



Kenton C. Ward, Surveyor Phone (317) 776-8495 Fax (317) 776-9628

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

December 21, 2004

To: Hamilton County Drainage Board

Re: Wheeler & Beals Drain, Bainbridge Arm

Attached is a petition filed by BMR Properties, LLC along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Bainbridge Arm, Wheeler & Beals Drain to be located in Washington 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 cost, 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:

15" RCP

172 ft

30" RCP

75 ft

Open Ditch

480 ft

The total length of the drain will be 727 feet.

The 15" RCP is being installed by the developer as shown in the Bainbridge construction plans by Keeler-Webb Associates. This section of pipe is from the pond outlet in Common Area B to the 30" RCP. The 30" RCP is the existing crossing pipe in the right of way of Greyhound Pass. The open ditch is the channel and portion of the pond across tracts 08-09-13-00-00-012.109 and 08-09-13-00-00-012.009, both owned by Garrett and Lynn Ryan. The Ryan's have consented in writing to the use of the open channel and have asked that it become regulated drain for maintenance purposes.

The retention pond (lake) located in Common Area B is not to be considered part of the regulated drain. Only the outlet will be maintained as part of the regulated drain. The maintenance of the pond (lake) will be the responsibility of the Homeowners Association. The Board will however retain jurisdiction for ensuring the storage volume for which the lake 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 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 \$10.00 per acre for common areas and platted lots, \$10.00 per acre for roadways, with a \$25.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$486.60.

The petition has 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: Bond Safeguard Insurance Company

Date: September 28, 2004

Number: 5008833 For: Storm Sewers Amount: \$9,528.00

Parcels assessed for this drain may be assessed for the Cool Creek 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. This request is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Bainbridge as recorded in the office of the Hamilton County Recorder.

The easement for the open drain will be 25 feet from the top of bank on both sides of the open ditch on tracts 08-09-13-00-00-012.009 and 08-09-13-00-00-012.109, owned by Garrett and Lynn Ryan. The existing structures (residences) on tract 012.009 are a grandfathered encroachment into the easement. The easement for the portion of the drain in Greyhound Pass will be the width of the right of way.

I recommend the Board set a hearing for this proposed drain for January 24, 2005.

Kenton C. Ward

Hamilton County Surveyor

KCW/llm

STATE OF INDIANA) ·	(Revised 06/08/04)
COUNTY OF HAMILT	, ио.)	
% Hamilton County	ounty Square, Suite 188	
In the matter of1	Bainbridge Drain Petition.	Subdivision, Section
drainage will affect vario County, Indiana. The ge	ous lots inBainbridge	hall be in existing easements and along public

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:

- 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.
- 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

Signed Signed	Signed
Printed Name	Printed Name
9/z 8/o 4 Date	Date
Signed	Signed
Printed Name	Printed Name
Date	Date

KEELER-WEBB ASSOCIATES

Consulting Engineers-Planners-Surveyors

486 GRADLE DRIVE - CARMEL, INDIANA 46032 PHONE (317) 574-0140 - FAX (317) 574-1269

April 16, 2004

Mr. Greg Hoyes Hamilton County Surveyors Office One Hamilton County Square Suite 188 Noblesville. IN 46060-2230

Re:

BAINBRIDGE SUBDIVISION 1453 Greyhound Pass

Carmel IN

KWA project No. 0402-024

SUBDIVISION BOND COST ESTIMATE

This letter is in response to your request for a certified engineers cost estimate on the above site. This letter provides supplementary information you requested on April 7, 2004.

The following is a Certified Engineers Cost Estimate for determining the individual performance guarantees of the required items within the subdivision.

Description		Quantity	Total
Storm sewer	15" RCP 48" diameter manhole 60" diameter manhole Labor and installation Inspection	172 LF 1 1	\$7,940.00

This estimate is expressly for use by the Hamilton County Surveyors Office and the Hamilton County Drainage Board to determine the cost estimate of the individual performance guarantys within the right-of-way. This shall be used by the client to provide a financial performance guaranty in the amount of the above Engineers estimate to be submitted for review and approval to the Hamilton County Surveyors Office.

If you have any further questions or comments please do not hesitate to contact our office.

Respectfully.

KEELER-WEBB ASSOCIATES

Adam DeHart, LS Project Manager

ALD:ad

C:\My Documents\LETTERS\0310-002_hoyes.doc

BOND SAFEGUARD INSURANCE COMPANY

(FILE)

