

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

July 8, 2015

TO: Hamilton County Drainage Board

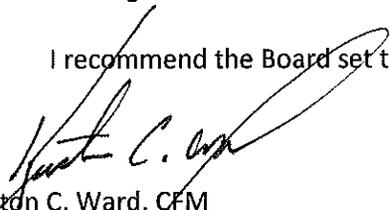
RE: L.N. Joseph & Eli Brooks Arm, William Lehr Drain

As per the discussion at the June 8, 2015 Drainage Board meeting regarding the L.N. Joseph & Eli Brooks Arm, William Lehr Drain, the cost of the proposed 4'x8' box culvert under Summer Road is proposed to be spread across the undeveloped ground upstream of the structure. The cost estimate of the structure is \$188,356.00. The structure will be installed and paid for by Boomerang Development. The cost of the structure will be paid by the 238.97 acres of undeveloped ground upstream of the structure at a rate of \$788.20 per acre. This cost will be paid to Hamilton County upon development of the property. This then will be reimbursed to Boomerang as payments are received. A schedule of assessments is attached to the report. A reimbursement agreement shall be prepared by the Board's attorney between Hamilton County and Boomerang Development upon approval at hearing of this proposal.

Although the estimate as indicated above is \$188,356.00, the attached proposal from Weihe Construction, Inc. is in the amount of \$116,204.00. The attached bond for the structure to the City of Noblesville is based on 110% of the \$116,204.00 figure. The final assessment to the upstream undeveloped parcels shall be finalized and certified upon completion.

Upon review of the lands within the drainage shed of the William Lehr Drain I believe that the requirements set out in IC 36-9-27-67 are met for classification of Urban Drain. Therefore, I recommend the Board designate this drain as an Urban Drain.

I recommend the Board set this for hearing on September 28, 2015.


Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

William Lehr Drain, Joseph & Brooks Arm - Cost Share for Summer Road Structure:

Mr. Corby Thompson, Mr. John Beery and Mr. Mark Gradison were present for this item.

The Surveyor stated that Corby Thompson is in the audience today to talk to the Board about a possible cost share for an 8'x4' box culvert under Summer Road. This will pass the peak discharge of 348.68 cfs going over the road at this particular time.

Thompson stated that he has a piece of property on Summer Road which is part of a 260 acre development. There is an existing 18" field tile and two corrugated metal pipes under various places along Summer Road. We've been requested in our project to construct a 4'x8' box culvert as well as improve the drain from Summer Road over to the Lehr Ditch. The total cost is about \$370,000.00. Historically, I was involved with 191st Street and Promise Road and the work that Precedent did there they entered into a recoupment agreement with the upstream property owners who benefitted from this construction. Not one drop of rain that hits my property goes through this box culvert. This is all for upstream improvement. I'm here to see if the Drainage Board is open to the idea of recoupment agreements such as Precedent received whereby as future development occurs upstream benefits from this box culvert they would share in this cost.

Howard asked the Surveyor if this would be appropriate for an urban drain?

The Surveyor stated that it would fall under Urban Drain because that area is being developed at this time so it meets the criteria.

Howard stated that there would be deferred assessments. We'd have to calculate the assessments and they'd be deferred assessments upstream to be collected upon development.

The Surveyor stated that puts the Board in the position of being the bank.

Howard stated maybe. The recoupment I heard would be that this property owner would essentially do the improvements and then would recapture upstream. We did the same thing out at Corporate Campus East. If you remember everybody upstream of republic is a subsequent connector and then the developer is essentially the risk partner until that happens so the higher the assessment the more prolonged it would be. Is that your proposal?

Thompson stated that would be correct. If development occurs we would be the beneficiary of those recoupment payments from those upstream.

Altman asked if traditionally it's a fifteen year agreement?

Howard stated that it's really not under barrette law, it's under the Urban Drain Assessment. Essentially that assessment finds the drain is adequate for its present use, but then when it gets developed upstream there's basically an assessment there, but the assessment is deferred until development occurs and it's paid upon, I think, platting isn't it?

The Surveyor stated we collect the checks when something is platted in that area or if it's commercial in case of HTC it's collected when the project's submitted for building permit.

Heirbrandt asked the Surveyor if he has had the opportunity to review the drainage report?

The Surveyor stated that Thompson is coming to the Board today to ask if the Board would be willing to consider this.

