

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*

October 1, 2020

To: Hamilton County Drainage Board

Re: Vermillion Drain, The Woods at Vermillion, Sec. 5 Arm

Attached is a petition filed by North Connecticut Development Corporation (Republic Development), along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Vermillion Drain, The Woods at Vermillion, Sec. 5 Arm to be located 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 Weihe Engineers, Project No. W150253-3, the drain will consist of the following:

12" RCP	686 ft.	24" RCP	1,073 ft.
15" RCP	195 ft.	30" RCP	448 ft.
18" RCP	602 ft.	6" SSD	4,461 ft.
21" RCP	378 ft.	Open (pond)	250 ft.

The total length of the drain will be 8,093 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 individual lots will not be considered part of the regulated drain.

The sub-surface drains within the street right of way are being included due to the streets within the subdivision being under the jurisdiction of the Hamilton County Highway. As such there will not be street trees within the right of way but will be behind the sidewalk on individual lots. This complies with the Hamilton County Drainage Board's discussion of July 19, 2018 regarding street trees (see Hamilton County Drainage Board Minutes Book 18, pages 204 to 206).

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 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 for Section 3 will be \$2,051.40.

The detention pond (wet pond #14 located in Common Area "A") is to be considered part of the regulated drain. This is consistent with the ponds in other Vermillion sections. The maintenance of the pond shall include the inlets and outlet as part of the regulated drain. The maintenance of the pond such as sediment removal, and erosion control along the banks, mowing and aquatic vegetation control will be the responsibility of the Homeowners Association. The Board will also retain jurisdiction for ensuring the storage volume for which the pond was designed will be retained, thereby, allowing no fill or easement encroachments. The open drain length of 250' for the pond is the distance measured between str 814 - 833.

The petitioner has submitted surety for the proposed drain at this time. The sureties which are in the form of Letters of Credit from the developer are as follows:

Agent: Standard Financial Corporation  
Date: June 10, 2019  
Number: 1356WVRM5  
For: Storm Sewers  
Amount: \$380,816.70  
HCDB-2019-00028

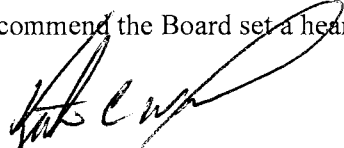
Agent: Standard Financial Corporation  
Date: June 10, 2019  
Number: 1357WVRM5  
For: Erosion Control  
Amount: \$59,415.71  
HCDB-2019-00027

Agent: Standard Financial Corporation  
Date: June 10, 2019  
Number: 1358WVRM5  
For: Monumentation  
Amount: \$16,005.35  
HCDB-2019-00029

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 The Woods at Vermillion, Sec. 5 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for November 23, 2020.



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

**Vermillion Drain #364**

Woods at Vermillion Sec. 5

SUBNE-2018-00026

This subdivision has 8,093' of drain.

Hearing: 11/23/2020

Parcel	Owner	Description	Rate	Benefit	MntAsmt	Percent
13-16-08-00-23-001.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 286	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-002.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 313	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-003.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 314	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-004.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 330	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-005.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 331	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-006.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 332	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-007.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 333	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-008.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 334	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-009.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 335	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-010.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 336	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-011.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 337	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-012.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 338	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-013.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 339	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-014.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 340	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-015.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 341	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-016.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 342	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-017.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 343	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-018.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 344	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-019.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 345	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-020.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 346	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-021.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 347	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-022.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 348	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-023.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 349	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-024.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 350	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-025.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 351	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-026.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 Lot 352	Regulated Subd	One Lot	\$65.00	3.17%
13-16-08-00-23-027.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 CA A, 1.73 Ac	Regulated Subd	1.73	\$65.00	3.17%
13-16-08-00-23-028.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 CA B, 0.12 Ac	Regulated Subd	0.12	\$65.00	3.17%
13-16-08-00-23-029.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 CA C, 0.49 Ac	Regulated Subd	0.49	\$65.00	3.17%
13-16-08-00-23-030.000	North CD Inc.	S8 T17 R6 Woods at Vermillion Sec. 5 CA D, 0.04 Ac	Regulated Subd	0.04	\$65.00	3.17%
99-99-99-99-99-999.001	Hamilton Co. Highway Dept.	S8 T17 R6 Woods of Vermillion Sec. 5 Roads, 10.14 Ac	Roads	10.14	\$101.40	4.94%
Totals: 26 Lots &					\$2,051.40	100.00%



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

At the request of North Connecticut Development Corp. The Hamilton County Drainage Board considered the extent of the drainage easement on the Vermillion Drain in the The Woods @ Vermillion - Section Five 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 of Applicant

