



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

May 26, 2021

To: Hamilton County Drainage Board

Re: Mary Nagle Drain, Tamarack Section 4 Arm

Attached is a petition filed by M/I Homes, LP along with a non-enforcement request, plans, calculations and assessment roll for the Tamarack Section 4 Subdivision to be located in Jackson Township, Hamilton County Indiana. 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 Kimley Horn and Associates Engineering, KHS Project No. 17015004, the drain will consist of the following:

12" RCP	83 ft.
24" RCP	145 ft.
30" RCP	787 ft.
36" RCP	462 ft.
Open	662 ft.

The total length of the drain will be 1,764 feet.

The section of drain that is to become part of the regulated drain system with this hearing is briefly described as follows. The new drain begins at STR #546 where it accepts the upstream portion of the existing 10-inch Mary Nagle Drain at approximate station 3+30. The Mary Nagle Drain will be reconstructed between Sta. 3+3 and Sta 4+75. At Sta. 4+75 the new drain will

continue from Str. #509, STR #509B, STR #536, STR #547, STR #548, STR #549, STR #523 STR #522 which is the outlet into Lake #4 (pond). The drain then continues through Lake #4 (pond) to STR #504 to STR #503 and continues from STR #503 as an open channel to STR #456 of the Morse Landing Section 4 an existing arm to the Mary Nagle Drain.

The original Mary Nagle Drain per the 1911 description from south of Sta. 4+75 downstream will remain as regulated drain and continue to be maintained.

The open drain across parcel #05-06-02-00-01-001.000, Morse Landing Section 4, Lot 166 and Parcel # 05-06-01-01-03-031.000, Morse Landing Section 3, Lot 120 is part of the regulated drain. This open ditch will utilize the existing easements as recorded in the secondary plats for those sections of Morse Landing.

The retention pond (Lake #4 located in Common Area "11-4") is not to be considered part of the regulated drain. The maintenance shall include the inlet and outlet at the pond (Structures 522 and 504) as part of the regulated drain. The maintenance of the pond such as sediment removal, 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.

Tamarack Section 4 Arm as described above will be part of the Mary Nagle Drain. Maintenance of the remaining drainage facilities within Tamarack Section 4 Subdivision shall be under the Town of Cicero and or the Tamarack Section 4 Homeowners Association. Maintenance of the BMPs within Tamarack Section 4 Subdivision shall also be under the Town of Cicero and or the Tamarack Section 4 Homeowners Association.

I have reviewed the plans and believe the drain will benefit each lot equally. Therefore, I recommend each lot be assessed equally at the unregulated subdivision rate. I also believe that no damages will result to landowners by the construction of this drain. I recommend a maintenance assessment of \$35.00 per platted lot, \$5.00 per acre for common areas, with a \$35.00 minimum, and \$10.00 per acre for roadways. With this assessment the total annual assessment for this drain will be \$2,671.20 plus \$35.00 for Morse Landing Section 3, Lot 120 will bring the total to \$2,706.20.

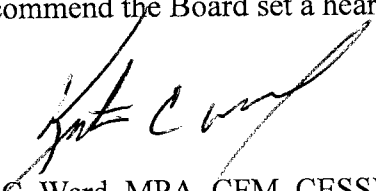
The petitioner has submitted surety for the proposed drain at this time. The amount of the bond is \$167,535.60 which represents 120% of the Engineer's Estimate of \$139,613.00. The surety which is in the form of a Performance Bond is as follows:

Agent: Harco National Insurance Company
Date: May 11, 2021
Bond Number: OHHNSU076979
For: Storm Sewers
Amount: \$167,535.60
HCDB-2021-00016

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 plat for Tamarack Section 4 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for July 26, 2021.



Kenton C. Ward, MPA, CFM, CESSWI, CPMSM
Hamilton County Surveyor

KCW/pll

Mary Nagle Drain, Tamarack Sec. 4 Arm

Arm to provide outlet for Tamarack Sec. 4

Adding 1764' of drain thru Section 4, SUBNE-2020-00018

Remaining drainage facilities within Tamarack Sec. 4 shall be under the Town of Cicero and/or the HOA.

*Cost of the construction to be paid by the developer.

*No change in current maintenance assessment rates.

When Tamarack Section 4 is platted it will be set at the Un-Regulated Subdivision rate and the drainage shed will change as shown below.