Howard stated this is preliminary, it's not final. There would have to be advertisement upstream under the Urban Drain. It really is a good tool to use in situations exactly like this where you really have a disproportionate front end cost falling on somebody and they at least have the opportunity; the guy upstream doesn't get a windfall he helps pay for what he's going to need sooner or later. It's a timing issue. The assessment is the same it just defers the timing and Thompson is the risk partner on the timing. I think it's a good way to recommend that the Surveyor work with the developer to put together an Urban Drain Reconstruction.

Heirbrandt made the motion to approve the Urban Drain Reconstruction concept, seconded by Altman.

Altman stated that she is supportive of this, but I want to make sure you're talking about as other properties come through the platting or development process they've all been assessed a proportionate share of this initial cost. Correct?

Howard stated yes.

Altman stated in effect it is like a fifteen year it's just under; and there's not a time constraint really on the recoupment process.

Howard stated right, it's not under barrette law, it's under a special section of the Drainage Code and that deferred assessment is there forever. We used it on Corporate Campus East, the City of Noblesville funded a lot of that drainage, and all of a sudden a check comes in to make bond payments that year and is always appreciated.

The motion had been made and seconded to approve the Urban Drain Reconstruction concept and approved unanimously.

Nw Lehr Reconst. (Brooks Arm) in Noble East, See
& Flagstone,

5-Jun-15

FYI

Weihe Construction Estimate		
earthmoving bid	\$	78,750.00
wing walls estimate		36,000.00
flowable fill estimate		8,000.00
box culvert bid		116,204.00
lower waterline to accommodate 4' deep culvert		22,152.00
tree clearing 80' wide		38,258.00
Roudebush Grading		59,132.00
erosion control/seeding/silt fence bid		
Schneider Engineering Estimate		
design/staking ditch		6,000.00
design/staking box culvert		6,000.00
Total for Legal Drain ditch reconstruction	\$	370,496.00
Culvert portion		188,356.00
Ditch portion		182,140.00

Wm. Lehr Drain, L.N. Joseph & Eli Brooks Arm

Summer Road culvert.

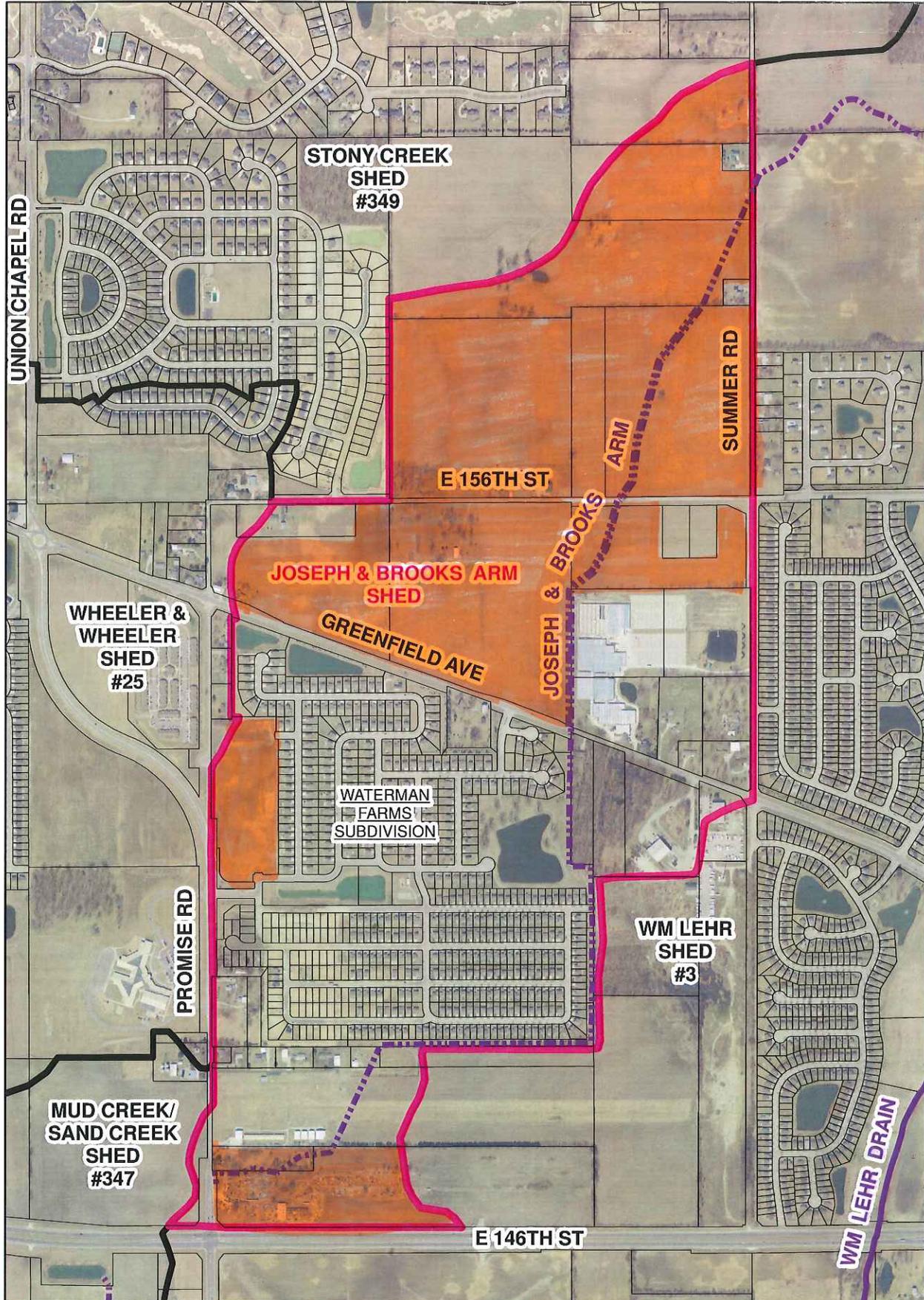
*Reconstruction assessment based on cost estimate of \$188,356. To be paid by the 238.97 acres of undeveloped ground upstream of the structure at a rate not to exceed \$788.20 per acre. The final assessment shall be finalized and certified upon completion of the project. Cost to be paid to Hamilton County upon development of the property and be reimbursed to Boomerang as payments are received.
Hearing: 09/28/15

