

*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*

November 8, 2019

To: Hamilton County Drainage Board

Re: Sly Run Drain, Sagewood Extension

Attached are the petition and plans for the proposed Sly Run Drain as part of the Sagewood subdivision project. This project is being petitioned by Sly Run Inc., dba Sagewood, Inc. The proposal is to make the portion of Sly Run within Sagewood subdivision a part of the Sly Run Drain as shown on construction plans by Stoepelwerth & Associates, Job No. 79625LGL-S1, revision date 8/27/2018. This proposed drain is located within Noblesville Township.

Per the plans by Stoepelwerth & Associates, the new drain route will be as follows: The upstream end of this arm will begin where Sly Run enters the subdivision within Common Area #3 at the southwest corner of the site and drains southeast approximately 355' where the flowline exits the subdivision. This is shown on sheet number C200 of the plan set. Also a section of Sly Run approximately 45 feet in length between where the drain enters Sagewood from the Mill Creek Subdivision and where it exists Sagewood and enters Setters Mill Subdivision. This is shown on sheet C201 of the plan set.

This petition consists of the following length:

400 ft of open drain

This proposal will add 400' of footage to the Sly Run drain's total length.

The Sly Run Drain was first established by the Drainage Board at hearing on November 26, 2001 with the Riverwalk Commons, Sec. 1 Arm, per my letter dated October 8, 2001. (See Drainage Board Minutes Book 6, pages 212 – 214).

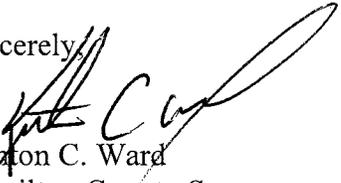
Sagewood subdivision is annexed into the City of Noblesville. The other drainage facilities located within the subdivision fall under the jurisdiction of the City of Noblesville and are not being petitioned as regulated drain. The developer posted surety to the City for those drainage facilities within Sagewood subdivision.

The entire Sagewood subdivision is assessed to the Sly Run watershed. The total assessment for the proposed extension is \$1,137.66.

The easement for this section of drain is located within existing easement as per the recorded secondary plat for Sagewood Subdivision, Common Area #3. The secondary plat was recorded on 8/28/2019. Instrument No. 2019040055. A non-enforcement has been submitted to establish the regulated drain easement per those easements shown in Common Area #3 on the plat. I recommend approval of the non-enforcement.

I recommend the Board set a hearing date for January 27, 2020.

Sincerely,



Kenton C. Ward  
Hamilton County Surveyor

KCWpll

**Sly Run Drain - Sagewood**

Open ditch only. Subdivision lots are assessed as Un-Regulated Subd.  
 New arm will add 400' to the drains total length. SUBNE-2018-00010 is for open ditch easement thru CA #3.  
 Drainage shed includes entire plat & added additional State Hwy acreage.

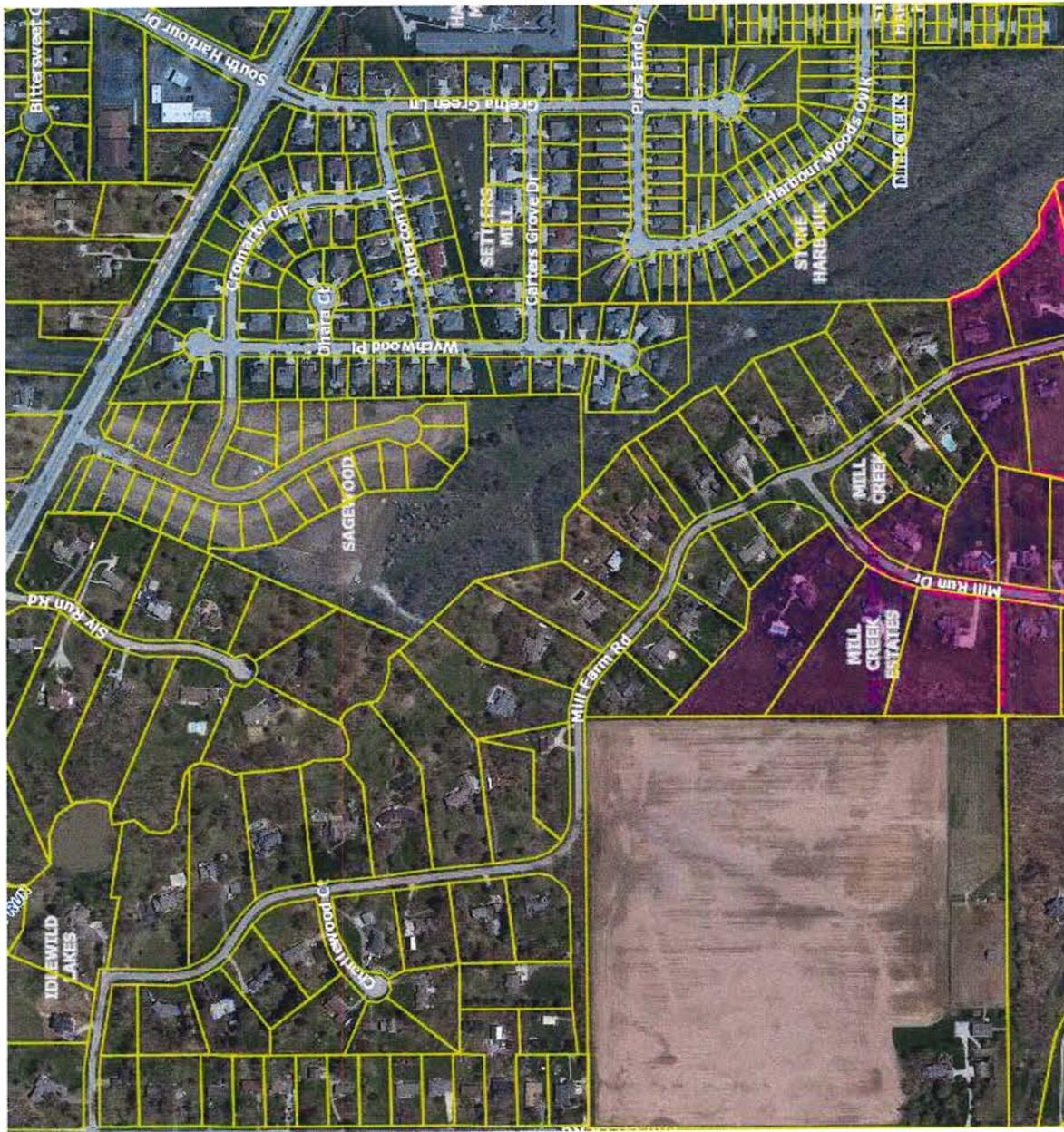
\*No reconstruction cost. Drain to be accepted in place without reconstruction costs.