Hearing: 07/26/21

**See below for maintenance assessment after platted.

Parcel	Owner	Description	Rate	Current		Proposed		Proposed MntAsmt	RecAsmt
				Ac Ben	MntAsmt	Ac Ben	MntAsmt		
99-99-99-99-99-999.006	Town Of Cicero	S1&2T19 R4, Tamarack Sec 4 & Tollgate, 16.35Ac	Roads	28.59	285.90	44.94	44.94	*	*
03-06-02-00-00-007.000	MI Homes of Indiana LP	S2 T19 R4 0.77 Ac	Residential/Ag	0.00	0.00	0.77	0.77	**	*
05-06-02-00-00-008.001	MI Homes of Indiana LP	S2 T19 R4 14.75 Ac	Residential/Ag	4.50	25.00	14.75	14.75	**	*
05-06-02-00-00-008.003	MI Homes of Indiana LP	S2 T19 R4 9.61 Ac	Residential/Ag	1.40	25.00	9.61	9.61	**	*
05-06-02-00-00-008.102	MI Homes of Indiana LP	S2 T19 R4 1.33 Ac	Residential/Ag	0.60	25.00	1.33	1.33	**	*
05-06-02-00-00-008.002	MI Homes of Indiana LP	S2 T19 R4 8.83 Ac	Residential/Ag	0.00	0.00	8.83	8.83	**	*
05-06-01-00-00-005.002	MI Homes of Indiana LP	S1 T19 R4 0.97 Ac	Residential/Ag	0.00	0.00	0.97	0.97	**	*
05-06-01-00-00-005.003	MI Homes of Indiana LP	S1 T19 R4 0.30 Ac	Residential/Ag	0.00	0.00	0.30	0.30	**	*
05-06-02-00-01-001.000	Ankenbruck, Kimberly Rev TR & Dia	S2 T19 R4 Morse Landing Sec 4 Lot 166	Regulated Subd.	One Lot	65.00	*	*	*	*
05-06-01-01-03-031.000	Salley, Lynda & Christian Fiems	S1 T19 R4 Morse Landing Sec 3 Lot 120	Un-Regulated Subd.	0.00	0.00	One Lot	One Lot	**	*

See breakdown of future assessments on next 2 pages after Tamarack Sec. 4 is platted.

****Future parcels when platted and Morse Landing Sec. 3 Lot 120.**

Parcel	Owner	Description	Rate	Ac Ben	Mnt/Asmt	% of Total
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 188	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 189	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 190	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 191	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 192	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 193	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 194	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 195	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 196	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 197	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 198	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 199	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 200	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 201	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 202	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 203	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 204	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 205	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 206	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 207	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 208	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 209	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 210	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 211	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 212	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 213	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 214	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 215	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 216	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 Lot 217	Un-Regulated Subd.	One Lot	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 CA	Un-Regulated Subd.	0.23	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 CA	Un-Regulated Subd.	0.81	\$35.00	1.29%
Not assigned yet.	MI Homes of Indiana LP	S2 T19 R4 Tamarack Sec. 4 CA	Un-Regulated Subd.	11.54	\$57.70	2.13%
99-99-99-99-99-999.006	MI Homes of Indiana LP	S1&2T19 R4,Tamarack Sec 4 & Tollgate,16.35Ac	Roads Added to Nagle	16.35	\$163.50	6.04%
	Town Of Cicero		Totals:	28.93	\$2,706.20	98.71%



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON
COUNTY DRAINAGE BOARD

At the request of M/I Homes of Indiana, LP The Hamilton County Drainage Board considered the extent of the drainage easement on the Mary Nagle Drain Drain in the Tamarack - Section 4 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:

Matthew Howard

M/I Homes of Indiana, LP

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

Adobe PDF Ffillable Form

FILED
10/18/12
OFFICE OF HAMILTON COUNTY SURVEYOR

SUBD 2000-0018

FILED

NOV 09 2020

OFFICE OF HAMILTON COUNTY SURVEYOR

Date: 11/05/2020

To: Hamilton County Drainage Board

Re: Mary Nagle Drain

M/I Homes of Indiana, LP (Here-in-after "Petitioner"),

hereby petitions the Hamilton County Drainage Board under IC 36-9-27-66 for an arm to be

installed to the Mary Nagle Drain in order to serve the property of the

petitioner. The petitioner, in support of said petition, advises the Board that:

1. The Mary Nagle Drain is presently on a maintenance program and that land of the petitioner is assessed as benefited by the maintenance of the regulated drain
2. There is no known adequate open or tiled drain connecting the land of the petitioner with the regulated drain;
3. The waters from the petitioners land flow over or through land owned by others to reach the regulated drain;
4. The legal description of lands through which the new regulated drain will run along with the parcel numbers, name and address of each owner of that land is shown on Exhibit "A" which is attached;
5. The general route of the proposed new regulated drain and method of construction is shown on Exhibit "B" which is attached.
6. Petitioner agrees to pay all legal and construction costs involved with the construction of the proposed new regulated drain.

