

*Kenton C. Ward, Surveyor*

*Phone (317) 776-8495*

*Fax (317) 776-9628*

*Suite 188*

*One Hamilton County Square*

*Noblesville, Indiana 46060-2230*

December 12, 2005

TO: Hamilton County Drainage Board

RE: H.G. Kenyon Regulated Drain

Attached is a petition and plans for the proposed relocation and reconstruction of the H.G. Kenyon Drain. The relocation and reconstruction is being proposed by Platinum Properties LLC. The H.G. Kenyon Drain has been relocated and reconstructed due to the development of Countryside. The original drain between Sta. 0 to Sta. 38+90 has been removed. The new H.G. Kenyon Drain now consists of pipes and detention ponds as it is routed through Countryside.

The new drain is as follows:

The drain shall begin at structure 1, which is the outlet to Lake 7 in the Countryside east lake system, as shown on the offsite storm sewer plan on sheets 14 and 15 of Countryside Section 8. The pipe extends southwest 133 feet in a 27" RCP to structure 2. From structure 2, the drain runs south 330 feet in a 27" RCP to structure 3, then south 409 feet in a 27" RCP to structure 4. At structure 4, the drain turns east and runs 292 feet in a 30" RCP to structure 5, then east 350 feet in a 30" RCP to structure 6. Then the drain continues east 348 feet in a 36" RCP to structure 7, then turns southeast 116 feet in a 36" RCP to structure 8. Structure 8 inlets into Lake 8 and continues through the lake approximately 409 feet to structure 9. Structure 9 runs south 327 feet in a 24" RCP, running through structures 9A and 10A, to structure 10. Structures 8, 9, and 10 were all extended, as shown on sheet C200 and C201 of the plans for Section 11C of Countryside, and the footage is included above. Structure 10 outlets into lake 9 and continues through the lake approximately 392 feet to structure 901. Structure 901 runs east 79 feet in a 30" RCP to structure 900, which is shown on sheet 18 of Section 11A of Countryside, then continues east approximately 25 feet in open channel and connects to the original H.G. Kenyon Drain channel at approximately Sta. 38+90.

The total length of new drain shall be 3210 feet. The 3890 feet of the original drain between Sta. 0+0 and Sta. 38+90 shall be vacated. This proposal will remove 680 feet from the drains total length.

The retention ponds (Lakes 8 and 9) located in Common Area #4 and #5 of Countryside Section 11D are to be considered part of the regulated drain. Pond maintenance shall include the inlet, outlet, sediment removal, and erosion control along the banks as part of the regulated drain. The maintenance of the ponds (lakes) such as mowing and aquatic vegetation control will be the responsibility of the property owner. The Board will also retain jurisdiction for ensuring the storage volume for which the ponds (lakes) were designed will be retained, thereby, allowing no fill or easement encroachments.

The cost of the relocation and reconstruction was paid by Platinum Properties LLC.

This drain relocation is being placed in platted drainage easements which will affect the following parcels located in Countryside:

<u>Parcel Number</u>	<u>Lot Number</u>	<u>Owner</u>
09-09-02-00-13-061.000	Common Area	Platinum Properties
09-09-02-00-16-014.000	Common Area	Platinum Properties
09-09-02-00-16-006.000	Lot 367	Anthony & Karen Birsfield
09-09-11-00-06-023.000	Lot 366	Shane Haney & Carol Berry
09-09-11-00-06-022.000	Lot 365	David Brink & Megan Banta
09-09-11-00-06-021.000	Lot 364	Julia Irving
09-09-11-00-06-020.000	Lot 363	Matthew Severt
09-09-11-00-06-019.000	Lot 362	Steve & Marisol Escalante
09-09-11-00-06-018.000	Lot 361	Beverly Poston
09-09-11-00-06-017.000	Lot 360	Chris & Tracy Hughes
09-09-11-00-06-016.000	Lot 359	Brian & Julie Weglarz
09-09-11-00-06-046.000	Common Area	Platinum Properties
09-09-11-00-00-002.000	Common Area	Platinum Properties
09-09-11-00-00-002.001	Future Section 11D	Platinum Properties
09-09-11-00-00-009.001	Future Section 11D	Platinum Properties

I believe the H.G. Kenyon Drain meets the requirements for Urban Drain Classification as set out in IC 39-9-27-67 to 69. Therefore, this drain shall be designated as an Urban Drain.

I recommend that upon approval of the relocation and reconstruction of the above drain that the Board also approved the attached non-enforcement requests. The request is for reduction of the regulated drain easements to those easement widths shown on the secondary plat for Countryside Section 11D as recorded in the Office of the Hamilton County Recorder.

The easements for pipe run from structure 1 to structure 4 shall be the easements shown on the secondary plat for Countryside Section 8, PC 2 Slide 582, as recorded in the Office

of the Hamilton County Recorder. The easement for pipe run from structure 4 to structure 7 will be those easements in the above non-enforcement plus 5 feet along the south property line of parcel 09-09-11-00-00-002.101, owned by Westfield Multi School Building Corporation.

I recommend the Board set a hearing for this drain for January 23, 2006.

A handwritten signature in black ink, appearing to read 'K. Ward', written over a horizontal line.

Kenton C. Ward  
Hamilton County Surveyor

KCW/grh

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN RE: \_\_\_\_\_ )  
Hamilton County, Indiana )

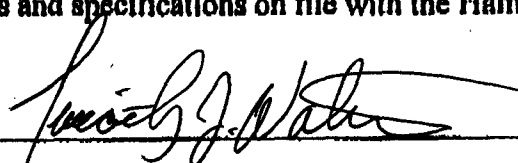
**PETITION FOR RELOCATION AND RECONSTRUCTION**

Platinum Properties, LLC (hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the H.G. Kenyon Regulated Drain, and in support of said petition advises the Board that:

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

Signed   
Timothy J. Walter  
Printed \_\_\_\_\_

OCT 1 2002

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                    **Countryside**                    Subdivision, Section  
                                  **11D**                                                      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 **Countryside, Section 11D**, 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**

  
Signed

**Timothy J. Walter**  
Printed Name

**April 11, 2005**  
Date

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN RE: \_\_\_\_\_ )  
Hamilton County, Indiana )

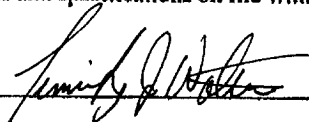
PETITION FOR RELOCATION AND RECONSTRUCTION

Platinum Properties, LLC (hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the H.G. Kenyon Regulated Drain, and in support of said petition advises the Board that:

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

Signed   
Timothy J. Walter  
Printed \_\_\_\_\_

FINDINGS AND ORDER

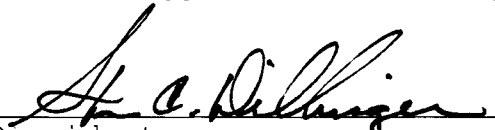
CONCERNING THE PARTIAL VACATION OF THE


**H. G. Kenyon Drain, Sta. 0+0 to Sta. 38+90**

On this **23rd day of January 2006**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **H. G. Kenyon Drain, Sta. 0+0 to Sta. 38+90**.


Evidence has been heard. Objections were presented and considered. The Board then adopted an order of action. The Board now finds that the costs of continued maintenance to the portion of the above drain exceed the benefits to the real estate benefited by the portion of the drain to be abandoned and issues this order vacating the above section of the **H. G. Kenyon Drain**.

HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

Attest: 



STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**H. G. Kenyon Drain, Relocation**

**FINDINGS AND ORDER FOR RECONSTRUCTION**

The matter of the proposed Reconstruction of the **H. G. Kenyon, Relocation** came before the Hamilton County Drainage Board for hearing on **January 23, 2006**, 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.

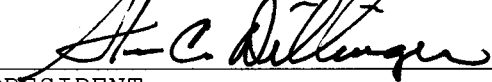
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included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

  
\_\_\_\_\_

PRESIDENT


  
\_\_\_\_\_

Member

  
\_\_\_\_\_

Member

ATTEST:

  
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

**H. G. Kenyon Drain Relocation**

NOTICE

To Whom It May Concern and: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **H. G. Kenyon Drain Relocation** on **January 23, 2006**, at **10:00 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed by the Drainage Board have been filed and are available for public inspection in the office of the Hamilton County Surveyor.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

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

IN THE MATTER OF **H. G. Kenyon Drain**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **January 23, 2006** adopted the reconstruction report of the Surveyor and the Amended Schedule of damages and assessments including annual assessment for periodic maintenance, finding that the costs, damages and expense of the proposed improvement would be less than the benefits which will result to the owner of lands benefited thereby.

The Board issued an order declaring the proposed improvement established. Such findings and order were marked filed and are available for inspection in the Office of the Hamilton County Surveyor.

If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

HAMILTON COUNTY DRAINAGE BOARD

BY: Steven C. Dillinger  
PRESIDENT

ATTEST: Lynette Mosbaugh  
EXECUTIVE SECRETARY

**Gasb 34 Asset Price &  
Drain Length Log**

Drain-Improvement: HG. Kenyon - Countryside Relocation

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
RCP	24"	327			\$18 <sup>00</sup> IF	\$5,886 <sup>00</sup>
	27"	872			\$21 <sup>30</sup> IF	\$18,573 <sup>60</sup>
	30"	721			\$24 <sup>60</sup> IF	\$17,736 <sup>60</sup>
	36"	464			\$32 <sup>25</sup> IF	\$14,964 <sup>00</sup>
open	—	826			\$19 <sup>55</sup> IF	\$16,148 <sup>30</sup>

Sum: 3210 \$73,308<sup>50</sup>

Final Report: \_\_\_\_\_

Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



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

**To: Hamilton County Drainage Board**

**February 15, 2007**

**Re: HG Kenyon Drain: Countryside Relocation**

Attached are the plans and other information for the Countryside Relocation . 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 12, 2005. The report was approved by the Board at the hearing held January 23, 2006. (See Drainage Board Minutes Book 9, Pages 44-47)  
 The changes are as follows:

Structure:	Length:	Size	Material:	Up Invert:	Dn Invert	Grade:	Changes(ft):
1-2	133	27	RCP	894.5	894.1	0.3	
2-3	330	27	RCP	894.1	893.11	0.3	
3-4	409	27	RCP	893.11	891.88	0.3	
4-5	292	30	RCP	891.88	891	0.3	
5-6	350	30	RCP	891	889.95	0.3	
6-7	348	36	RCP	889.95	888.91	0.3	
7-8	111	36	RCP	888.91	88.76	0.2	-5
901-900	58	30	RCP	888	887.76	0.3	-21
9-9A	125	24	RCP	888.5	888.33	0.3	-16
9A-10A	52	24	RCP	888.33	888.19	0.3	
10A-10	117	24	RCP	888.19	888	0.3	-17

**RCP Pipe Totals:**

24	294
27	872
30	700
36	459

**Total: 2325**

Other Drain:	
OPEN	409
OPEN	392
OPEN	25

**Total: 826**

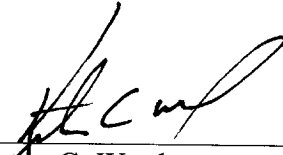
The length of the drain due to the changes described above is now **3151 feet**. The original HG Kenyon drain was vacated from Sta 0 to Sta 38+90. Therefore, the drain had a loss of 739 feet from its length.

The non-enforcement was approved by the Board at its meeting on January 23, 2006 and recorded under instrument #20060004906.

The relocation was paid for by the developer. There were no bonds obtained as the drain had already been constructed at the time of hearing.