\*\*No change in current maintenance assessment. The maintenance assessment will be part of the 2020 collections.

Hearing: 01/27/19

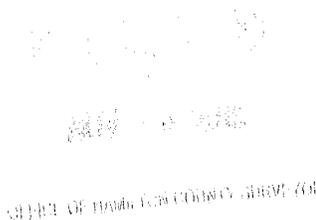
Parcel	Owner	Description	Rate	Benefit	RecAsmt	MntAsmt	% of Total
10-06-27-00-18-003.000	Drees Premier Homes Inc.	S27 T19 R4 Sagewood Lot 4	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-007.000	Drees Premier Homes Inc.	S27 T19 R4 Sagewood Lot 8	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-011.000	Drees Premier Homes Inc.	S27 T19 R4 Sagewood Lot 12	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-015.000	Drees Premier Homes Inc.	S27 T19 R4 Sagewood Lot 16	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-026.000	Drees Premier Homes Inc.	S27 T19 R4 Sagewood Lot 27	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-00-007.001	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 1	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-001.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 2	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-002.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 3	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-004.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 5	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-005.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 6	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-006.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 7	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-008.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 9	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-010.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 10	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-012.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 11	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-013.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 13	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-014.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 14	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-016.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 15	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-017.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 17	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-018.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 18	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-019.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 19	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-020.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 20	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-021.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 21	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-022.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 22	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-023.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 23	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-024.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 24	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-025.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 25	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-025.000	Sly Run Inc dba Sagewood Inc	S27 T19 R4 Sagewood Lot 26	Un-Regulated Subd.	One Lot	*	\$35.00**	3.08%
10-06-27-00-18-027.000	Sagewood Homeowners Assoc.	S27 T19 R4 Sagewood CA 1, 0.18 Ac	Un-Regulated Subd.	0.18	*	\$35.00**	3.08%
10-06-27-00-18-028.000	Sagewood Homeowners Assoc.	S27 T19 R4 Sagewood CA 2, 0.06 Ac	Un-Regulated Subd.	0.06	*	\$35.00**	3.08%
10-06-27-00-18-029.000	Sagewood Homeowners Assoc.	S27 T19 R4 Sagewood CA 3, 10.13 Ac	Un-Regulated Subd.	10.13	*	\$50.66**	4.45%
99-99-99-99-999.002	Indiana Department Of Transportation	S27 T19 R4 SR 38 by Sagewood, 1.98 Ac	Roads	1.98	*	\$19.80**	1.74%
99-99-99-99-999.008	City of Noblesville	S27 T19 R4 Sagewood roads, 5.22 Ac	Roads	5.22	*	\$52.20**	4.59%
Parcels: 35						Total:	100%

Total: \$1,137.66



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 Sly Run Drain, Sagewood Arm Subdivision, Section  
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 Sagewood, 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.





**NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS**

STATE OF INDIANA )  
 )  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON  
COUNTY DRAINAGE BOARD

At the request of Sagewood, Inc. The Hamilton County Drainage Board considered the extent of the drainage easement on the Sly Run Drain in the Sagewood 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. 2019040055 and in Plat Cabinet 5 Slide 1021 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: Per easement in Common Area #3.

SIGNED:

Roger L. Kessler

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

SUBINE - 2018 - 00010