1919 S. Highland Avenue, Building A – Suite 300 – Lombard, Illinois 60148

HCD6-2004-00077

Bond No. 5008833

Elizabeth WhittempAttgrney-In-Fact

SUBDIVISION PERFORMANCE BOND

KNOW ATT	ANDALDA/ THE COLUMN	CENTER OF	A DOLLAR TO THE TOTAL TO	_	
located at 1	MEN BY THESE PRE	BENTS, THA	AT WE BMR	Properties, I	LC,
Lombard, Illi	nois, authorized to do bus	iness in the S	, as runcipal, a tate of Tra	ma BUND SAFEGUAR	D INSURANCE COMPANY,, as Surety, are held and
firmly bound	unto <u>Hamilton C</u>	ounty Co	mmissioner	ralia	, as Surety, are held and
One Hami	Iton County Sa	llare	ac Obli	iges in the namel arms of	Nine Thousand
TAG UIII	urea rwentvela	nt and D	10 / 1 00	(\$1 A E 7	10 00
THOLL DULL TY	on and dary to be made, v	ve bind oursel	ves, our heirs, adm	inistrators, executors, su	iccessors and assigns, jointly and
severally, firm	nly by these presents;				
WH	EREAS, the above bound	len principal l	nas heen oranted ar	onroyal by the above now	and ablicant.
	Bainbridge - D	rain	as occu granica ap	provat by the above har	as set forth at a macting of the Ta-
of	Planning Planning	Board on	9-28-04	7	as set forth at a meeting of the Town, for final revision.
NOV	V, THEREFORE, the co	ondition of the	e above obligation	is such, that if the said P	rincipal shall complete the above
uribro settiette	s in accordance with the p	ians and speci	ilications prepared	DV RMD Dronom	tion TTO
save harmless	the Town from all costs	_ witnin <u>2</u>	(two)	_ year period from the c	late thereof; and shall indemnify and lo so, and fully reimburse and repay
the Obligee ar	to rown noth an costs a Notified and expense wh	ind uamages V	winch it may suffer	by reason of failure to d	to so, and fully reimburse and repay is obligation shall be null and void,
otherwise to re	emain in full force and ef	ect.	т питемия 8000	any such default, then th	us obligation shall be null and void,
THE FOREC	GOING OBLIGATION,	however, is li	mited by the follov	ving express conditions,	the performance of which shall be a
condition prec	edent to any rights of clai	ms or recover	ry hereunder:	- ,	A STATE OF THE STA
1.	I Inon the diagona	rr dha Ol-1:			_
1.	might involve a loss b	y the Obligee,	, or by the Obligee	's agent or representative	e, of any act or omission that shall or
	obtainable at the time	to the Surety	at its office at I on	eavor to give written not	ice thereof with the fullest information
	communic at the thine	to the burety	at its office at Lon	ward, minois.	
2.	Legal proceedings for	recovery her	eunder may not be	brought unless begun w	ithin twelve (12) months from the date
	of the discovery of the	act or omiss.	ion of the Principal	on account of which cla	aim is made.
3.	The Principal shall be	made a party	of any suit or action	on for recovery hereunde	er, and no adjustment shall be rendered
	against the Surety in e	excess of the p	enalty of this instri	ument.	
4.	No right of action sha	Il accrue here	under to or for the	1100 on homoEt of	4 4 4 012
,,	Obligee's right hereur	ider, may not	he assigned withou	at the written consent of	other than the Obligee, and the
			•		·
IN WITNESS	WHEREOF, This instru	ıment has bee:	n executed by the	luly authorized represen	tative of the Principal and the Surety.
•			·	1	and the barbey.
STONED SE	ALED AND DATED:	9-28-0	4		
SICHLED, SEE	ALED AND DATED:				
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seal)				BMR Pro	operties, LLC
			****	* ***	Principal
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seal)					Safeguard Insurance Company
,	This copy printed from the Dig	ital Archive of th	e Hamilton County Sur	veyor's Office; One Hamilton	Co. Square, Ste. 188, Noblesville, In 46060
				Ds.	

POWER OF ATTORNEY

AO 31520



Bond Safeguard Insurance COMPANY

KNOW ALL MEN BY THESE PRESENTS, that BOND SAFEGUARD INSURANCE COMPANY, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: Kathy Hoyer, Becky Hiner, Michele James,

Elizabeth Whittemore

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of BOND SAFEGUARD INSURANCE COMPANY on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$500,000.00, Five Hundred Thousand Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, BOND SAFEGUARD INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 7th day of November, 2001.



BOND SAFEGUARD INSURANCE COMPANY

President

David E. Campbell

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of BOND SAFEGUARD INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL" MICHELE KOLLER Notary Public, State of Illinois My Commission Expires 08/28/07

d from the Digital A

INSURANCE

COMPANY

This copy pri

Michele Koller **Notary Public**

CERTIFICATE

I, the undersigned, Secretary of BOND SAFEGUARD INSURANCE COMPANY, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force,

Signed and Sealed at Lombard, Illinois this <u>28th</u> Day of <u>September</u> NARD INSURANCE

bive of the Hamilton County Surveyor's Office;

Donald D. Buchanan

Secretary

Wheeler & Beals Drai	in, Bainbridge Estates
RECONSTRUCTION OF TH	HE .
IN THE MATTER OF THE	£
COUNTY OF HAMILTON)
) ss:
STATE OF INDIANA)

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the Wheeler & Beals Drain, Bainbridge Estates came before the Hamilton County Drainage Board for hearing on January 24, 2005, on the Reconstruction Report consisting of the report and the Schedule of Damages and Assessments. The Board also received and considered the written objection of an owner of certain lands affected by the proposed Reconstruction, said owner being:

Evidence was heard on the Reconstruction Report and on the aforementioned objections.

The Board, having considered the evidence and objections, and, upon motion duly made, seconded and unanimously carried, did find and determine that the costs, damages and expenses of the proposed Reconstruction will be less than the benefits accruing to the owners of all land benefited by the Reconstruction.

The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included or omitted from the Schedule of Assessments.

The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the **Wheeler & Beals Drain**, **Bainbridge Estates** be and is hereby declared established.

Thereafter, the Board made inspection for the purpose of determining whether or not the lands of any owners had been erroneously included or excluded from the Schedule of Assessments. The Board finds on the basis of the reports and findings at this hearing as follows:

HAMILTON COUNTY DRAINAGE BOARD

BEFORE THE HAMILTON COUNTY

DRAINAGE BOARD

NOBLESVILLE, INDIANA

PRESIDENT

Member

Member

Executive Secretary

CERTIFICATE OF COMPLETION AND COMPLIANCE

To: Hamilton County Surveyor

Re: Bainbridge Subdivision

1453 Greyhound Pass Westfield, Indiana

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.
- 5. The drainage facilities within the above referenced subdivision to the best of my knowledge, information and belief have been correctly represented on the Record Drawings, Digital Record Drawings and the Structure Data Spreadsheet.