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

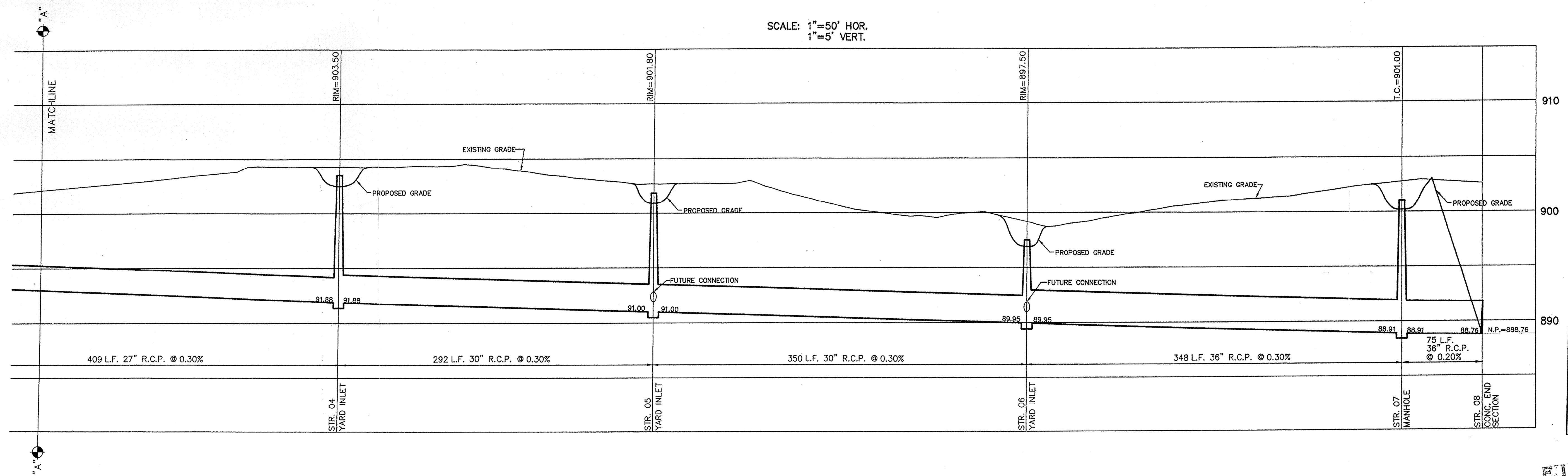
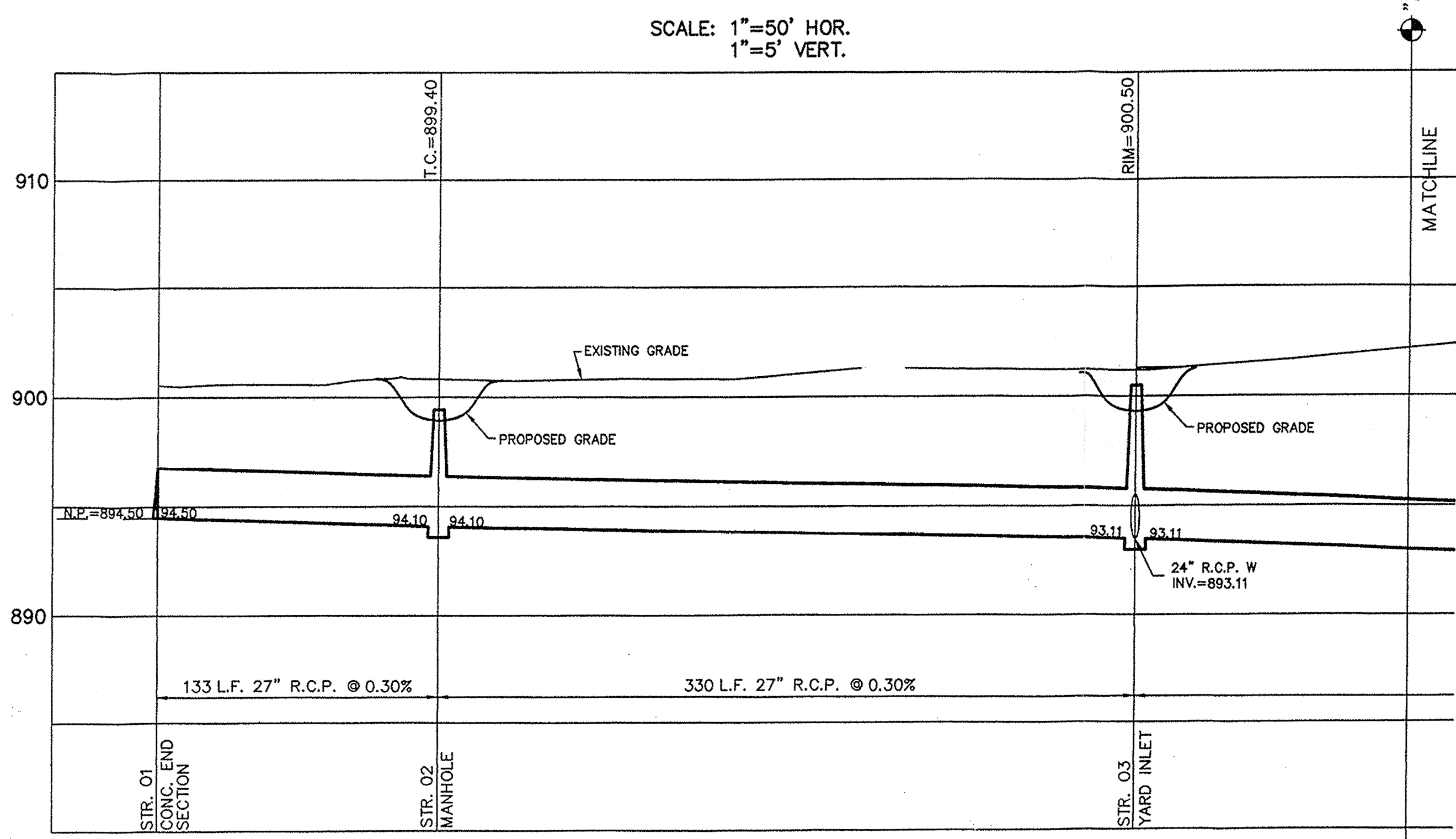
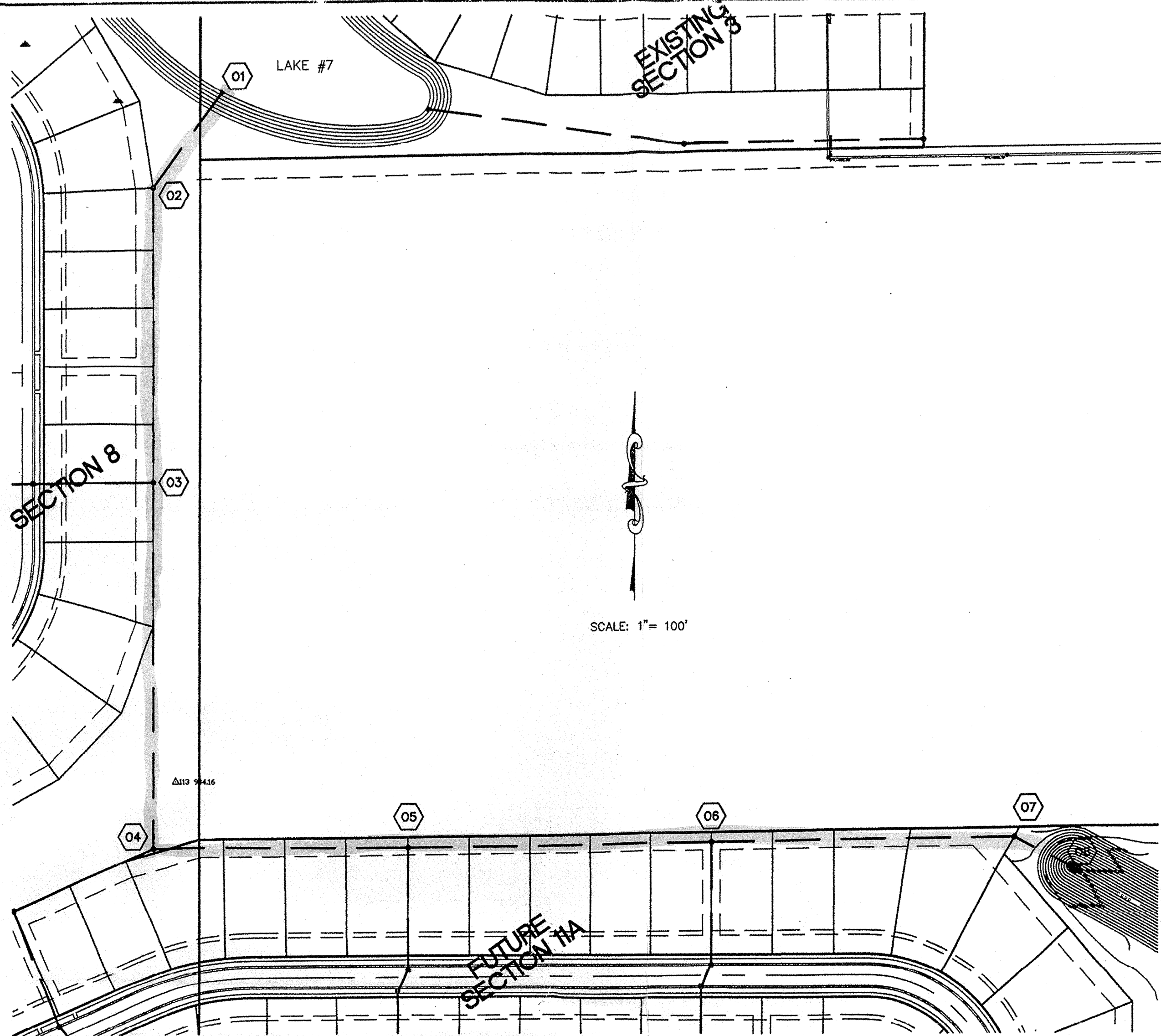
Sincerely,

A handwritten signature in black ink, appearing to read 'K. C. Ward', written over a horizontal line.

Kenton C. Ward,  
Hamilton County Surveyor

KCW/slm

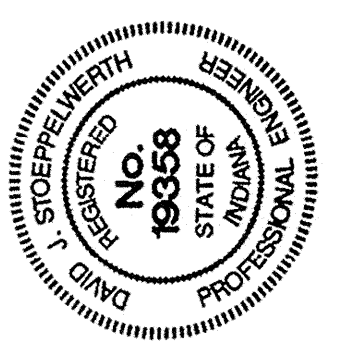
This copy is from the Digital Archive of the Hamilton County Surveyors Office, Noblesville, IN 46060



This information was prepared for input into the Hamilton County Geographic Information System (GIS) and is intended to be used as a reference only. It is not to be used for any other purpose.

