



SURVEYOR'S OFFICE  
**Hamilton County**

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

June 10, 2019

TO: Hamilton County Drainage Board

RE: Williams Creek Drain, Jackson's Grant Section 6 Arm

Attached is a petition filled by Jackson's Grant Real Estate Company, LLC., along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for Jackson's Grant Section 6 Arm, Williams 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 a 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 the land likely to be benefited. The drain will consist of the following:

- |                         |                      |
|-------------------------|----------------------|
| 12" RCP – 1,153 Feet    | 15" RCP – 492 Feet   |
| 6" SSD – 3,419 Feet     | 12" SSD – 1,362 Feet |
| Open Drain – 1,184 Feet |                      |

The total length of the drain will be 7,610 Feet.

The open ditch listed above are straight line distances between Structures 671 and 689, 681 and 671, 675 and 685, 686 and 687, 802 and 692, 692 and 667, 678 and 693, 694 and 695, 696 and 697 through BMP 14B, 14C, 13A, 13B, 15C and 13D.

The dry detention basins (BMPs) located as listed below are not to be considered part of the regulated drain. Basin maintenance assumed by the Drainage Board shall only include the inlets and out

as part of the regulated drain. The maintenance of the dry detention basins (BMPs) such as sediment removal and erosion control along the banks, mowing, aquatic vegetation maintenance and control, and anything required per the Storm Water Quality Maintenance and Operations Manual will be the responsibility of the Homeowners Association. The Board will also retain jurisdiction for ensuring the storage volume for which the detention basins (BMPs) were designed will be retained. Thereby, allowing no fill or easement encroachments.

<u>Basin</u>	<u>Location</u>
BMP 13D	Common Area # 27
BMP 13A	Common Area # 27
BMP 13B	Common Area # 27
BMP 15C	Common Area # 29
BMP 14C	Common Area # 29
BMP 14B	Common Area # 29

The subsurface drains (SSD) to be part of the regulated drain are those located under the curbs, those main lines in front/rear yards, and those in common areas. Only the main SSD lines as described below, which are located within the easement or right of way are to be maintained as regulated drain. Laterals for individual lots will not be considered part of the regulated drain. The portions of the SSD which will be regulated and maintained are as follows:

Curbline SSD in Streets:

Northvale Blvd.  
Almond Creek Drive  
Mendenhall Drive

Front/Rear Yard SSDs:

Front of Yard Lots 307 to 309 from Structure 673 running East to riser.  
Rear Yard Lots 312 to 315 from Structure 693 running East to riser.  
Rear Yard Lots 315 to 316 from Structure 691 running West to riser.  
SSD through BMP 14B and 14C.  
SSD through BMP 15C.  
SSD through BMP 13D.  
SSD through BMP 13A and 13B.

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 lot, \$10.00 per acre for common areas, with \$65.00 minimum, and \$10.00 per acre for roadways. With this assessment the total annual assessment for this drain will be \$1,060.10.

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

Agent: Standard Financial Corporation  
Date: April 30, 2019  
Number: 1354JG6  
For: Installation of Storm Sewers in Jackson's Grant Section 6  
Amount: \$199,243.80

Agent: Standard Financial Corporation  
Date: April 30, 2019  
Number: 1355JG6

For: Monumentation in Jackson's Grant Section 6  
Amount: \$4,248.00

I believe this proposed drain meets the requirements for Urban Drain Classification as set 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 plat for Jackson's Grant Section 6 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for September 23, 2019.



Kenton C. Ward  
Hamilton County Surveyor

KCW/jll

**Williams Creek #315**

Jackson's Grant Sec. 6

SUBNE-2019-00008

The total length of this section will be 7,610'.

Hearing: 09/23/19

Parcel	Owner	Description	Rate	Benefit	MntAsmt	Percent
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 305	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 306	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 307	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 308	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 309	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 310	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 311	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 312	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 313	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 314	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 315	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Lot 316	Regulated Subd.	One Lot	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 CA 27, 8.51 Ac	Regulated Subd.	8.51	\$85.10	8.03%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 CA 28, 0.63 Ac	Regulated Subd.	0.63	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 CA 29, 2.81 Ac	Regulated Subd.	2.81	\$65.00	6.13%
Not assigned yet.	Jackson's Grant Real Estate Co. LLC	S34 T18 R3 Jackson's Grant Sec 6 Blk N, 1.74 Ac	Road	1.74	\$65.00	6.13%
Total: 12 lots &				10.88	\$1,060.10	100.0%





NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

\*\*\*FOR RECORDER'S OFFICE USE ONLY\*\*\*

STATE OF INDIANA )
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD

Jackson's Grant Real Estate Co., LLC

At the request of Jackson's Grant Real Estate Co., LLC its manager The Hamilton County Drainage

Board considered the extent of the drainage easement on the Williams Creek Drain in the Jackson's Grant on Williams Creek, 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:

Douglas B. Wagner signature and APPLICANT label

Douglas B. Wagner - Senior VP PRINTED NAME

Jackson's Grant Real Estate Co. LLC signature and 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 - 00008

STATE OF INDIANA )  
 )  
COUNTY OF HAMILTON )

APR 14 2005  
OFFICE OF HAMILTON COUNTY SURVEYOR

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

In the matter of Jackson's Grant on Williams Creek Subdivision, Section  
6 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 Jackson's Grant on Williams Creek, S6, 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**

*JACKSONS GRANT REAL ESTATE Co. LLC*

*Douglas B Wagner*  
Signed \_\_\_\_\_

Douglas B. Wagner - Senior Vice President  
Printed Name *JL Dev Co. LLC, Manager*

January 28, 2019  
Date \_\_\_\_\_

\_\_\_\_\_  
Signed

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

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Date

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Signed

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Printed Name

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Date

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Signed

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Printed Name

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Date