Signature:	Defet Date:
Type or Print Name:	Adam DeHart
Business Address:	Keeler-Webb Associates
	486 Gradle Drive Carmel, Indiana 46032
Telephone Number:	(317)-574-0140
SEAL	INDIANA REGISTRATION NUMBER 29500025
Manufactura And L. Dodge	A A MARIE MA



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

To: Hamilton County Drainage Board

February 5, 2007

Re: Cool Creek: Bainbridge Estates Arm

Attached are as-builts, certificate of completion & compliance, and other information for Bainbridge Estates. 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 December 21, 2004. The report was approved by the Board at the hearing held January 24, 2005. (See Drainage Board Minutes Book 8, Pages pg 146-148) The changes are as follows:

30" RCP was decreased from 75ft to 68ft.

The length of the drain due to the changes described above is now 719 feet.

The non-enforcement was approved by the Board at its meeting on January 24, 2005 and recorded under instrument #200500005497.

The following sureties were guaranteed by Bond Safeguard Insurance Company and will be released by the Board on its March 12, 2007 meeting.

Bond-LC No: 5008833 **Insured For:** Storm Sewers

Amount: \$9,528.00

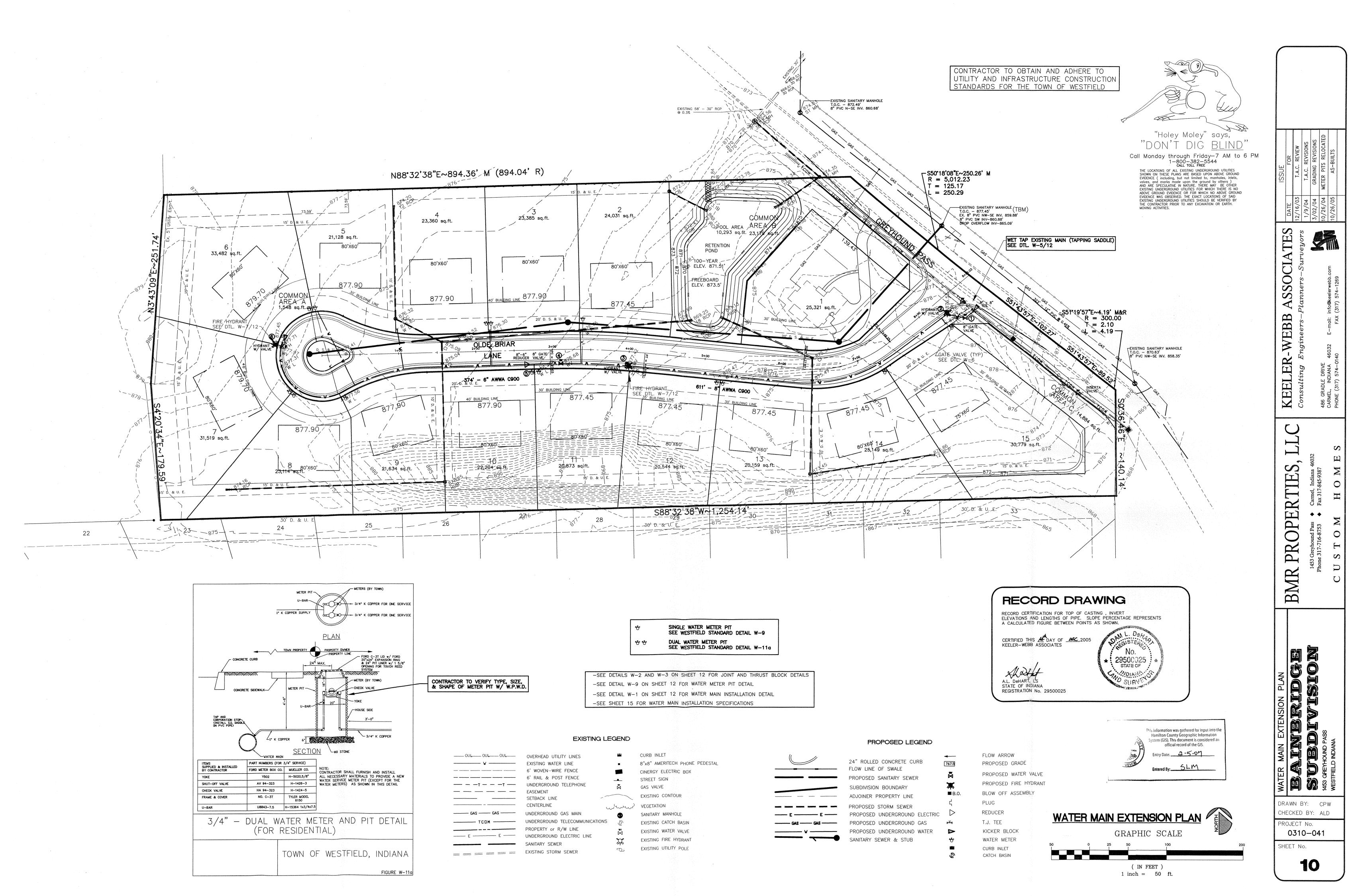
Issue Date: September 28, 2004

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

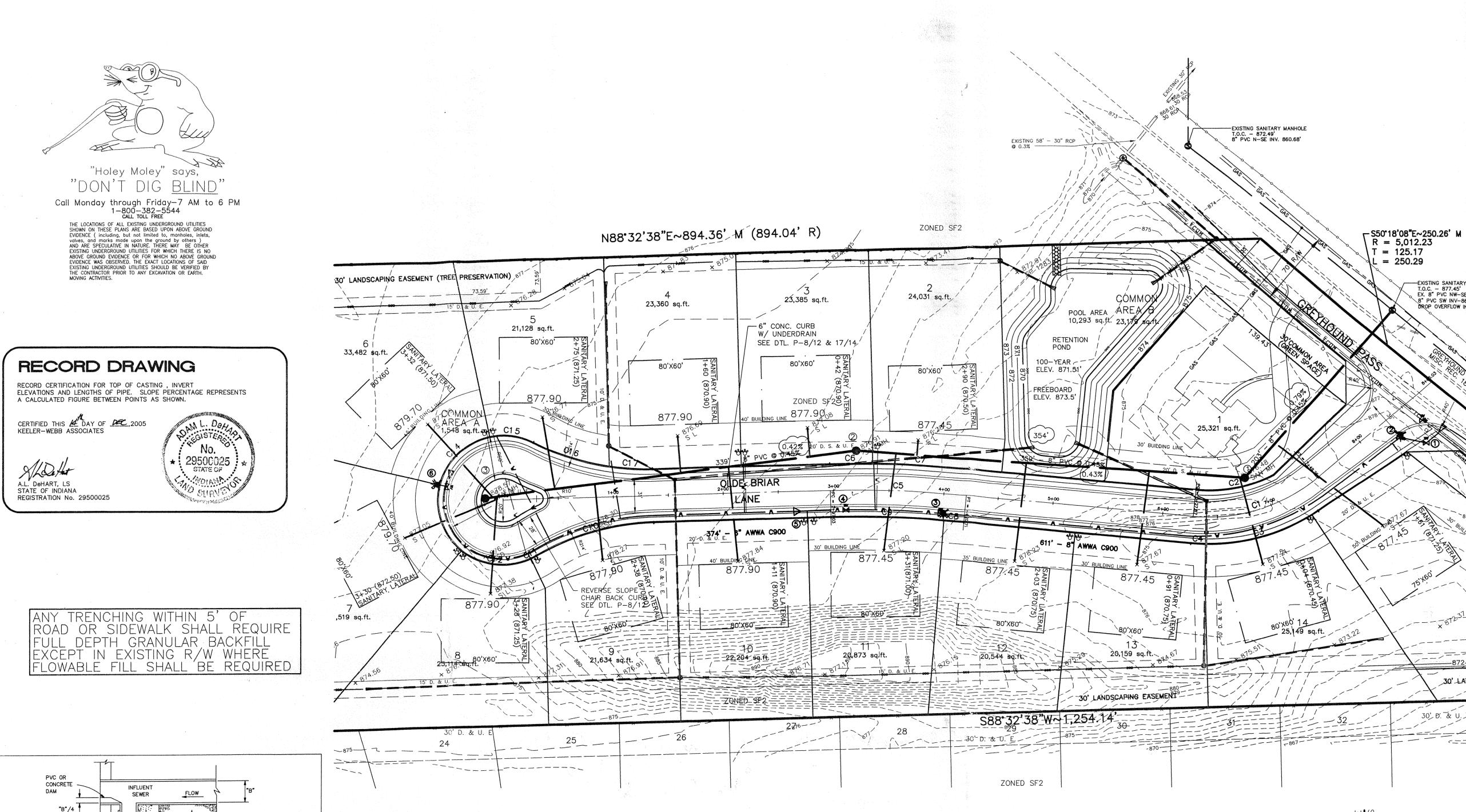
Sincerely,

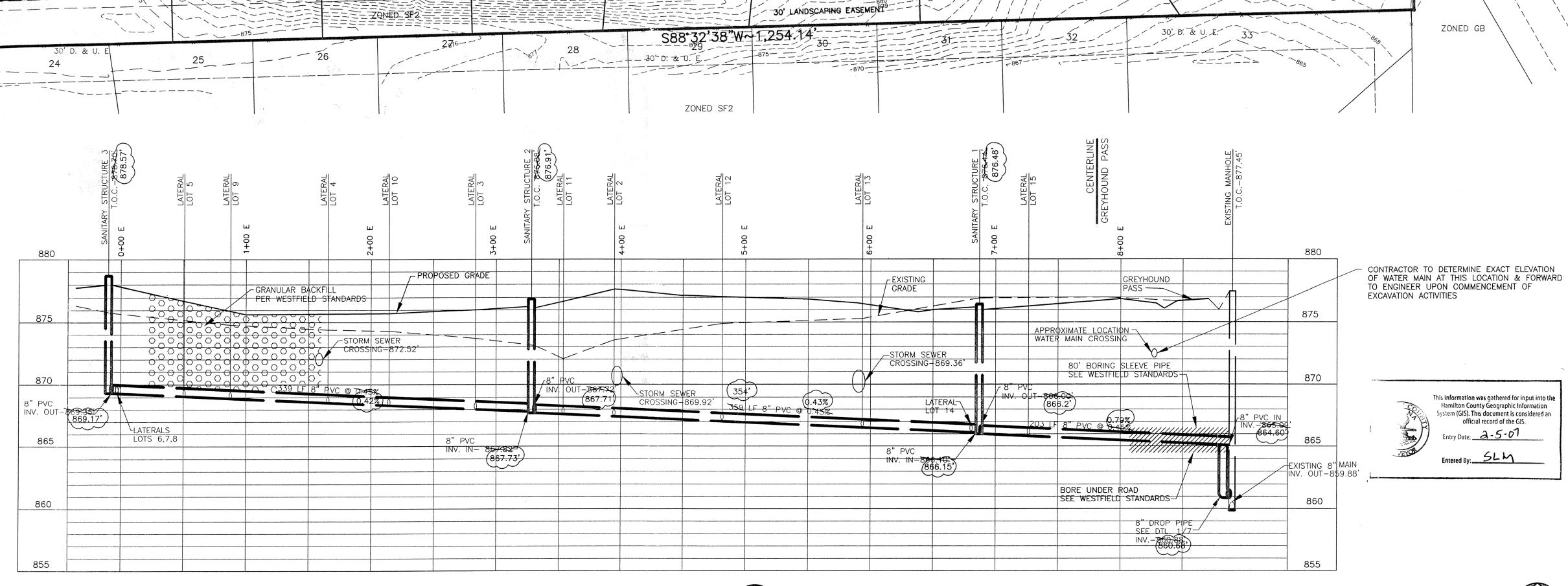
Kenton C. Ward,

Hamilton County Surveyor



conviction the Digital Archive of the Hamilton County Surveyor's Office: Moblesville In 18080





"A" "B" 8" 21" OR LESS 12" 24" TO 36" SECTION CLASS "B" CONCRETE SECTION PLAN DROP PIPE DETAILS TOWN OF WESTFIELD, INDIANA

PVC OR REINFORCED

CONCRETE PIPE

CLASS "A" BEDDING SHALL
BE PLACED UNDER ALL PIPE
WHERE EXCAVATION FOR
MANHOLE EXTENDS UNDER
INFLUENT SEWER

FIGURE S-7

*

COMPACTED GRANULAR

- CLASS "B" CONCRETE

BACKFILL

DROP PIPE DETAIL

NOT TO SCALE

BAINBRIDGE LANE
HORIZONTAL SCALE: "1" = ,50'
VERTICAL SCALE: 1" = 5'

SANITARY PLAN / PROFILE

CONTRACTOR TO OBTAIN AND ADHERE TO

ZONED SF2

30' LANDSCAPING EASEMENT (TREE PRESERVATION)

\$51*19'57"E~4.19' M&R R = 300.00

T = 2.10

TEXISTING SANITARY MANHOLE T.O.C. - 870.63'
8" PVC NW-SE INV. 858.35'

-EXISTING SANITARY MANHOLE (TBM)
T.O.C. - 877.45'
EX. 8" PVC NW-SE INV. 859.88'

8" PVC SW INV-860.88' DROP OVERFLOW INV-865.09'