Entry Date: 2-15-07  
Entered by: SLH

**FILED**  
MAY 27 1999  
OFFICE OF HAMILTON COUNTY SURVEYOR



CERTIFIED: *David J. Stappewitz*

DATE	DATE	DATE	DATE
5/28/99	5/12/99	4/16/99	4/16/99
BY: EEF	BY: EEF	BY: EEF	BY: EEF
BAH	BAH	BAH	BAH

REVISIONS

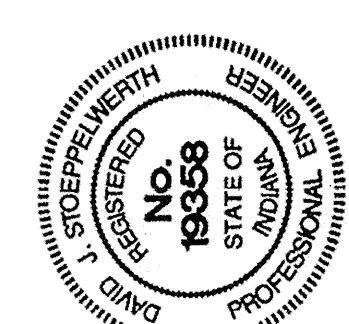
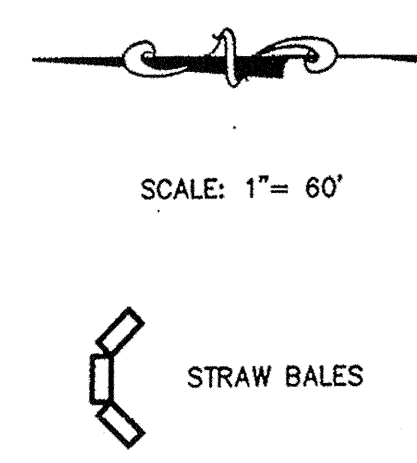
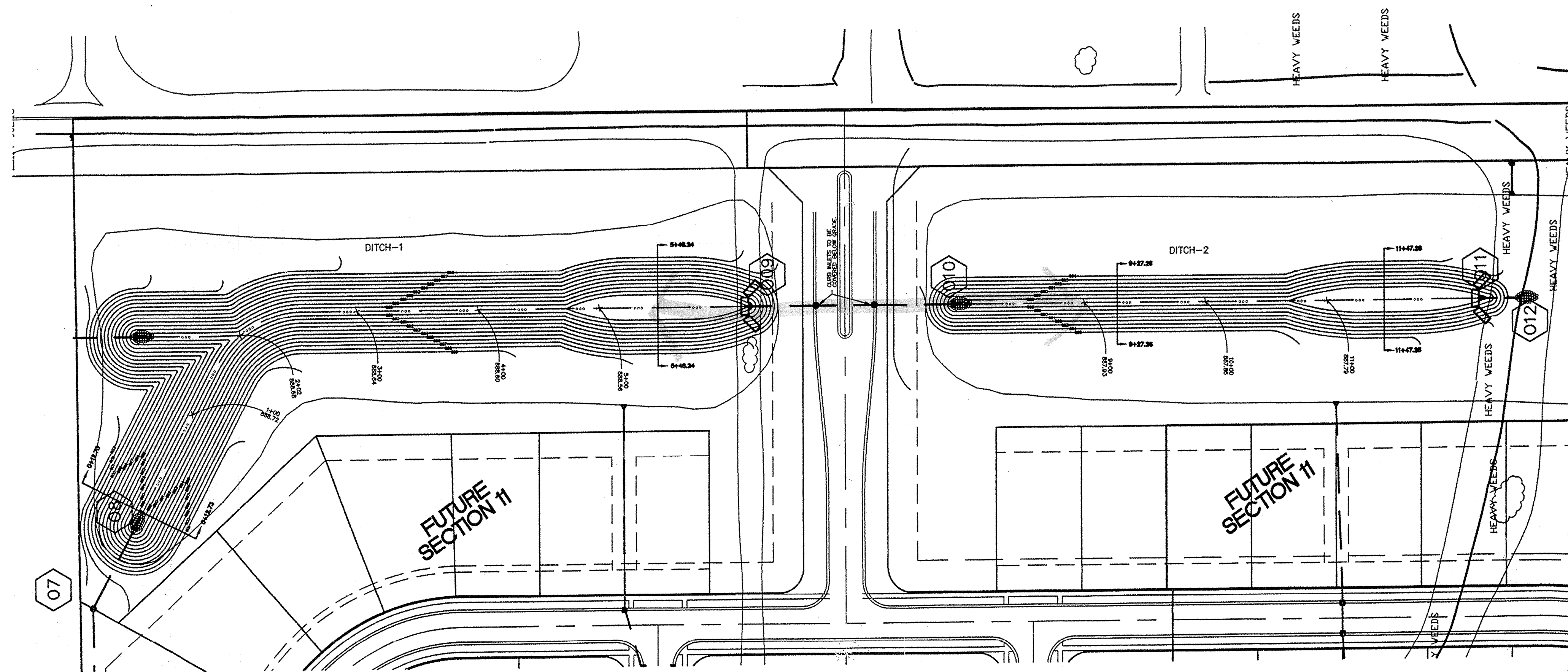
CONSULTING ENGINEERS - LAND SURVEYORS  
(317) 849-5935 1-800-728-6917 FAX: (317) 849-5942  
INDIANAPOLIS INDIANA



