



Kenton C. Ward, CFM
Surveyor of Hamilton County
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Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

June 8, 2021

To: Hamilton County Drainage Board

Re: Thistlethwaite Drain, Aaron Rawlings Arm, Maple Run Section 4 Arm.

Attached is a petition filed by Arbor Homes along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Maple Run of Sheridan Section 4 located in Adams 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 Stooppelwerth & Associates Engineering, Project No. 51510ARB-S4, the drain will consist of the following:

Open drain 470 feet

The total length of the drain will be 470 feet.

The section of drain that is to become part of the regulated drain system with this hearing are briefly described as follows. Beginning at the southwest corner of Lake 4 (pond) at the proposed Structure #C01 (to be constructed with Maple Run Section 5) in Maple Run Section 4 then runs north through Lake 4 (pond) to Structure #B04 (constructed with Maple Run Section 3B) at the northern end of Lake 4. Lake 4 (open channel) is shown on Sheets C200, C600 & C601 of the above-mentioned plans. The open ditch is measured as a straight line through Lake 4 between the aforementioned structures.

The Maple Run Section 4 Arm as described above will be part of the Thistlethwaite Drain, Aaron Rawlings Arm. Lake 4 is not to be considered part of the regulated drain. The maintenance of the pond shall include the inlet, outlet (Structure #C01 and Structure # B04) 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, allowing no fill or easement encroachments.

The Maple Run Section 4 Arm as described above will be part of the Thistlethwaite Drain, Aaron Rawlings Arm. Maintenance of the remaining drainage facilities within Maple Run Section 4 Subdivision shall be under the Town of Sheridan and or the Maple Run Homeowners Association. Maintenance of the BMPs within Maple Run Section 4 Subdivision shall also be under the Town of Sheridan and or the Maple Run Homeowners Association.

The regulated drain portion of the Thistlethwaite Drain, Aaron Rawlings Arm, Maple Run Section 4 Arm is the open portion of Lake 4 between the inlet constructed with Maple Run Section 3 and the outlet constructed Maple Run Section 5. As such, the performance bond for the storm drain held by the Town of Sheridan for Maple Run Section 4 was deemed satisfactory to ensure the construction of Lake 4 per the approved plans.

The bond information is as follows:

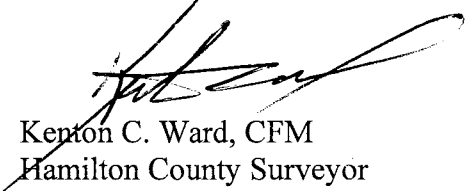
Agent: National Indemnity Company
Date: January 27, 2021
Bond Number: 70NGP184991
For: Storm Sewers
Amount: \$386,453.00

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. The maintenance assessment rates have been adopted by the Board at its meeting on September 24, 2018 (see Hamilton County Drainage Board Minute Book 17, Pages 249-250). Maple Run Section 4 will be assessed at the Un-Regulated Subdivision rate of \$5.00 per acre, \$35.00 per lot and minimum.

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 Maple Run of Sheridan 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.



Kepton C. Ward, CFM
Hamilton County Surveyor

Thistlethwaite Drain, Maple Run Sec. 4 Arm

Arm to provide outlet for Maple Run Sec. 3B, 4 & 5

Adding 470' of drain thru Section 4 (Thru Lake 4 only)

Remaining drainage facilities within Maple Run Sec. 4 shall be under the Town of Sheridan and/or the HOA.

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

*No change in current maintenance assessment rates.

Maple Run Section 4 is set at the Un-Regulated Subdivision rate.

Hearing: **07-26-21**

Parcel	Owner	Description	Rate	Acres	RecAsi	MntAsmt	MntPer
01-05-06-00-02-081.000	Arbor Homes	S6T19R3 Maple Run Sec. 4 CA D, 2.70 Ac Lake 4	Un-Regulated Subd.	Benefited *	*	*	*



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON
COUNTY DRAINAGE BOARD

At the request of Arbor Homes The Hamilton County Drainage Board considered the extent of the drainage easement on the Thistlewaite Legal Drain Drain in the Maple Run, 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 Records Office.
2. It will not object to the improvement of said real estate beyond such distance, and
3. Other Conditions: _____

SIGNED:

Lantz McElroy

Lantz McElroy

Lantz McElroy on behalf of Arbor Homes

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

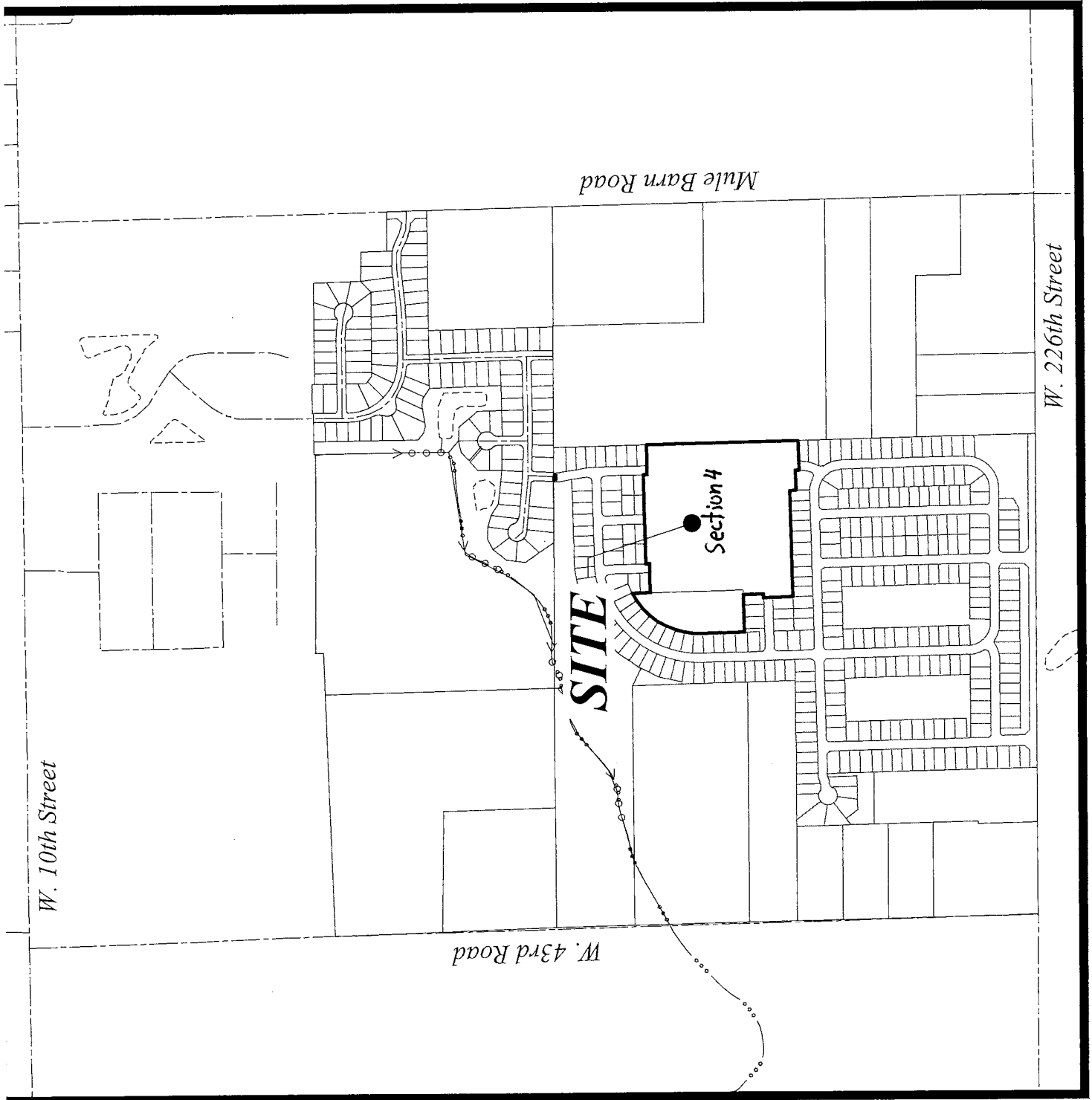
MEMBER OF DRAINAGE BOARD

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

SUBNE-2020-00005



LOCATION MAP

SCATED. 11 - 1 0000
Maple Run Section 4

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN RE: Maple Run, Section 4)
Hamilton County, Indiana)

PETITION FOR RELOCATION AND RECONSTRUCTION

Arbor Homes (hereinafter Petitioner"),
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a
section of the Thistlewaite Legal Drain, and in support of
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Thistlewaite Legal 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 Thistlewaite Legal 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 Thistlewaite Legal Drain, without cost to other property owners on the watershed of the Thistlewaite Legal 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 Thistlewaite Legal Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

Lantz McElroy
Signed
Lantz McElroy
Printed