UTILITY AND INFRASTRUCTURE CONSTRUCTION STANDARDS FOR THE TOWN OF WESTFIELD

CIATES

ASSOC

-WEBB

KEELER-

BMR PROPERTIE

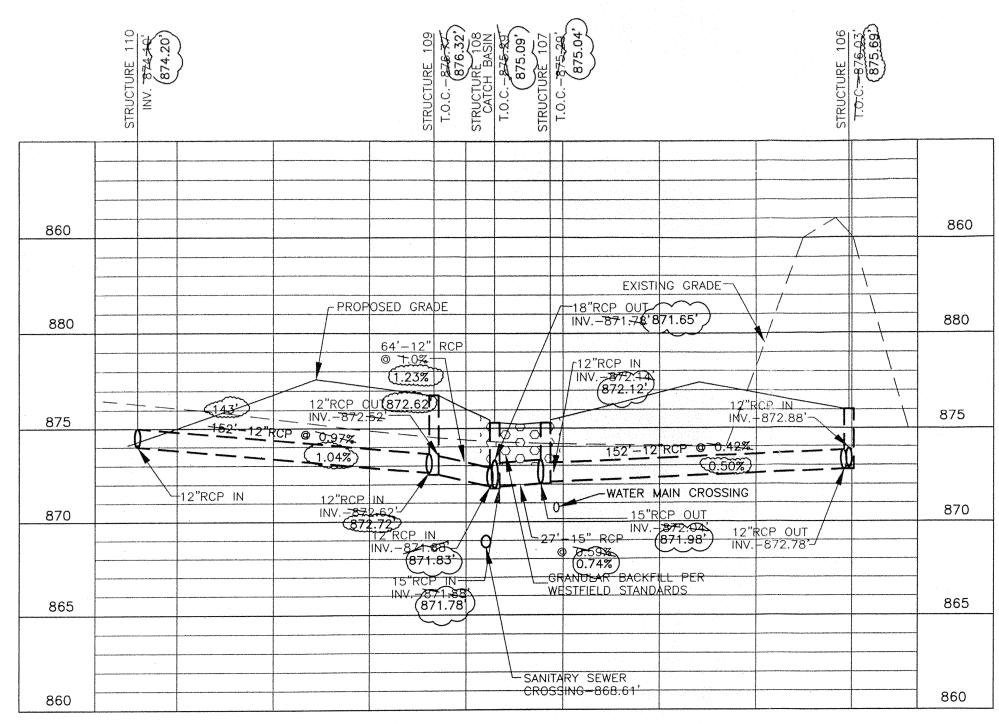
DRAWN BY: CPW

CHECKED BY: ALD

0310-041

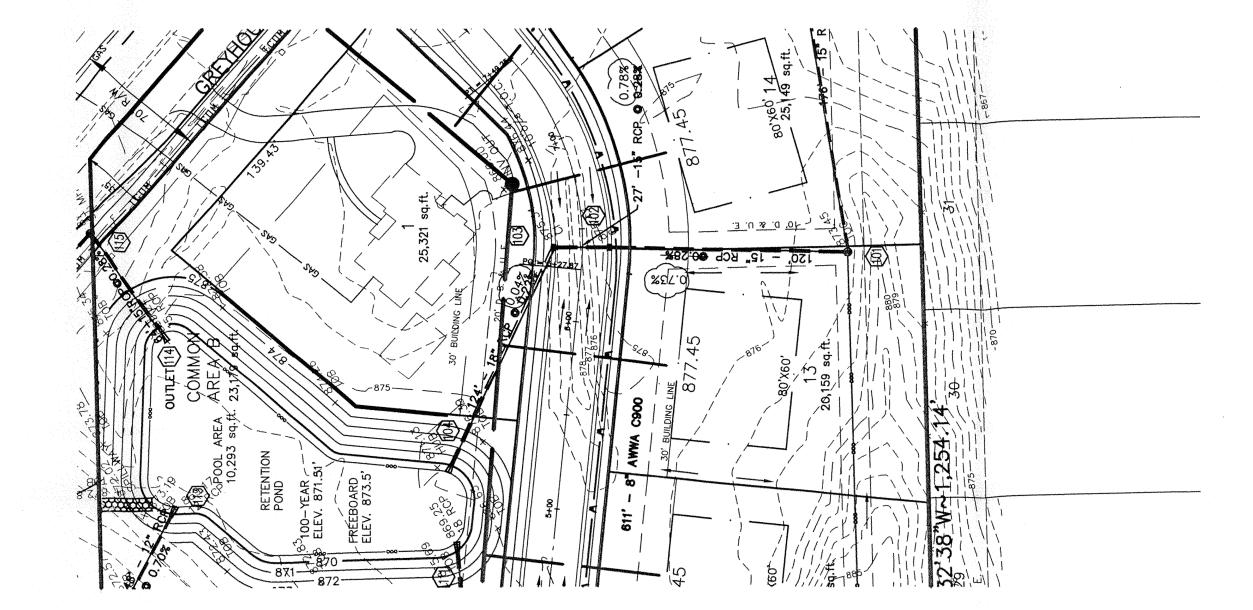
PROJECT No.

BALIN'BIRTIDGE STUBDIVYTSTON 1453 GREYHOUND PASS

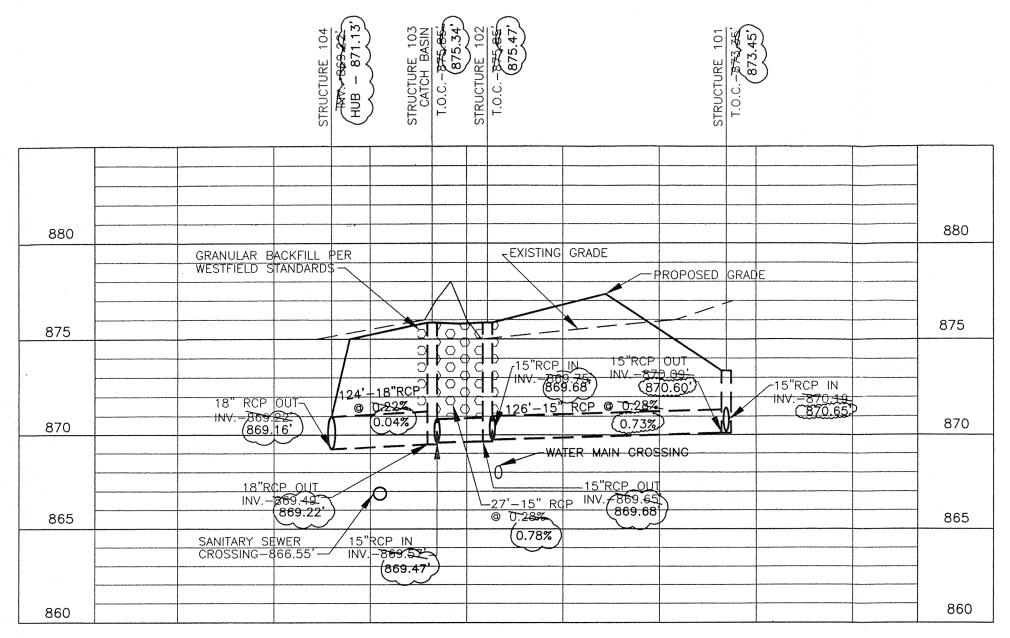


STRUCTURES 106-110

HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'

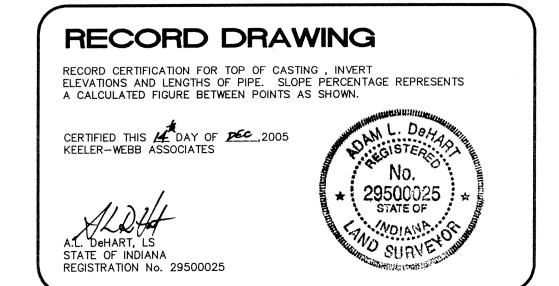


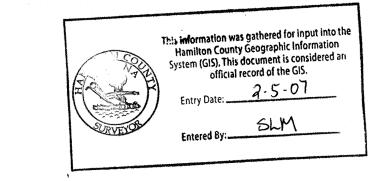
ANY TRENCHING WITHIN 5' OF NEW ROAD OR SIDEWALK SHALL REQUIRE FULL DEPTH GRANULAR BACKFILL



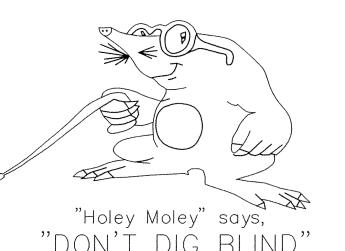
STRUCTURES 101-104

HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'





CONTRACTOR TO OBTAIN AND ADHERE TO UTILITY AND INFRASTRUCTURE CONSTRUCTION STANDARDS FOR THE TOWN OF WESTFIELD



"Holey Moley" says,
"DON'T DIG <u>BLIND</u>"

Call Monday through Friday-7 AM to 6 PM 1-800-382-5544
CALL TOLL FREE

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THESE PLANS ARE BASED UPON ABOVE GROUND EVIDENCE (including, but not limited to, manholes, inlets, valves, and marks made upon the ground by others)
AND ARE SPECULATIVE IN NATURE: THERE MAY BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF SAID EXISTING UNDERGROUND UTILITIES SHOULD BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY EXCAVATION OR EARTH. MOVING ACTIVITIES.