OFFSITE STORM SEWER  
COUNTRYSIDE SECTION 8  
WESTFIELD INDIANA

SHEET NO. 14  
OF 20 SHEETS  
JOB NO. 27930





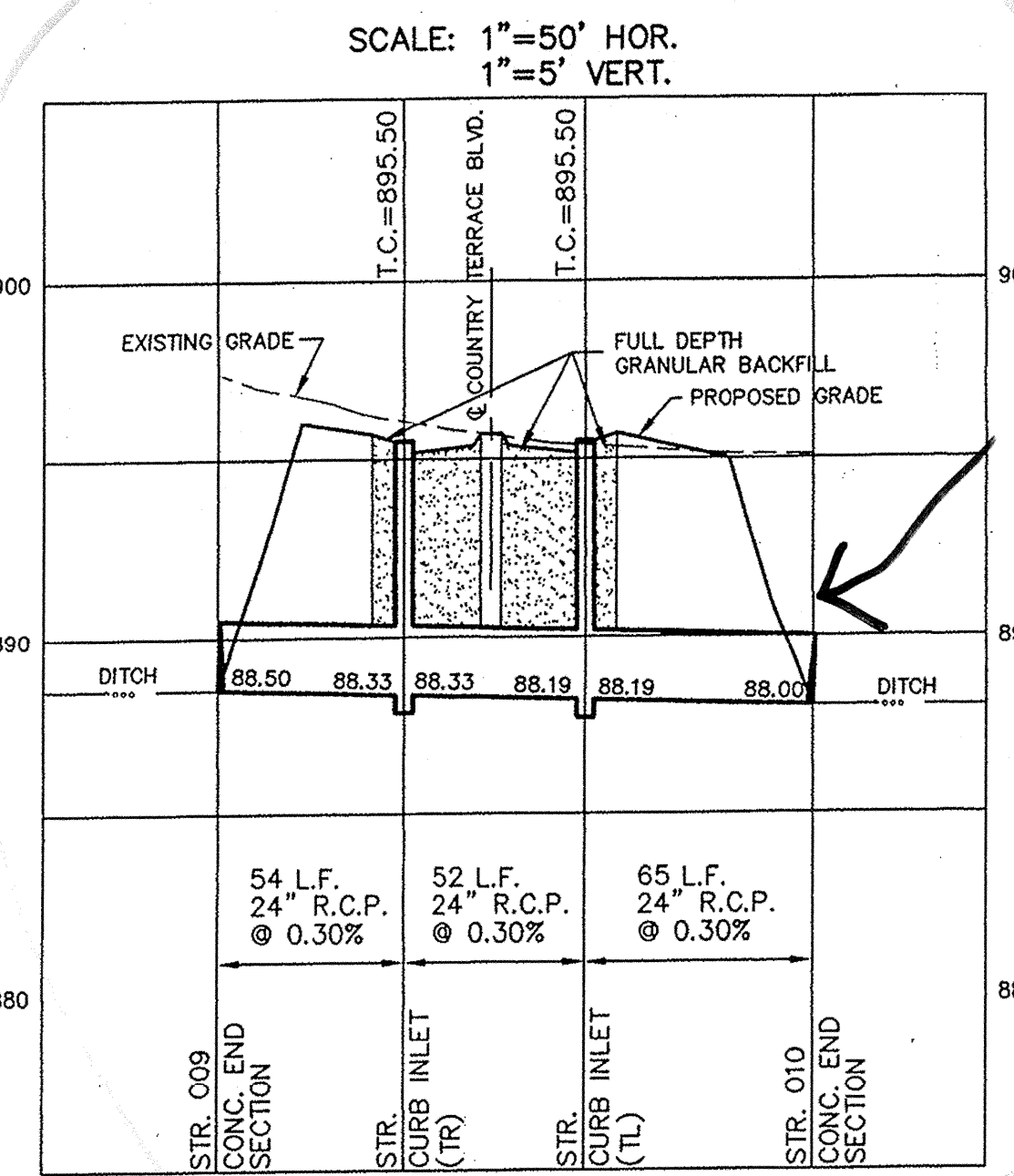
CERTIFIED: *David J. Stappewert*

DATE	5/20/99
MARK	
REVISIONS	
BY	

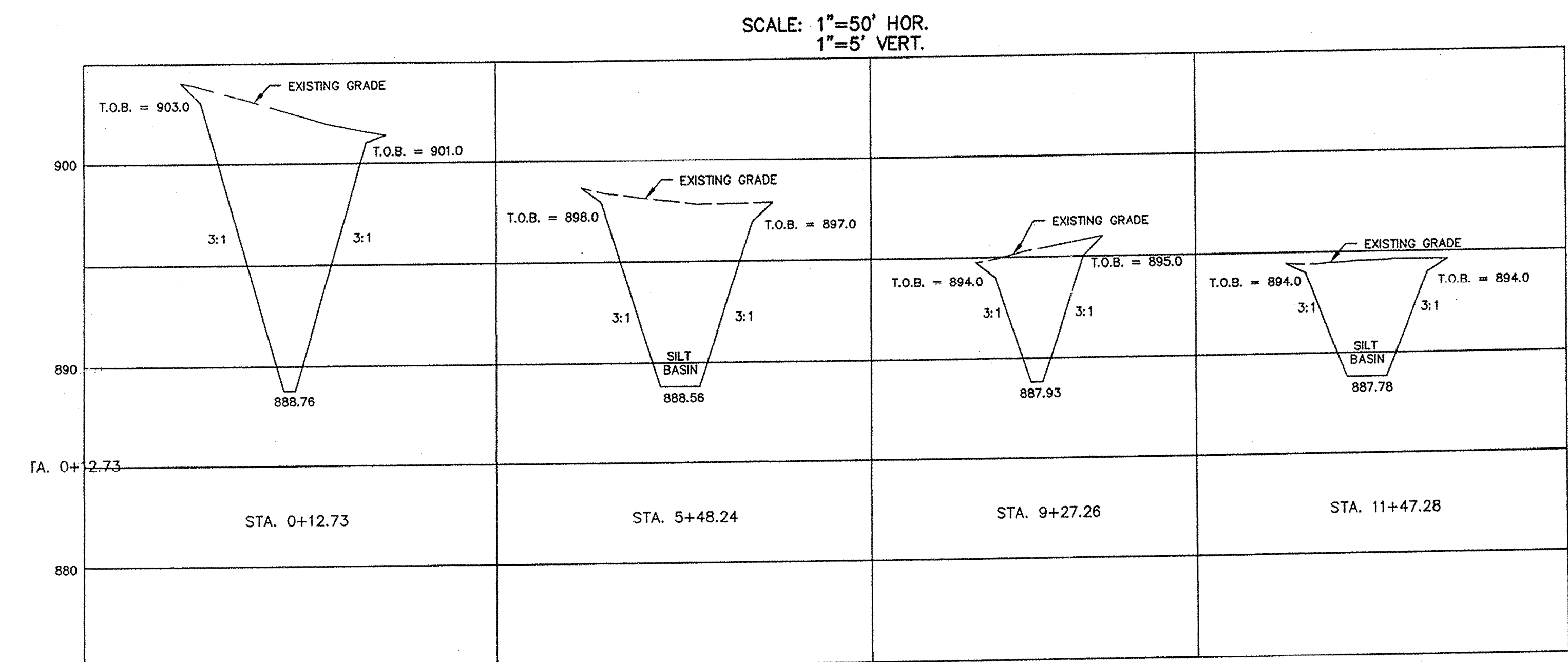
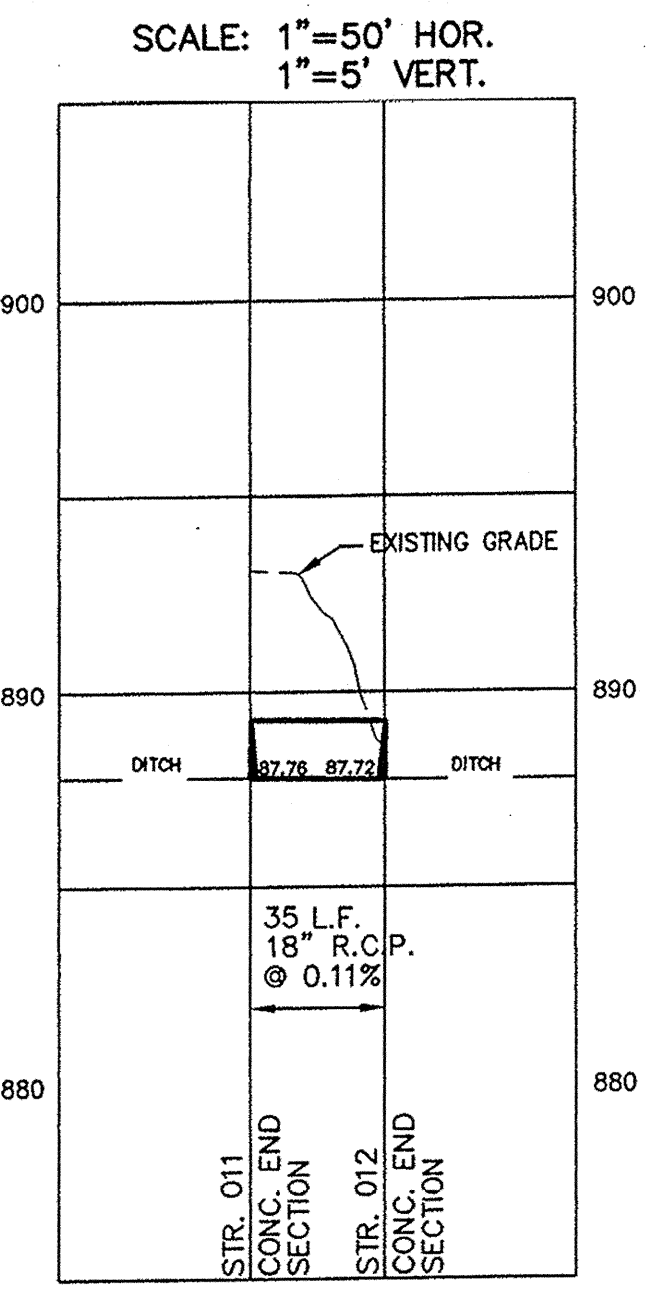
CONSULTING ENGINEERS - LAND SURVEYORS  
 (317) 849-5935 1-800-728-6917 FAX: (317) 849-5942  
 INDIANAPOLIS INDIANA



