

SURVEYOR'S OFFICE

Hamilton County

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 9, 2020

To: Hamilton County Drainage Board

Re: Vermillion Drain, The Enclave at Vermillion, Sec. 4 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 Enclave at Vermillion, Sec. 4 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. W170032-4, the drain will consist of the following:

12" RCP	1,720 ft.
15" RCP	418 ft.
18" RCP	421 ft.
21" RCP	91 ft.
24" RCP	20 ft.
6" SSD	4,137 ft.
Open drain	1,308 ft.

The total length of the drain will be 8115 feet.

The open drain length listed above includes the following: The straight-line length through Pond 19 between Ex Str. 935 and Ex. Str. 936; The straight-line length between the swale at the SE corner of Pond 19 and Ex. Str. 936; The swale between Str 154 stub and Pond 17 (at NW corner); The straight-line length through Pond 17 from NW swale to Str 167; The swale between Str 133 stub and Pond 17 (at NE corner); and, The straight-line length through Pond 17 from the NE swale to Str 167. Note: These swales are temporary. The two swales noted above as outletting into Pond 17 will be replaced with pipe as part of a future section, Enclave at Vermillion, Sec. 6. The temporary swale outletting into Pond 19 is being piped as part of the Enclave at Vermillion, Sec. 5, which is also proposed at this time. See Sec. 5 report for more information.

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 the individual lots per Hamilton County Highway Department requirements. 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 4 will be \$2,604.30.

The detention ponds constructed with this section (pond #14 & 19) are 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 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: August 22, 2019
Number: 1369ENC4
For: Storm Sewers
Amount: \$244,179.90
HCDB-2019-00036

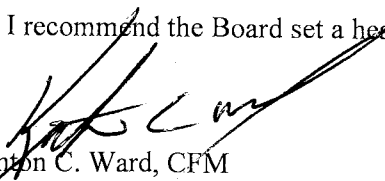
Agent: Standard Financial Corporation
Date: August 22, 2019
Number: 1370ENC4
For: Erosion Control
Amount: \$62,152.94
HCDB-2019-00037

Agent: Standard Financial Corporation
Date: August 22, 2019
Number: 1371ENC4
For: Monumentation
Amount: \$15,357.05
HCDB-2019-00038

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 Enclave at Vermillion, Sec. 4 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for December 14, 2020.



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

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

FILED

APR 15 2013

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

OFFICE OF HAMILTON COUNTY SURVEYOR

In the matter of The Enclave at Vermillion Subdivision, Section
 Four 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 Enclave at Vermillion-Section Four, 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

NORTH CONNECTICUT DEV. CORP.

Douglas B. Wagner, Sr. V.P.

Signed

Signed

DOUGLAS B. WAGNER

Printed Name

Printed Name

4-1-19

Date

Date

Signed

Signed

Printed Name

Printed Name

Date

Date



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

FOR RECORDER'S OFFICE USE ONLY

FILED

APR 15 2019

STATE OF INDIANA)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD

OFFICE OF HAMILTON COUNTY SURVEYOR

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 Enclave at Vermillion - Section Four 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: Douglas B. Wagner Douglas B. WAGNER NORTH CONNECTICUT DEV. CORP.
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

SUBWE - 2019 - 00009

Adobe PDF Ffillable Form



DOMINION DR

GRIMSHAW DR

HAMBURG DR

**ENCLAVE AT VERMILLION
SECTION 4**

GRIMSHAW DR

WENESAGA CT

DRAYTON WAY

BIGSTONE DR

DRYDEN CT