Drain: JW BRENOLE ORAIN	Drain #: 77
lmprovement/Arm: <u> મેક્સ્પ્રેટર્સ                                    </u>	FION Z
Operator: <i>Jpн</i>	Date: /٥-2/-٥3
<b>Drain Classification: Urban/Rural</b>	Year Installed: 2003

# **GIS Drain Input Checklist**

•	Digitize & Attribute Tile Drains	
•	Digitize & Attribute Storm Drains	
•	Digitize & Attribute SSD	
•	Digitize & Attribute Open Ditch	
•	Sum drain lengths & Validate	
•	Enter Improvements into Posse	GAZ 10-21
•	Enter Drain Age into Posse	
•	Sum drain length for Watershed in Posse	
•	Stamp Plans	
•	Pull Source Documents for Scanning	gra vors





Kenton C. Ward, Surveyor

Phone (317) 776-8495

Tax (317) 776-9628

Suite 188 One Hamilton County Square Noblesville, Indiana 46060-2230

TO: Hamilton County Drainage Board

RE: J.W. Brendle Drain, Hayden Run Section 2 Arm

Attached is a petition filed by Centex Homes along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Hayden Run Section 2 Arm, J.W. Brendle Drain to be located in Clay 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. The drain will consist of the following:

6" SSD	2,136 ft.	18" RCP	127 ft.	30" RCP	537 ft.
12" RCP	488 ft.	21" RCP	270 ft.		
12" Plastic	tile 90 ft.	27" RCP	144 ft.		

The total length of the drain will be 3,792 feet.

The subsurface drains (SSD) to be part of the regulated drain are those located under the curbs. Only the main SSD lines which are located within the right of way are to be maintained as regulated drain. Laterals for individual lots will not be considered part of the regulated drain.

The 90 feet of 12" plastic tile listed above is that portion of drain across the rear of lot 38. This tile connects the existing private tile which crosses the site to the new drainage facilities.

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. I recommend a maintenance assessment of \$65.00 per acre for common areas and platted lots, \$10.00 per acre for roadways, with a \$65.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$1,347.00.

The petitioner has/has not submitted surety for the proposed drain at this time. Surety shall be submitted prior to the approval of the Hamilton County Board of Commissioners/commencement of construction. The sureties which are in the form of a Performance Bond/Letter of Credit are as follows:

Agent: Safeco Insurance Co.

Date: March 6, 2003 Number: 6200099 For: Storm Sewer Amount: \$ 79,891.79 Agent: Safeco Insurance Co.

Date: March 6, 2003 Number: 6200100 For: Erosion Control Amount: \$6,882.34

Parcels assessed for this drain may be assessed for the Long Branch Drain at sometime in the future.

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 is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Hayden Run Section 2 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for July 28, 2003.

Kenton C. Ward

Hamilton County Surveyor

KCW/pll

	E OF INDIANA ).			<u>.</u>	
COUR	NTY OF HAMILTON )				
TO:	HAMILTON COUNTY DRA % Hamilton County Surveyor	NAGE BOARD Courthouse, Noblesville, IN 46060			•
	In the matter of Hayden R	n Subdivision, Section	Ťwo	Dra	aiı

Petitioner is the owner of all lots in the land affected by the proposed new regulated drain. The drainage will affect various lots in <u>Hayden Run</u>, <u>Sec.</u>? 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 believers 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 benefitted thereby. Petitioner believes the proposed improvements will:

- (a) improve public health
- (b) benefit a public street
- (c) be of public utility

Petition.

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:

- To provide the Drainage Board a Performance Bond for the portion of the drainage system which will be made a regulated drain. The bond will be in the amount of 100% of the Engineers 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.

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- 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 reproducable 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 Petitioner cost as per IC 36-9-27-46.

The Petitioner further requests that the Drain be classified as an Urban Drain.

					<b>A.</b> .
Thomas L	. Kutz	CAND	DEVELOP	MENT.	MANAGER
Printed Name	- <del>,</del>				
The	16			0	
Signed Centex By: Center A Neva Frs: (	Homes A rex Réal C da Corpo	Nevada Estate ration	General Corporati	Fartner on	ship
	Managing	General	tartner	·	
Printed Name	_				

RECORDED OWNER(S) OF LAND INVOLVED

DATE 5-24-02

2

HCDB 2003-00007

### **SUBDIVISION BOND**

Bond No. 6200099

KNOW ALL MEN BY THESE PRESENTS, that we CENTEX HOMES, A Nevada General Partnership as Principal, and SAFECO INSURANCE COMPANY OF AMERICA authorized to do business in the State of Indiana , as Surety, are held and firmly bound unto Hamilton County Board of Commissioners, Indianapolis, IN as Obligee, in the penal sum of Seventy Nine Thousand Eight Hundred Ninety One and 79/100 --------------------DOLLARS, lawful money of the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents. WHEREAS, CENTEX HOMES, A Nevada General Partnership has agreed to construct in Hayden Run Section 2 the following improvements: Storm Sewer NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements herein described and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void; otherwise to remain in full force and effect. Signed, sealed and dated this 6th day of March , 2003 CENTEX HOMES, A Nevada General Partnership SAFECO INSURANCE COMPANY OF AMERICA