TEMPORARY DITCH  
 COUNTRYSIDE SECTION 8  
 WESTFIELD INDIANA



*Pipes extended*

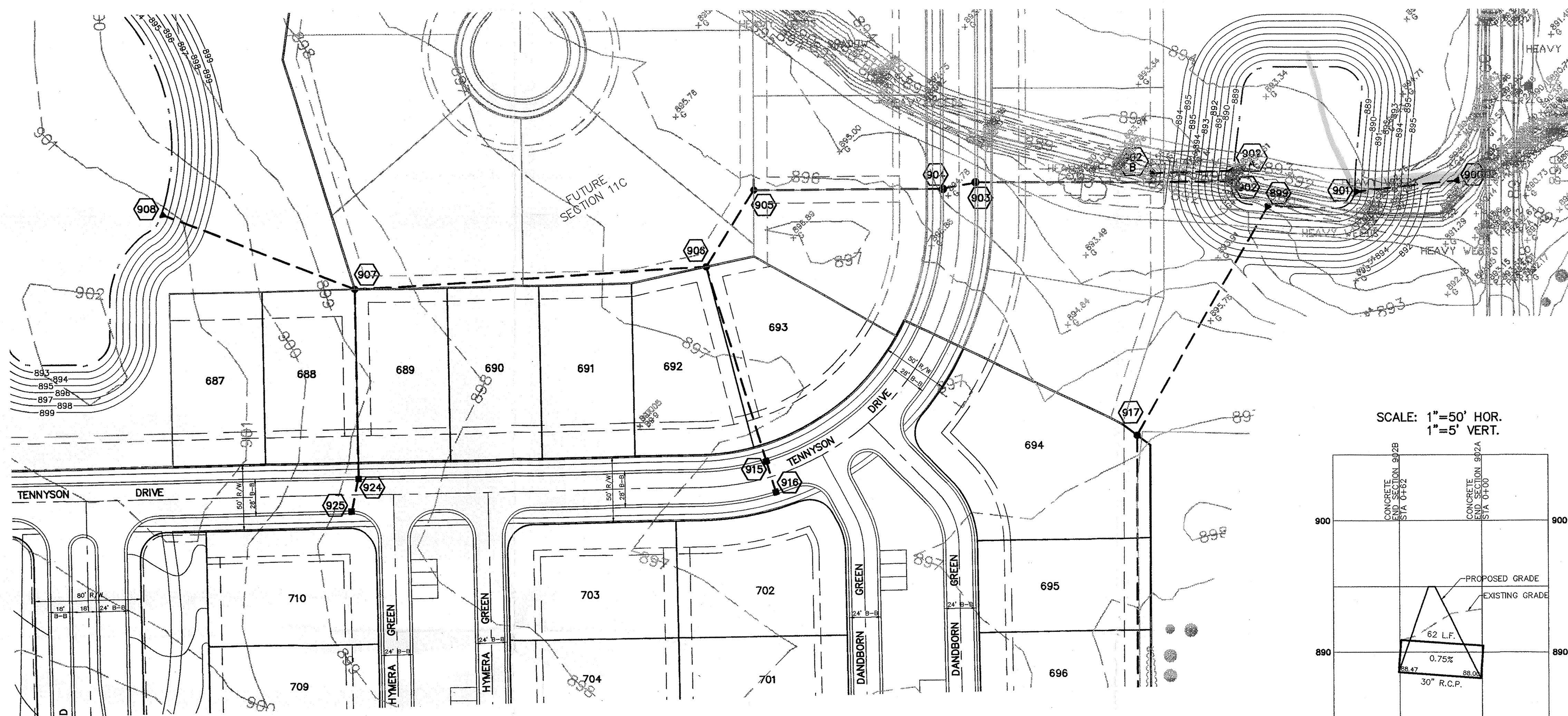


This information was gathered for input into the Hamilton County Geographic Information System (GIS). This document is considered an official record of the GIS.  
 Entry Date: 2-15-07  
 Entered By: SLM

