

14.6.20

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

December 7, 2020

To: Hamilton County Drainage Board

Re: Little Eagle Creek Drain; Troy Estates Arm

Attached is a petition filed by Lennar homes of Indiana Inc., along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for Troy Estates, Little Eagle Creek Drain to be located in Clay Township. I have reviewed the submittals and petition and have found each to be in proper form.

Upon reviewing these plans, 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. The drain will consist of the following:

12" RCP	2,451 feet	24" RCP	153 feet
15" RCP	400 feet	30" RCP	105 feet
18" RCP	1,376 feet	SSD	2,905 feet
21" RCP	822 feet		

The total length of the drain will be 8212 feet.

The subsurface drains (SSD) to be part of the regulated drain are those main lines located in rear yards and common areas. The SSD's in the street will not be part of the regulated drain due to street trees and the Hamilton County Drainage Board discussion on July 9, 2018, (see Hamilton County Drainage Board Minute Book 18, pages 204 to 206). The street SSD will be the maintenance responsibility of the City of Carmel. Only the main SSD lines which are located within the platted easement are to be maintained as regulated drain. Laterals for individual lots will not be considered part the of the regulated drain. The portion of the SSD which will be regulated are as follows:

Rear Yard Lots 1 to 4 and 5 to 8 from Str. 163 to 165

Rear Yard Lots 9 to 12 from Str. 150 to 110 feet east of Str. 166

Rear yard lots 14 to 20 from Str. 126 to Str. 150

Rear yard lots 34 to 39 from Str. 117 to Str. 120.

The drain maintenance shall include the inlets, outlets, sub-surface drains and reinforced concrete pipes that are listed as part of the new regulated drain. The maintenance of the detention pond such as, erosion control or mowing and the maintenance of water quality BMP structures will be the responsibility of the Troy Estates HOA or the city of Carmel. 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.

I have reviewed the plans and believe the drain will benefit each lot equally. Therefore, I recommend each lot to be assessed equally. I also believe that no damages will result to landowners by the constructor of this 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 \$3,203.50.

The petitioner has submitted surety for the proposed drain at this time. The sureties which are in the form of a performance bond are as follows:

Agent: Atlantic Specialty Insurance Company

Date: November 23rd, 2020

Number: 800055112

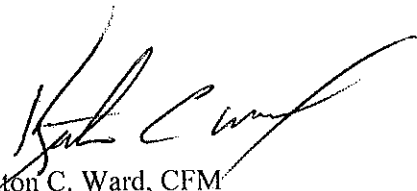
For: Storm Sewer/Subsurface Drain/Stormwater Pond/Erosion Control/Stormwater BMP

Amount: \$882,756.00

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 designed as an urban drain.

I recommend that upon approval of the above proposed drain that the board also approve the attached non-enforcement request for Troy Estates. The request will be for the encroachment into the statutory regulated drain easements as shown on the secondary plat for Troy Estates.

I recommend the Board set a hearing for this proposed drain for March 22, 2021.



Kepton C. Ward, CFM

Hamilton County Surveyor

KCW/pll

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

FILED

OCT 06 2020

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 Troy Estates 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 Troy Estates, 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



Signed

Keith Lash

Printed Name

9/14/20

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

FILED

JAN 15 2021

STATE OF INDIANA)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD

OFFICE OF HAMILTON COUNTY SURVEYOR

At the request of Lennar Homes of Indiana, Inc., The Hamilton County Drainage Board considered the extent of the drainage easement on the Little Eagle Creek Drain in the Troy Estates 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:

[Signature]

APPLICANT

Keith Lash

PRINTED NAME

Lennar Homes of Indiana, Inc.

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 Ffillable Form

SUBMIT 2021-00005

Little Eagle Creek #350

Troy Estates Arm

Will add 8,212' of new drain to total length.

To be platted from part of 17-09-19-00-00-047.000.

SUBNE-2020-00005

Hearing: 03-22-2021

Rate
Regulated Subd. \$10.00
Roads \$10.00
Minimum
\$65.00

Parcel	Owner	Desc	Rate	Ben	Annual Assmt.	% of Total
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 1	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 2	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 3	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 4	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 5	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 6	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 7	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 8	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 9	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 10	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 11	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 12	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 13	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 14	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 15	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 16	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 17	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 18	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 19	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 20	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 21	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 22	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 23	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 24	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 25	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 26	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 27	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 28	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 29	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 30	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 31	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 32	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 33	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 34	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 35	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 36	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 37	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 38	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 39	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates Lot 40	Regulated Sut	One Lot	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates CA 1, 1.86 Ac	Regulated Sut	1.86	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates CA 2, 2.72 Ac	Regulated Sut	2.72	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates CA 3, 0.11 Ac	Regulated Sut	0.11	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates CA 4, 0.28 Ac	Regulated Sut	0.28	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates CA 5, 0.11 Ac	Regulated Sut	0.11	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates CA 6, 0.28 Ac	Regulated Sut	0.28	\$65.00	2.03%
Not assigned yet.	Lennar Homes of Indiana Inc.	S30 T18 R3 Troy Estates CA 7, 0.32 Ac	Regulated Sut	0.32	\$65.00	2.03%
99-99-99-99-999.005	City Of Carmel, Dept. of Administration	S30 T18 R3 Troy Estates Roads	Roads	14.85	\$148.50	4.64%
Parcels: 48			Totals: 40 lots &	20.53	\$3,203.50	100.0%