# HCDB 2003-00008 SUBDIVISION BOND

Bond No. 6200100

KNOW ALL MEN BY THESE PRESENTS, that we	e CENTEX HOMES, A Nevada General Partnership
as Principal, and SAFECO INSURANCE COMPANY OF	AMERICA
authorized to do business in the State of Indiana	, as Surety, are held and firmly bound unto Hamilton
County Board of Commissioners, Indianapolis, IN	
as Obligee, in the penal sum of Six Thousand Eight Hund	red Eighty Two and 34/100
	(\$ 6,882.34 ) DOLLARS, lawful money of
the United States of America, for the payment of which	th well and truly to be made, we bind ourselves, our heirs, executors,
administrators, successors and assigns, jointly and severa	ally, firmly by these presents.
WHEREAS, CENTEX HOMES, A Nevada General F	Partnership
has agreed to construct in Hayden Run Section 2	
the following improvements: Erosion Control	
NOW, THEREFORE, THE CONDITION OF	THIS OBLIGATION IS SUCH, that if the said Principal shall
	described and shall save the Obligee harmless from any loss, cost or
	then this obligation shall be null and void; otherwise to remain in full
force and effect.	
Signed, sealed and dated this 6th day of	March , 2003 .
	,
	CENTEX HOMES, A Nevada General Partnership
	By: John Charles
	SAFECO MSURANCE COMPANY QF AMERICA
	By:  ALLYSON DEAN  Attorney-in-Fact

# **SUBDIVISION BOND**

· HCDB-2003-0009

Bond No. **6200101** 

KNOW ALL MEN BY THESE PRESENTS, that we CENTEX HOMES, A Nevada General Partnership
as Principal, and SAFECO INSURANCE COMPANY OF AMERICA
authorized to do business in the State of Indiana , as Surety, are held and firmly bound unto Hamilton
Sounty Board of Commissioners, Indianapolis, IN
as Obligee, in the penal sum of One Thousand Two Hundred and 00/100
the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors,
administrators, successors and assigns, jointly and severally, firmly by these presents.
WHEREAS, CENTEX HOMES, A Nevada General Partnership
nas agreed to construct in Hayden Run Section 2
he following improvements: Monuments and Markers
NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall
construct, or have constructed, the improvements herein described and shall save the Obligee harmless from any loss, cost or
lamage by reason of its failure to complete said work, then this obligation shall be null and void; otherwise to remain in full
Force and effect.
Signed, sealed and dated this 6th day of March, 2003 .
CENTEX HOMES, A Nevada General Partnership  Principal
By: Janchan Chy
SAFECO INSURANCE COMPANY OF AMERICA
By: When
ALLYSON DEAN Attorney-in-Fact

# **SAFECO**°

#### POWER OF ATTORNEY

SAFECO INSURANCE COMPANY OF AMERICA GENERAL INSURANCE COMPANY OF AMERICA HOME OFFICE: SAFECO PLAZA SEATTLE, WASHINGTON 98185

KNOW ALL BY THESE PRESENTS:  That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, appoint  ***********************************	each a Washington corporation, does each hereby, BRIDGETTE S. JACKSON; Dallas, Texas************************************
That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, appoint  *************LAWRENCE W. WALDIE; CARMEN MIMS; BRIAN M. LEBOW; DEBORAH GRIFFITH; ALLYSON DEAN;  Its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertal issued in the course of its business, and to bind the respective company thereby.  IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA these presents  this _ist	RIDGETTE S. JACKSON; Dallas, Texas**********  akings and other documents of a similar characte  IMPANY OF AMERICA have each executed and  action of the similar characte  2001  IKE MCGAVICK, PRESIDENT  ERICA
issued in the course of its business, and to bind the respective company thereby.  IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE CONTROL attested these presents  this lst day of June Certificate  Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA:  "Article V, Section 13 FIDELITY AND SURETY BONDS the President, any Vice President, the Secretary, and purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-face execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile.	IMPANY OF AMERICA have each executed and second and second and second and second and second and second any Assistant Vice President appointed for that act or under other appropriate titles with authority to
this ist day of Jun  AL AL PIERSON, SECRETARY  Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AME and of GENERAL INSURANCE COMPANY OF AMERICA:  "Article V, Section 13 FIDELITY AND SURETY BONDS the President, any Vice President, the Secretary, and purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-face execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile.	IIKE MCGAVICK, PRESIDENT  ERICA  Id any Assistant Vice President appointed for that act or under other appropriate titles with authority to
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be necessary to the validity of any such instrument or undertaking."	nent conferring such authority or on any bond of
Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28	NY OF AMERICA 8, 1970.
"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,  (i) The provisions of Article V, Section 13 of the By-Laws, and  (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and  (iii) Certifying that said power-of-attorney appointment is in full force and effect, the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."	
I, R.A. Pierson, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE CO foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.	MPANY OF AMERICA, do hereby certify that the rof Attorney issued pursuant thereto, are true and
N WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation	
this day of	MARCH 2003