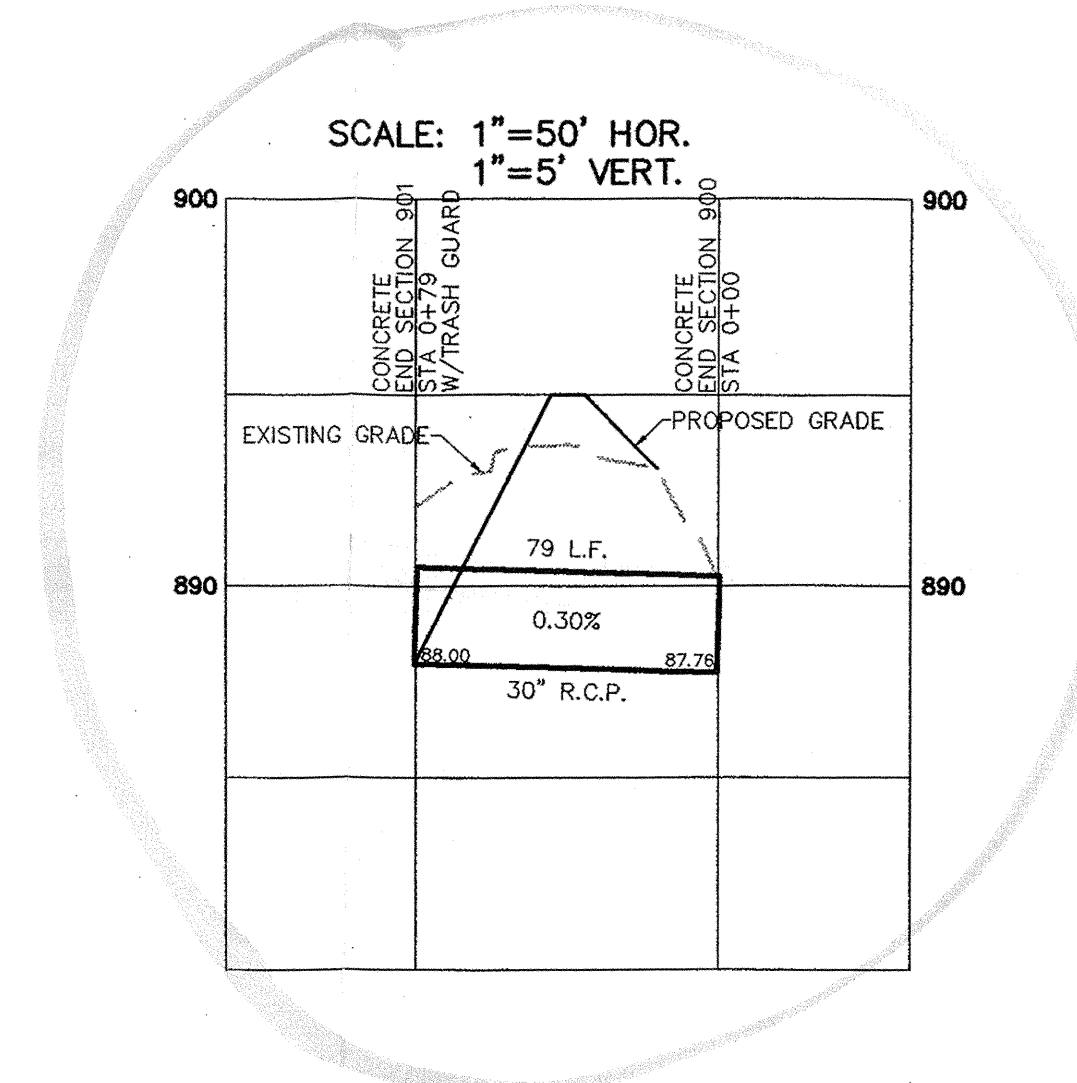
FILED  
 MAY 27 1999  
 OFFICE OF HAMILTON COUNTY SURVEYOR

SHEET NO. 15  
 OF 20 SHEETS  
 JOB NO. 27930





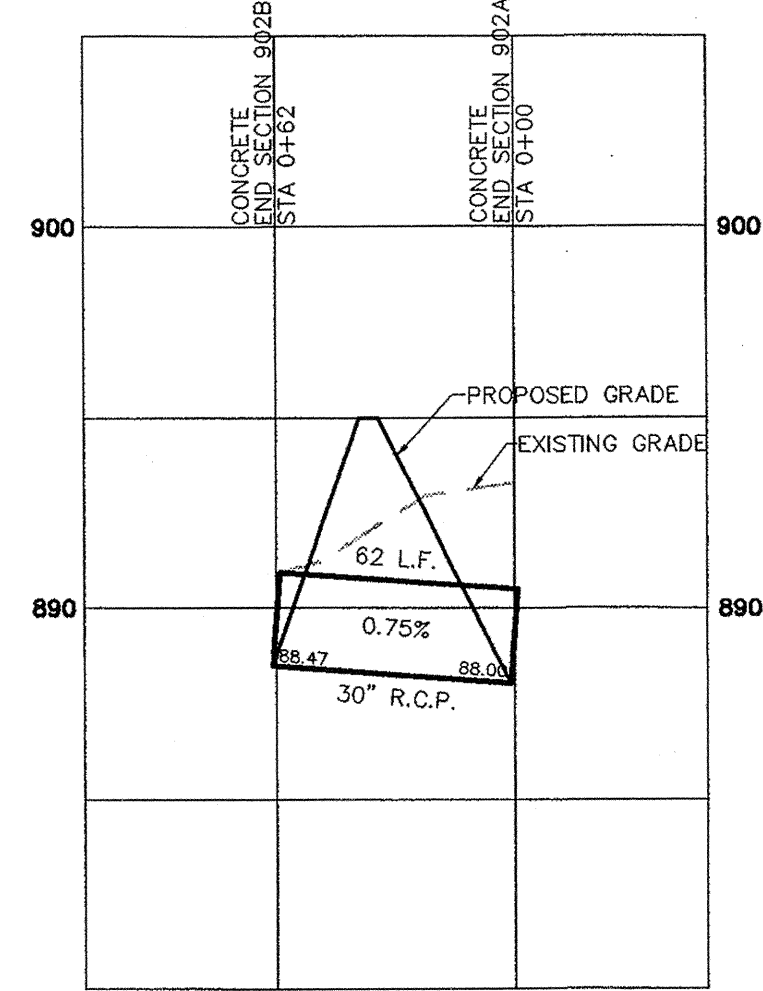
This information was gathered for input into the Hamilton County Geographic Information System (GIS). This document is considered an official record of the GIS.  
 Entry Date: 2-15-07  
 Entered By: SLM



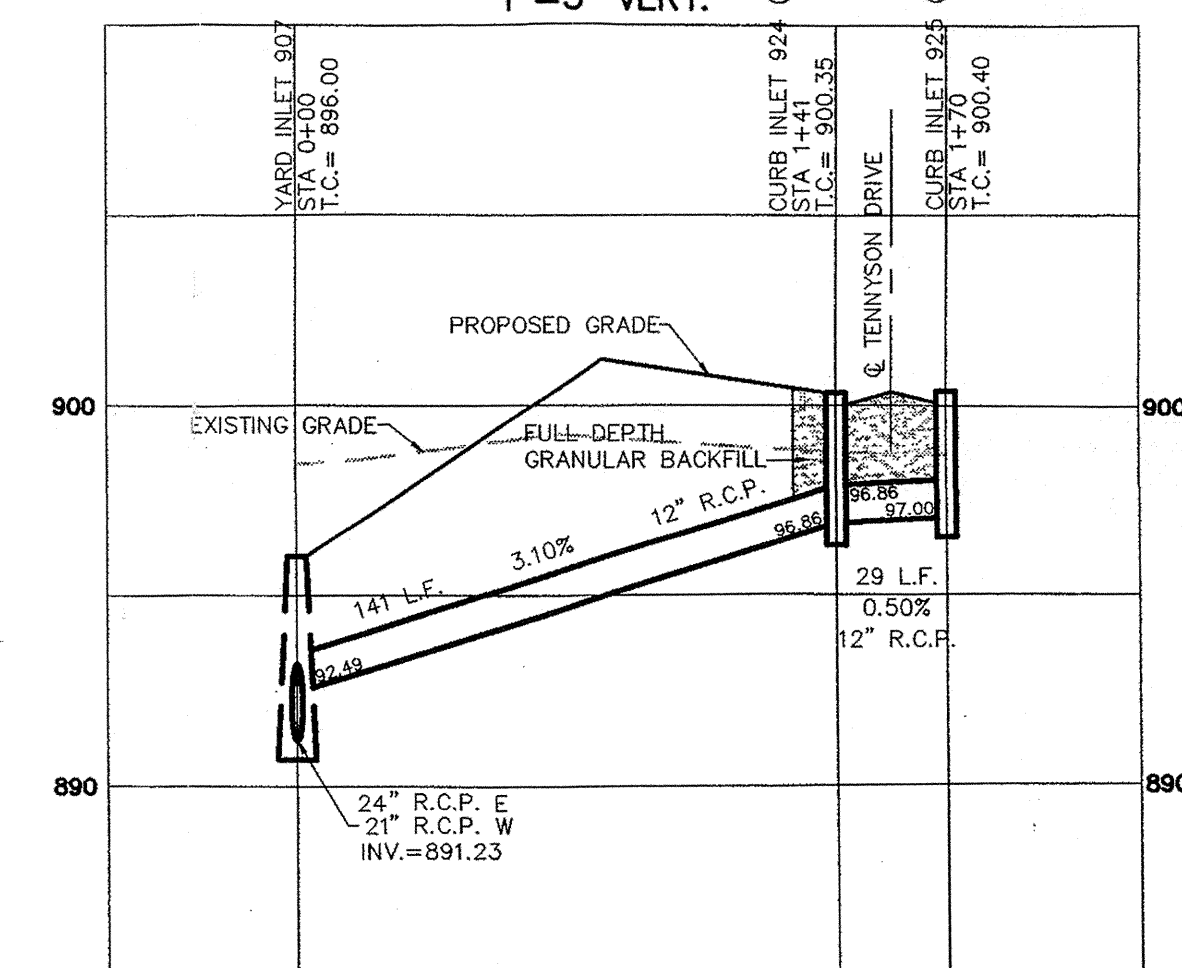
SCALE: 1"=50'