Signed

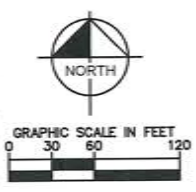
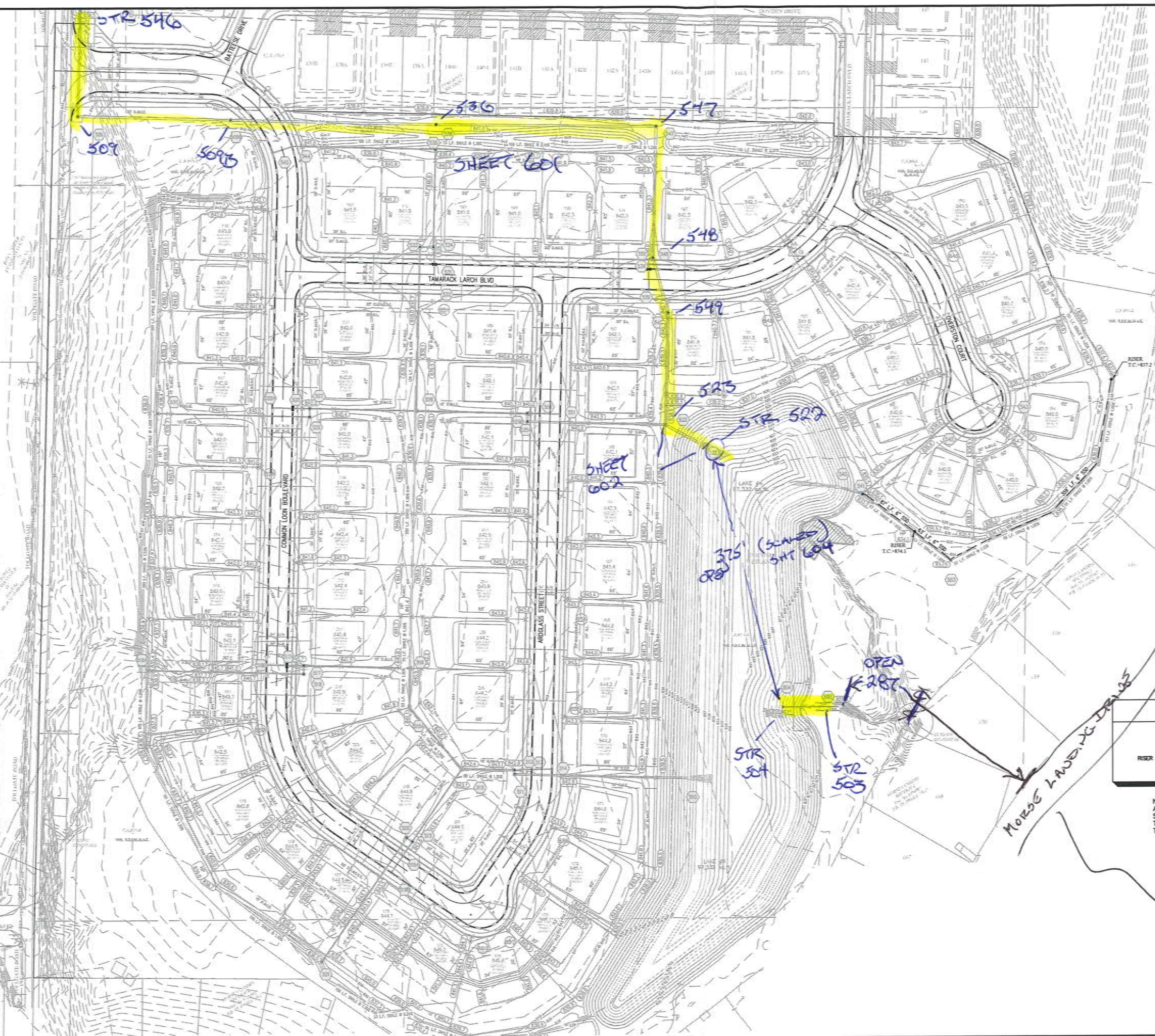
Printed

[Handwritten Signature]

MAT HOWARD

DIRECTOR OF LAND DEVELOPMENT, M/I HOMES OF INDIANA, L.P.

Drawing name: K:\PROJ\170150004_M1_Tamarack_Sect_4\Drawn\K33\Drawn\K33\Sub-Surface\Sub-Surface Plan.dwg 0605 Jun 11, 2020 11:45am by jag/da
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LEGEND

RISER
 PROPOSED SUB-SURFACE DRAIN
 SEE TOWN OF CICERO/INDIANA DETAILS SHEET 6 OF 17 FOR FURTHER DETAILS

NOTE:
 ALL HOMES IN THIS SECTION WILL BE SLAB CONSTRUCTION AND NO BASEMENTS. THEREFORE, UNDERDRAIN SERVICE STUBS TO EACH LOT WILL NOT BE NECESSARY.



 © 2020 KIMLEY-HORN AND ASSOCIATES, INC. 250 E. FAYETTE BLVD., SUITE 300 CINCINNATI, OH 45222 PHONE: 317-218-9900 WWW.KIMLEY-HORN.COM	AS NOTED DESIGNED BY: JRM DRAWN BY: JRM CHECKED BY: BAH	No. PE10606045 STATE OF INDIANA PROFESSIONAL ENGINEER 11/5/2020	ORIGINAL ISSUE: 05/20/2020 KHA PROJECT NO. 170150004 SHEET NUMBER C604
	SCALE: AS NOTED TITLED: SUB-SURFACE PLAN DATE: 11/5/2020	REVISIONS NO. DATE BY	TAMARACK SECTION 4 CICERO, IN