

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

January 24, 2022

Re: Williams Creek, Jackson's Grant Section 8 Arm

Attached is a petition filed by Jackson's Grant Real Estate Co. LLC, along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for Jackson's Grant Section 8 Arm, Williams Creek Drain to be located in Carmel, IN. 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 | 296 ft. | 24" RCP | 96 ft.  |
| 15" RCP | 346 ft. | 18" RCP | 416 ft. |
| 21" RCP | 255 ft. | SSD     | 547 ft. |

The total length of the drain will be 1,956 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:

Yard SSDs

Rear yard lots 334 to 339 from 79 feet east of Str. G4 to 150 feet West of Str. G5.

Common Area SSDs

Common Area #8-2 from Str. B1 to Str. A2.

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 Jackson's Grant 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 \$2,015.00.

The petitioner has provided the Performance Bonds as follows:

**Monumentation**

Bonding Company: Standard Financial Corporation  
Bond Number: 1455JG8  
Bond Date: January 10, 2022  
Bond Amount: \$5,040.00

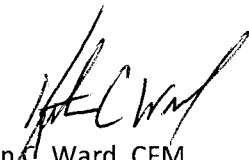
**Storm Sewer**

Bonding Company: Standard Financial Corporation  
Bond Number: 1454JG8  
Bond Date: January 10, 2022  
Bond Amount: \$325,009.20

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 requests for Jackson's Grant Section 8. The request will be for the reduction of the regulated drain easements to those easement widths as shown on the secondary plat for Jackson's Grant Section 8.

I recommend the Board set a hearing for this proposed drain for May 23, 2022.



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

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 Jackson's Grant on Williams Creek, Section 8 Subdivision, Section  
Williams Creek 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 Jackson's Grant on Williams Creek, S8, 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**

*JACKSON'S GRANT REAL ESTATE CO. LLC*

*Douglas B Wagner*  
Signed

Douglas B. Wagner, Senior VP

Printed Name

1/26/2022

Date

Signed

Printed Name

Date

Signed

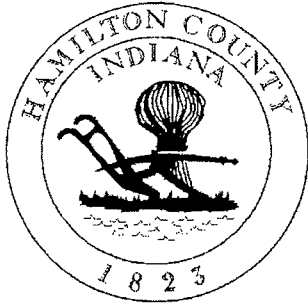
Printed Name

Date

Signed

Printed Name

Date



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 by Jackson's Grant Real Estate Co. LLC, its manager The Hamilton County Drainage Board considered the extent of the drainage easement on the Williams Creek Drain in the Jackson's Grant on Williams Creek, Sec. 8 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

Downing B. Warner Sr. VP Jackson's Grant Real Estate Co. LLC by Jackson's Grant Real Estate Co. LLC, Manager

PRINTED NAME

Jackson's Grant Real Estate Co. LLC

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

SUBWF-2020-00016



**NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS**

STATE OF INDIANA )  
 )  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON  
COUNTY DRAINAGE BOARD

Jackson's Grant Real Estate Co., LLC by JG  
At the request of Development Company, LLC its manager The Hamilton County Drainage  
Board considered the extent of the drainage easement on the Stultz & Almond Drain in the  
Jackson's Grant on Williams Creek, Section 8 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

APPLICANT

Douglas B. Wagner - Senior VP Jackson's  
Grant Real Estate Co., LLC by JG  
Development Co., LC its Manager

PRINTED NAME

Jackson's Grant Real Estate Co., LLC

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

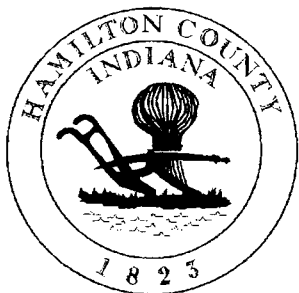
\_\_\_\_\_  
MEMBER OF DRAINAGE BOARD

"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

SURWE - 2021-00010



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

STATE OF INDIANA ) BEFORE THE HAMILTON
COUNTY OF HAMILTON ) COUNTY DRAINAGE BOARD

At the request of Jackson's Grant Real Estate Co., LLC by JG Development Company, LLC its manager The Hamilton County Drainage Board considered the extent of the drainage easement on the Elliot Creek Drain in the Jackson's Grant on Williams Creek, Section 8 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 - Senior VP Jackson's Grant Real Estate Co., LLC by JG Development Co., LC its Manager Jackson's Grant Real Estate Co., LLC
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

SUBWE - 2021-00011

**Williams Creek #315**

Jackson's Grant Sec. 8  
SUBNE-2020-00016=Williams Creek  
SUBNE-2021-00010=Elliot Creek  
SUBNE-2021-00011=Stultz & Almond

The total length of this section will be 1,956'.

Hearing: 05/23/22

| Parcel           | Owner                                | Description                                       | Rate            | Benefit | MntAsmt    | Percent |
|------------------|--------------------------------------|---|-----------------|---------|------------|---------|
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 334         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 335         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 336         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 337         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 338         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 339         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 340         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 341         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 342         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 343         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 344         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 345         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 346         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 347         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 348         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 349         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 350         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 351         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 352         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 353         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 354         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Lot 355         | Regulated Subd. | One Lot | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 CA 8-1, 1.85 Ac | Regulated Subd. | 1.85    | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 CA 8-2, 2.49 Ac | Regulated Subd. | 4.13    | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 CA 8-3, 0.41 Ac | Regulated Subd. | 0.41    | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 CA 8-4, 0.11 Ac | Regulated Subd. | 0.11    | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 CA 8-5, 0.06 Ac | Regulated Subd. | 0.06    | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 CA 8-6, 0.20 Ac | Regulated Subd. | 0.20    | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Blk O, 1.52 Ac  | Regulated Subd. | 1.52    | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Blk P, 0.55 Ac  | Regulated Subd. | 0.55    | \$65.00    | 3.23%   |
| Not assigned yet | Jackson's Grant Real Estate Co., LLC | S34 T18 R3 Jackson's Grant Sec. 8 Blk Q, 0.19 Ac  | Regulated Subd. | 0.19    | \$65.00    | 3.23%   |
| Parcels: 31      |                                      | Total: 22 lots & 9.02                             |                 |         | \$2,015.00 | 100.00% |