APPLICANT

Printed name of Applicant

PRINTED NAME

Printed name of Owner of Land

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

Adobe PDF Fillable Form

Handwritten note: SUBNG-2018-00026

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                   The Woods @ Vermillion                   Subdivision, Section  
                  Five                   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 The Woods @ Vermillion-Section Five, 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**

*ARCADIA CONNECTICUT DEV. CORP*

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

*DOUGLAS B. WAGNER*  
\_\_\_\_\_  
Printed Name

*10/31/18*  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed

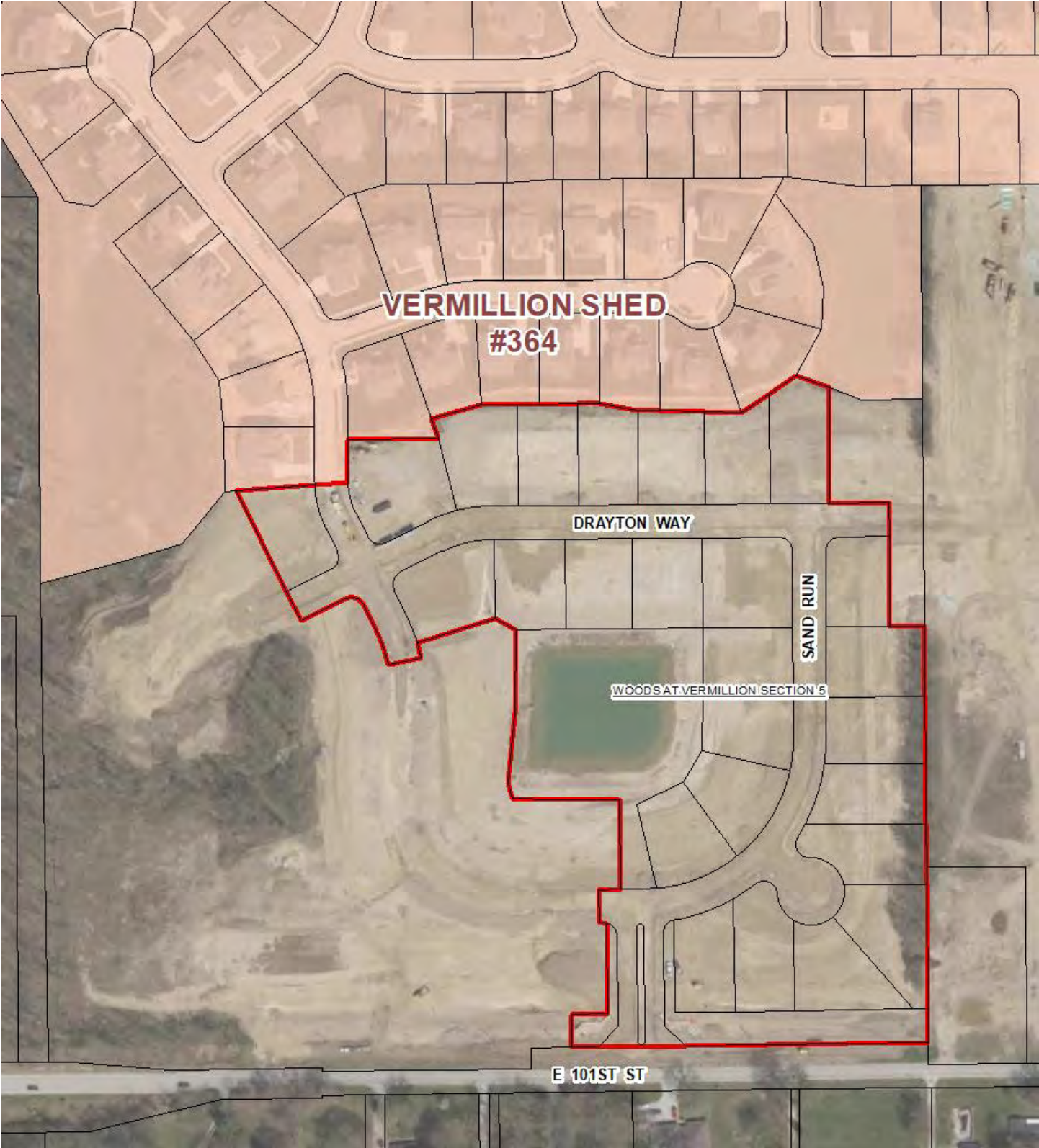
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Printed Name

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Date



**VERMILLION SHED  
#364**

DRAYTON WAY

SAND RUN

WOODS AT VERMILLION SECTION 5

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