S-0974/SAEF 2/01

A registered trademark of SAFECO Corporation
 SAFECO Corporation
 SAFECO CORPORATION

RaPierson

R.A. PIERSON, SECRETARY

#### FINDINGS AND ORDER

#### CONCERNING THE MAINTENANCE OF THE

#### J. W. Brendle Drain, Hayden Run Section 2

On this 28th day of July, 2003, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the J. W. Brendle Drain, Hayden Run Section 2.

Evidence has been heard. Objections were presented and considered. The Board then adopted the original/amended Schedule of Assessments. The Board now finds that the annual maintenance assessment will be less than the benefits to the landowners and issues this order declaring that this Maintenance Fund be established.

HAMILTON/COUNTY DRAINAGE BOARD

President

Member

Member

Attest: Spette Maskaud



#### CERTIFICATE OF COMPLETION AND COMPLIANCE

To: Hamilton County Surveyor

Re: Hayden Run, Section Two

I hereby certify that:

- 1. I am a Registered Land Surveyor or Engineer in the State of Indiana.
- 2. I am familiar with the plans and specifications for the above referenced subdivision.
- 3. I have personally observed and supervised the completion of the drainage facilities for the above referenced subdivision.
- 4. The drainage facilities within the above referenced subdivision to the best of my knowledge, information and belief have been installed and completed in conformity with all plans and specifications.

Signature: John W Danlen	Date: October 13, 2003
Type or Print Name: <u>Jeffory W. Darling</u>	
Business Address: Stoeppelwerth & Associate	es, Inc.
9940 Allisonville Road, Fis	shers, Indiana 46038
Telephone Number: (317) 849-5935	<del></del>
SEAL	INDIANA REGISTRATION NUMBER
S/40605/Notice  W DA MINING  NO.  900017  STATE OF  WOIANA  SURVE  SURVE	900017





To: Hamilton County Drainage Board

30

Total:

537

1565

Fax (317) 776-9628

Noblesville, Indiana 46060-2230

March 16, 2006

Re: JW Brendle Drain: Hayden Run Section 2 Arm

Attached are as-builts, certificate of completion & compliance, and other information for Hayden Run Section 2. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated June 26, 2003. The report was approved by the Board at the hearing held July 28, 2003. (See Drainage Board Minutes Book 7, Pages 108-109) The changes are as follows:

				Up			
Structure:	Length:	Size	Material:	Invert:	Dn_Invert	Grade:	Changes:
131-130	151	12	RCP	904.85	904.24	0.4	
130-129	43	12	RCP	904.24	903.67	1.33	
129-128	145	12	RCP	903.67	902.26	0.97	
128-127	148	12	RCP	902.26	900.09	1.47	-1
127-126	126	18	RCP	900.09	899.6	0.39	-1
126-125	36	30	RCP	899.6	899.46	0.39	
125-124	182	30	RCP	899.46	898.96	0.27	1
124-123	30	30	RCP	898.96	898.84	0.4	
123-122	289	30	RCP	898.84	895.57	1.13	-1
134-133	241	21	RCP	902.5	900.57	0.8	1
133-132	30	21	RCP	900.57	900.24	1.1	
132-126	144	27	RCP	900.24	899.06	0.44	
RCP Pipe Totals: 6" SSD Streets:		s:		Other Drain:			
		}				12" Plastic	
12	487		Reedy Ct	525.5		Tile	90
18	126		Tuscany Blvd	536.5	<u>}</u>	Total:	90
21	271		Totalx2:	2124	_		
27	144				=		

The length of the drain due to the changes described above is now 3,779 feet.

The non-enforcement was approved by the Board at its meeting on July 28, 2003 and recorded under instrument #200600013845.

The following sureties were guaranteed by SAFECO Insurance Company and released by the Board on its November 28, 2005 meeting.

**Bond-LC No:** 6200099

**Insured For:** Storm Sewers

**Amount:** \$79,891.79

Issue Date: March 6, 2003

**Bond-LC No:** 6200100

**Insured For:** Erosion Control

**Amount:** \$6,882.34

Issue Date: March 6, 2003

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward

Hamilton County Surveyor

KCW/slm



