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

December 16, 2019

To: Hamilton County Drainage Board

**Re: Stephens and Clark Drain, George Stephens #2 Arm—Emory Trace Section 1 Relocation**

Attached is a petition and plans for the proposed relocation of the Stephens & Clark Drain, George Stephens #2 Arm. The relocation is being proposed by Platinum Properties Management Company LLC. The proposal is to reconstruct the Stephens & Clark Drain located within the plat. The relocation is as shown per plans by Stoepfelwerth and Associates Inc., having job No. 19358 and dated December 4th, 2019. (See sheets C200, C201, C202, C203, C601, C603).

The relocation begins at existing Sta. 82+55 of the George Stephens #2 Drain's October 1915 description which is new Str. 845 and ends at existing Sta. 96+00 which is new Str. 851. The diameter of the tiles to be replaced is 24" as shown on the plans. The total existing drain to be removed is 1,345 feet.

The relocation shall begin at new Str. 845 per the plans and then run 101 feet southeast with 60" RCP to new Str. 844 per the plans. Then, turning south the existing regulated drain will be replaced by an open ditch within the facility. The new open ditch runs for 978 feet and outlets at new Str. 850. Thence running 37 feet south with 18" RCP connecting to new Str. 852 which is a water quality structure. Thence running 195 feet crossing onto tract 08-05-27-00-00-015.002 owned by David K. & Francis M. Turner II to the south with 18" RCP connects to new Str. 851 per the plans. The newly relocated drain is an overall length of 1311 feet.

The Detention Area located in Block A is not to be considered part of the regulated drain. Maintenance of the area assumed by the Drainage Board shall only include the inlets and outlet and the reconstructed open ditch of the George Stephens #2 Drain as part of the regulated drain. The maintenance of the Detention Area such as sediment and erosion control along the banks, mowing and aquatic vegetation maintenance and control will be the responsibility of the Homeowners Associations. The Board will retain jurisdiction for ensuring the storage volume

for which the pond was designed will be retained. Thereby, allow no fill or easement encroachments.

The cost of the relocation is to be paid by Platinum Properties Management Company LLC.

The petitioner has provided the performance bond as follows:

Bonding Company: Great American Insurance Co

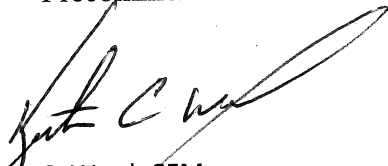
Bond Number: 3085887

Bond Date: 10/2/2019

Bond Amount: 48675.60

I recommend that upon approval of the above proposed reconstruction that the Board also approve the attached non-enforcement for Emory Trace Section 1 Secondary Plat. The regulated drain easement widths as shown in the secondary plat as the variable width regulated drain easement (VAR. R.D.E.) within Block A of the secondary plat as shown on Sheet 7 of the plat.

I recommend the board set a hearing for this proposed relocation for January 27, 2020.



Kenton C. Ward, CFM  
Hamilton County Surveyor  
KCW/pll

**Stephens & Clark Drain, Geo. Stephens #2 Arm (Little Eagle Creek Drainage Area #350)**

Emory Trace Sec. 1 Relocation (SUBNE-2019-00007)

Relocating from Sta. 82+55 to Sta. 96+00. (1,345')

New line is 101' of 60" RCP, 978' span detention basin, 37 + 195' 18" RCP (1,311')

This proposal will reduce the overall footage by 34'.

\*Relocation to be paid by Platinum Properties Mngmnt Co. LLC.

\*No change in current maintenance assessment.

Hearing: 01/27/19

Parcel	Owner	Desc1	Benefit	MntAsmt	RecAsmt	Total	% of
08-05-27-00-00-016.000	Emory Trace Developer LLC	S27 T19 R3	*	*	*	*	*
08-05-27-00-00-015.002	Turner, David K. II & Frances M.	S27 T19 R3	*	*	*	*	*



Little Eagle Creek, Stephens & Clark Drain, Geo. Stephens #2 Arm, Emory Trace Sec. 1





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

FILED

MAR 29 2019

OFFICE OF HAMILTON COUNTY SURVEYOR

\*\*\*FOR RECORDING OFFICE USE ONLY\*\*\*

STATE OF INDIANA )  
 )  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON  
COUNTY DRAINAGE BOARD

At the request of Emory Trace Developer, LLC by Platinum Properties Management Co., LLC The Hamilton County Drainage

Board considered the extent of the drainage easement on the Little Eagle Creek Drain in the Emory Trace, Sections 1 & 2 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: Timothy J. Walter Timothy J. Walter / Emory Trace Developer, LLC  
 by Platinum Properties Management Co., 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-2019-0007



HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

FILED

MAR 29 2019

IN RE: Emory Trace, Sections 1 & 2 )  
Hamilton County, Indiana )

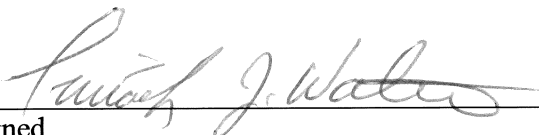
OFFICE OF HAMILTON COUNTY SURVEYOR

PETITION FOR RELOCATION AND RECONSTRUCTION

Emory Trace Developer, LLC by Platinum Properties Management (hereinafter "Petitioner"),  
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a  
section of the Little Eagle Creek Drain, and in support of  
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Little Eagle Creek Drain runs.
2. Petitioner plans to develop its real estate with roads, buildings, utilities, storm drains, sanitary sewers and other structures.
3. Petitioner's proposed development of its real estate will require relocation and reconstruction of a portion of the Little Eagle Creek Drain, as specifically shown on engineering plans and specifications filed with the Hamilton County Surveyor.
4. The work necessary for the proposed relocation and reconstruction will be undertaken at the sole expense of the Petitioner and such work will result in substantial improvement to the Little Eagle Creek Drain, without cost to other property owners on the watershed of the Little Eagle Creek Drain.
5. Proposed relocation and reconstruction will not adversely affect other land owners within the drainage shed.
6. Petitioner requests approval of the proposed relocation and reconstruction under IC 36-9-27-52.5.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County Drainage Board authorizing relocation and reconstruction of the Little Eagle Creek Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

  
Signed \_\_\_\_\_

Timothy J. Walter  
Printed \_\_\_\_\_

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

FILED

OCT 11 2019

IN RE: Emory Trace Section 1 & 2 )  
Hamilton County, Indiana )

OFFICE OF HAMILTON COUNTY SURVEYOR

PETITION FOR RELOCATION AND RECONSTRUCTION

DAVID K. TURNER II (hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the LITTLE EAGLE CREEK Drain, and in support of said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the LITTLE EAGLE CREEK Drain runs.
2. Petitioner plans to develop its real estate with roads, buildings, utilities, storm drains, sanitary sewers and other structures.
3. Petitioner's proposed development of its real estate will require relocation and reconstruction of a portion of the LITTLE EAGLE CREEK Drain, as specifically shown on engineering plans and specifications filed with the Hamilton County Surveyor.
4. The work necessary for the proposed relocation and reconstruction will be undertaken at the sole expense of the Petitioner and such work will result in substantial improvement to the LITTLE EAGLE CREEK Drain, without cost to other property owners on the watershed of the LITTLE EAGLE CREEK Drain.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County Drainage Board authorizing relocation and reconstruction of the LITTLE EAGLE CREEK Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

Signed

DAVID TURNER II

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