Parcel	Owner	Address	City	Desc	Ben Ac	Asmt Amt	Percent of Total
10-11-16-00-00-004.000	Bevo LLC	6626 75th St E Ste 400	Indianapolis, IN 46250	S16 T18 R5 13.35Ac	12.35	9,734.28	5.17%
10-11-09-00-00-012.000	Brooks, John J	11392 156th St E	Noblesville, IN 46060	S9 T18 R5 35.00Ac	35.00	27,587.00	14.65%
11-11-09-00-00-010.000	Brooks, John J	11392 156th St E	Noblesville, IN 46060	S9 T18 R5 16.00Ac	13.00	10,246.60	5.44%
11-11-09-00-00-011.000	Brooks, John J	11392 156th St E	Noblesville, IN 46060	S9 T18 R5 58.00Ac	27.00	21,281.40	11.30%
10-11-09-00-00-012.001	Brooks, John J & Suzanne E T/C	11392 156th St E	Noblesville, IN 46060	S9 T18 R5 40.00Ac	40.00	31,528.00	16.74%
10-11-09-00-00-012.002	Brooks, John J & Suzanne E T/C	11392 156th St E	Noblesville, IN 46060	S9 T18 R5 8.00Ac	8.00	6,305.60	3.35%
10-11-09-00-00-009.000	Entrust Adm. Inc fbo Charles Spartz Roth IRA 31883	555 12th St Ste 1250	Oakland, CA 94607	S9 T18 R5 19.20Ac	5.00	3,941.00	2.09%
10-11-16-00-00-009.000	S & T Land Holdings LLC	11644 State Road 238	Noblesville, IN 46060	S16T18R5 Hoods Corner 14.13Ac	14.13	11,137.28	5.91%
10-11-16-00-00-008.000	S & T Land Holdings LLC	11644 State Road 238	Noblesville, IN 46060	S16 T18 R5 43.49Ac	43.49	34,278.82	18.20%
10-11-16-00-00-023.003	Spartz Farms LLC	102 Natasha Dr	Noblesville, IN 46060	S16 T18 R5 34.50Ac	17.08	13,462.46	7.15%
10-11-16-00-00-002.000	Waterman, Mary Alice Family Trust	24830 Ray Parker Rd	Arcadia, IN 46030	S16 T18 R5 23.55Ac	20.90	16,473.38	8.75%
10-11-16-00-00-023.000	Willman, R G	14682 Promise Rd	Noblesville, IN 46060	S16 T18 R5 3.02Ac	3.02	2,380.36	1.26%
Totals:					238.97	188,356.18	100.00%

Parcels: 12

JOSEPH & BROOKS ARM SHED

William Lehr Shed #3



Printing Date: 7/2/2015
Prepared By: Darren Wilson, GISP
Hamilton County Surveyor's Office
One Hamilton County Square, Ste 188
Noblesville, IN 46060
317-776-8495

NO SCALE