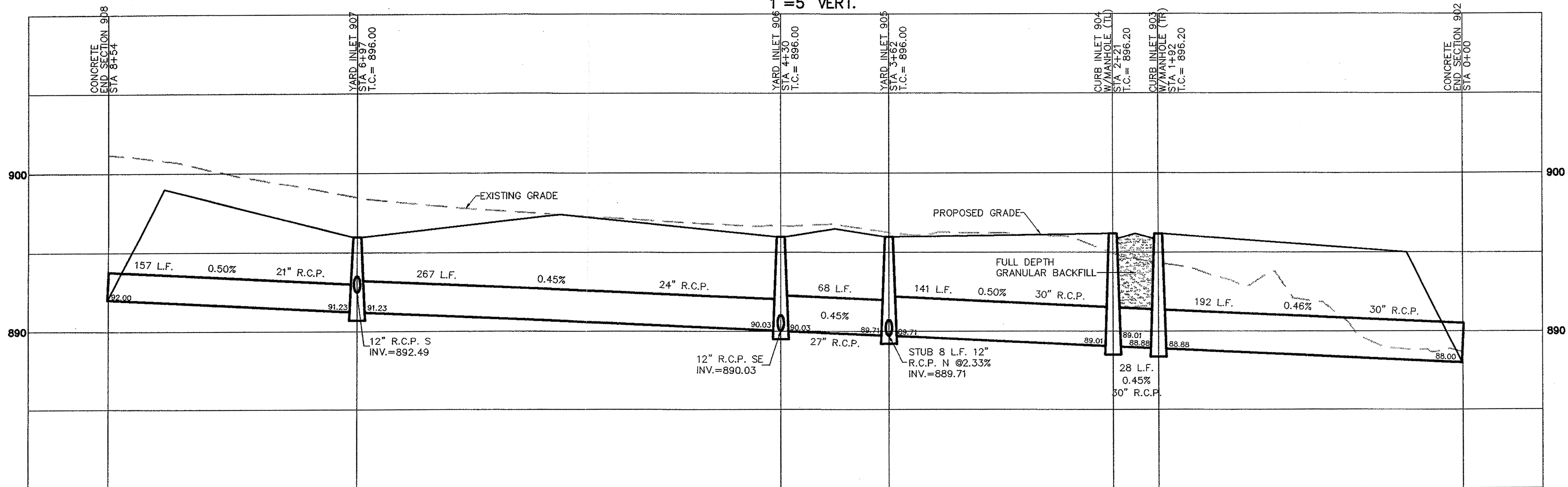
SCALE: 1"=50' HOR.  
1"=5' VERT.



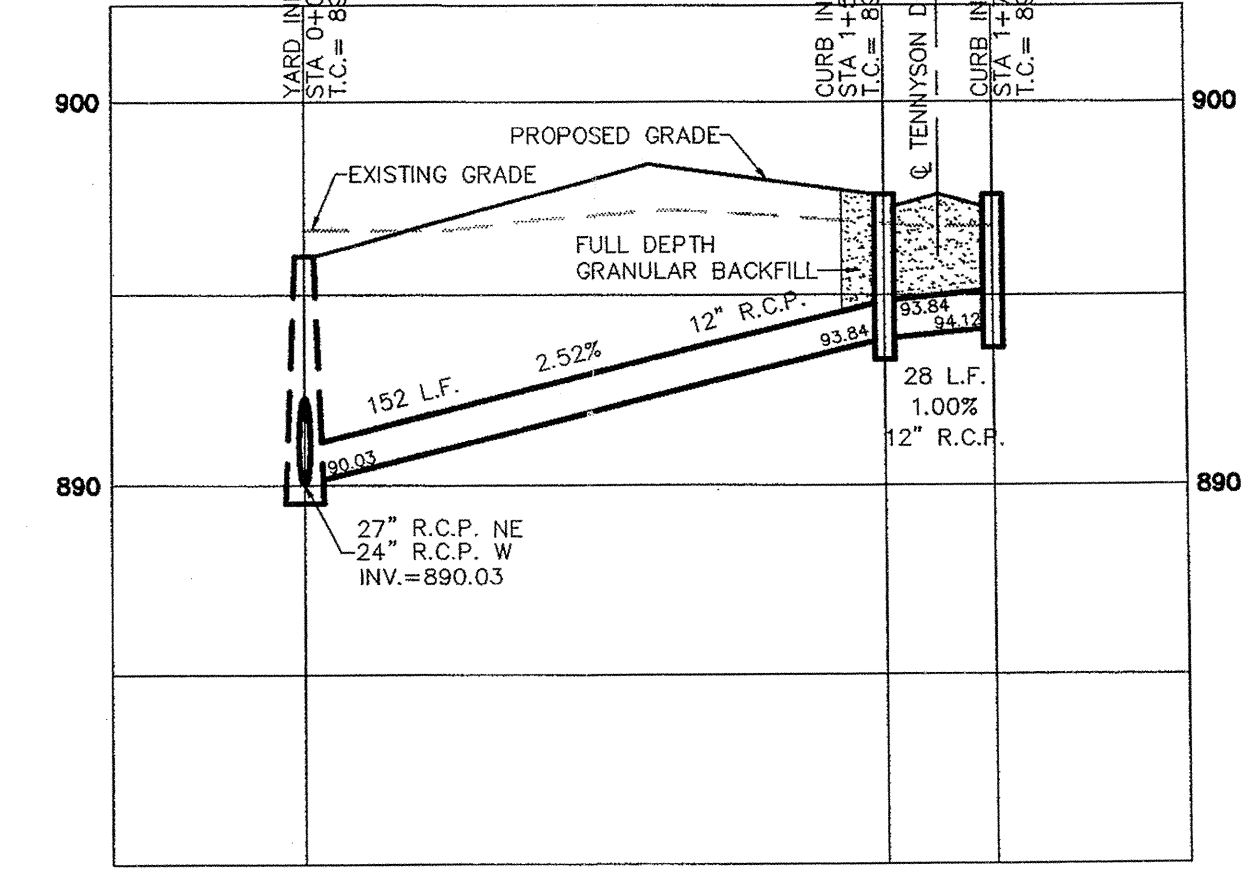
SCALE: 1"=50' HOR.  
1"=5' VERT.



SCALE: 1"=50' HOR.  
1"=5' VERT.



SCALE: 1"=50' HOR.  
1"=5' VERT.



This information was gathered for input into the Hamilton County Geographic Information System (GIS). This document is considered an official record of the GIS.  
 Entry Date: 2-15-2007  
 Entered By: SLM

FILED  
MAY 21 2002  
HAMILTON COUNTY SURVEYOR

DATE	REVISIONS	BY
5/15/02 <td></td> <td></td>		

CERTIFIED: 5/15/02  
 David J. Stappeler  
 REGISTERED PROFESSIONAL ENGINEER  
 No. 19358  
 STATE OF INDIANA



CONSULTING ENGINEERS - LAND SURVEYORS  
 (317) 849-5935 1-800-728-6917 FAX: (317) 849-5942  
 INDIANAPOLIS INDIANA

STORM SEWER PLAN & PROFILE  
 COUNTRYSIDE, SECTION 11A  
 WESTFIELD INDIANA  
 SHEET NO. 100  
 OF 26 SHEETS  
 JOB NO 27930