ASSOCIATES

KEELER-WEBB

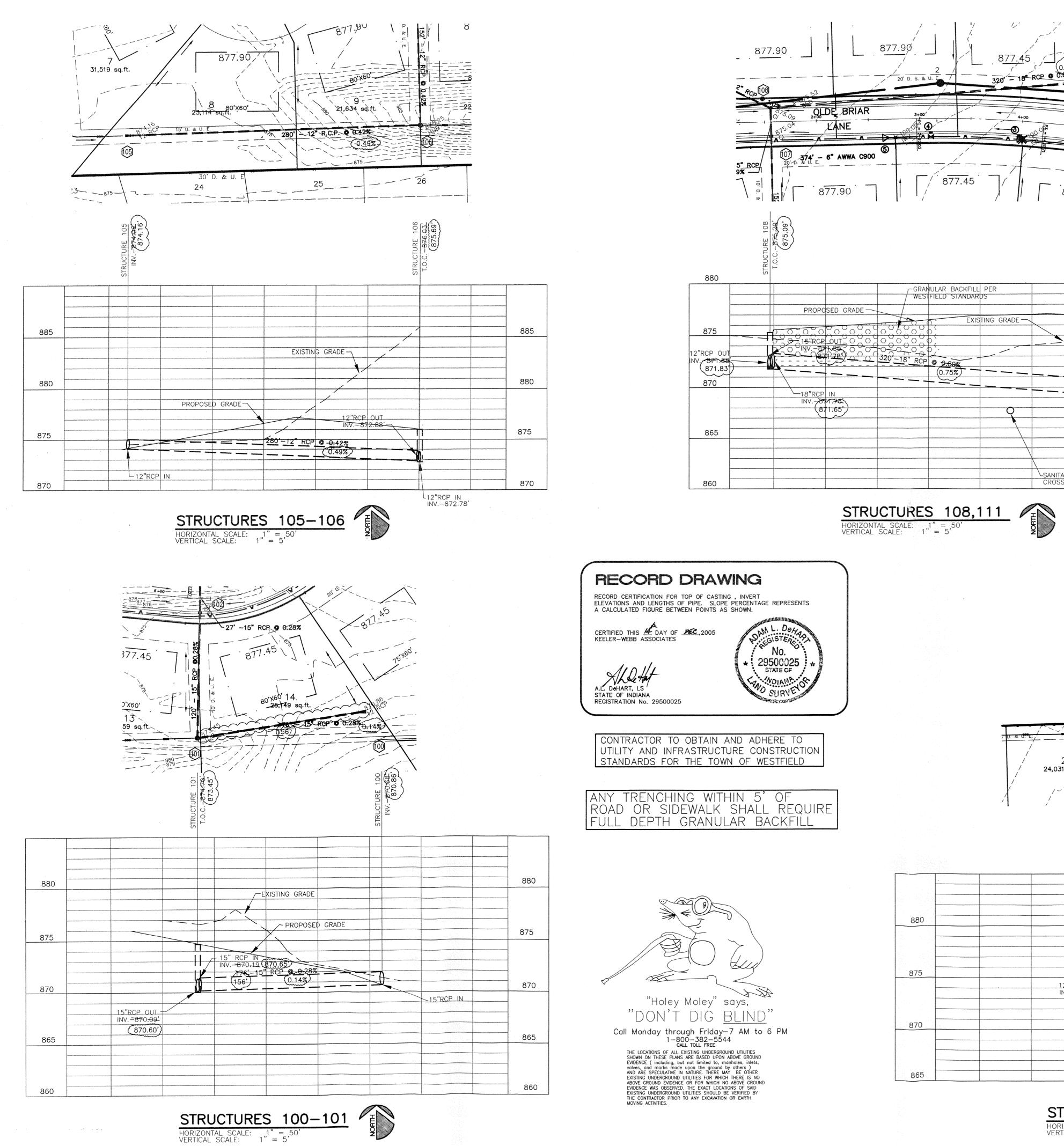
岛 PROPERTII

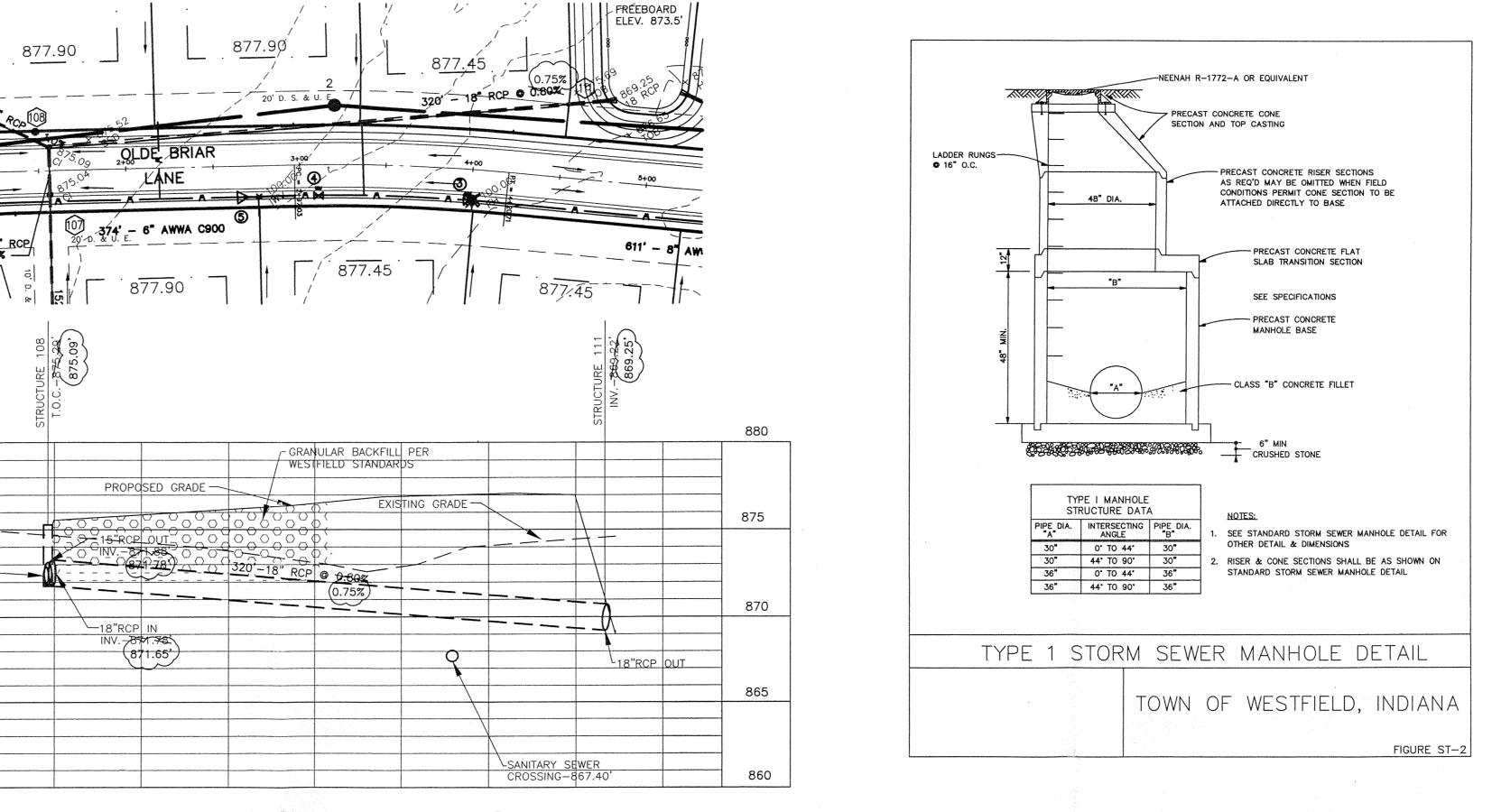
BMR

DRAWN BY: CPW CHECKED BY: ALD PROJECT No.

0310-041 SHEET No.

8





EMERGENCY SPILLWAY SEE DTL. 14/15 ELEV. 871.51'

24,031 sq.ft.

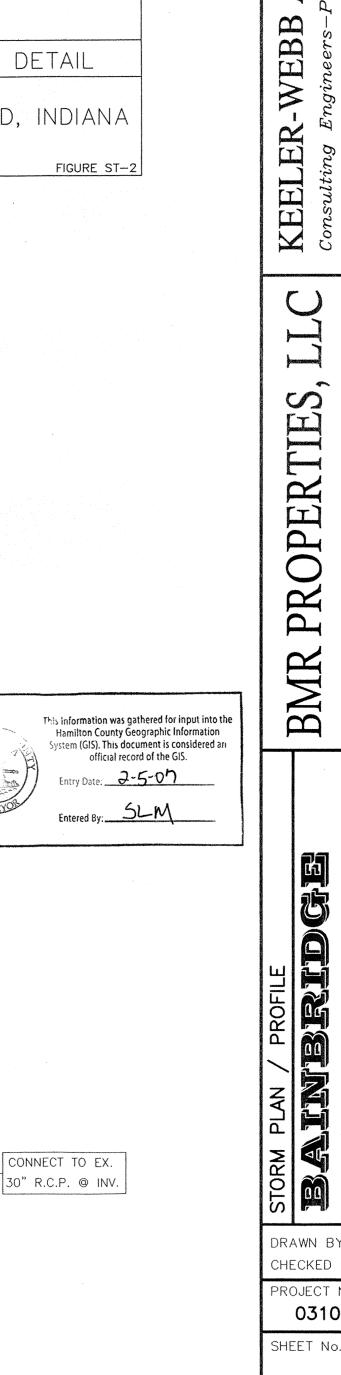
12"RCP OUT INV.-869.50' (870.21')

48'-12"RCP

1.04%

STRUCTURES 112-113 & 114-115A

HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 5'



ADJUST WATER LINE AT CROSSING LOCATION

880

875

870

865

IF REQUIRED

SEE DETAIL ST-2 ON THIS SHEET

15"RCP IN INV.-868.66" -(868.68")

CONTRACTOR TO VERIFY

DEPTH & LOCATION OF

WATER MAIN PRIOR TO

EXCAVATION OF OUTLET

64'-15"RCP 108'-15"RCP © 0:28% (0.20%)

EXISTING GRADE

12"RCP OUT 15"RCP IN INV. 869.24

1NV 869.04 868.98

ASSOCIATES

DRAWN BY: CPW CHECKED BY: ALD PROJECT No. 0310-041 SHEET No. 9