

Drain: OVERMAN HARVEY DRAIN Drain #: 32
 Improvement/Arm: VILLAGE FARMS - SECTION 9
 Operator: JDH Date: 5-26-04
 Drain Classification: Urban/Rural Year Installed: 1990

GIS Drain Input Checklist

- Pull Source Documents for Scanning JDH
- Digitize & Attribute Tile Drains N/A
- Digitize & Attribute Storm Drains JDH
- Digitize & Attribute SSD JDH
- Digitize & Attribute Open Ditch N/A
- Stamp Plans JDH
- Sum drain lengths & Validate JDH
- Enter Improvements into Posse JDH
- Enter Drain Age into Posse JDH
- Sum drain length for Watershed in Posse JDH
- Check Database entries for errors JDH

HAMILTON COUNTY DRAINAGE BOARD

X Hamilton County Surveyor, Courthouse, Noblesville, IN 46060

In the matter of Village Farms Section Nine Subdivision,
Village Farms Section Nine Leg of
Section the Overman-Harvey 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 Village Farms Section Nine, 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 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 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 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.


 Signed _____

Ralph L. Wilfong

Printed Name _____


 Signed _____

Eugene S. Wright

Printed Name _____

RECORDED OWNER(S) OF LAND INVOLVED

DATE _____

4. Wilfong warrants that all materials and supplies furnished under this Agreement shall be new unless otherwise specified and that work shall be of good quality and in conformance with such plans and specifications. Wilfong guarantees that all work for this project will be free from defect of faulty labor and/or material for one year from the date of completion and agrees to correct, upon written notice, such defective materials and/or workmanship.

5. Wilfong agrees to carry adequate workman's compensation insurance, public liability insurance and such other insurance as VILLAGE may require that is usually and ordinarily required of contractors performing similar work, which insurance shall protect Wilfong and VILLAGE against any and all liability incident to the performance of the Site Work. The cost of such insurance to be paid by Wilfong.

6. VILLAGE represents and warrants:

(a) That the plans and specifications have been approved by all governmental authorities or agencies required to approve the same.

(b) That it is the owner of the real estate described herein and has secured all necessary financing of the improvements.

(c) That all sewer assessments including availability charges and grant-in-aid-to-construction have been paid and that Wilfong will not be responsible for the hook-on or tap of each residential unit to the sewer or water or for any of the hook-on or tap fees.

(d) That any and all bonds required by any governmental agency shall be provided by and at the sole expense of VILLAGE.

7. That VILLAGE will furnish Wilfong with all necessary surveys, site plans and existing elevations necessary to complete the sewer work and to prepare all necessary easements and rights-of-way necessary for the sewer, streets, or other work.

8. Before VILLAGE issues the final payment upon the said project, Wilfong will submit satisfactory evidence that all payrolls and material payments in connection with the said work have been paid or otherwise satisfied.

9. The provisions of this agreement shall inure to the benefit of and be binding upon the parties, their personal representatives, successors and assigns and shall constitute the full and complete agreement between the parties.

Executed this 27TH day of SEPTEMBER, 1990.

VILLAGE FARMS SOUTH

WILFONG CONTSTRUCTION CO., INC.

Ralph Wilfong

J. P. Jensen

Fidelity and Deposit Company

HOME OFFICE

OF MARYLAND

BALTIMORE, MD. 21203

SUBDIVISION BOND

#3035 91 80

KNOW ALL MEN BY THESE PRESENTS, That we, Wilfong Construction Co., Inc. as Principal, and Fidelity and Deposit Company of Maryland, of Baltimore, Maryland, as Surety, are held and firmly bound unto the Hamilton County Drainage Board

in the sum of Eighty Thousand Eight Hundred Fifty Two & no/100 (\$80,852.00) Dollars for the payment of which, well and truly to be made, we jointly and severally bind ourselves, our heirs, legatees, executors, administrators, personal representatives, successors and assigns firmly by these presents.

Sealed with our seals and dated this 25th day of September 19 90.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH THAT:

Whereas, the Hamilton County Drainage Board has granted Wilfong Construction Co., Inc. a permit to construct Drainage Pipes - Village Farms South, Section 9

Now, if said Wilfong Construction Co., Inc. shall improve said Drainage Pipes in accordance with specifications and regulations of the Hamilton County Drainage Board and comply with all of the provisions of said permit then this obligation to be void, otherwise to be and remain in full force and effect.

WILFONG CONSTRUCTION CO., INC.

BY: *Paul Wilfong*

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

BY: *Jan L. Jacobs*

Jan L. Jacobs -

Attorney-in-Fact

CERTIFICATE OF COMPLETION AND COMPLIANCE

TO: HAMILTON COUNTY SURVEYOR

RE: VILLAGE FARMS SECTION NINE

I hereby certify that:

- 1.) I am a Registered Land Surveyor 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, and
- 4.) To the best of my knowledge, information and belief, the Drainage Facilities within the subdivision has been installed and completed in conformity with all plans and specifications.

Signature: *Allan H. Weihe* Date: Nov 12, 1993

Type or Printed Name: Allan H. Weihe

Business Address: 10505 N. College Avenue, Indianapolis, Indiana 46280

Telephone: 846-6611

INDIANA REGISTRATION NUMBER

#8827

SEAL





SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor

Suite 146

776-8495

One Hamilton County Square

Noblesville, Indiana 46060-2230

July 27, 1995

TO: Hamilton County Drainage Board

RE: Overman-Harvey Drain
Village Farms - Section 9

Attached are the As Builts, Certificate of Completion and Compliance, and other information for the Village Farms, Section 9 Arm of the Overman-Harvey Drain. An inspection of the drainage facilities for this section has been made and the facilities have been found to be complete and acceptable.

The system as constructed consists of the following:

12" RCP	221 feet	24" RCP	884 feet
18" RCP	342 feet	6" SSD	4475 feet
21" RCP	199 feet		

The total length of this Section is 6121 feet.

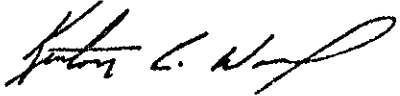
The system as constructed corresponds to the preliminary system set out in my report dated October 15, 1979. The Board held a hearing in this matter on November 19, 1979, at which time the Board approved all proposed sections from Section 4 through Section 12 for construction.

The subsurface drains shown on the As Builts are those which will be maintained. All are in the road Right-of-Way, except that which serves the rear of Lots 516, 517, 518 & 519. The portions to be maintained are those portions of the main lines which are within R/W or drainage easement. Laterals from the main line shall not be part of the regulated drain.

The bond or letter of credit from Fidelity & Deposit Co. of Maryland, #3035-91-80, dated 9/25/90, in the amount of \$80,852.00, has been released.

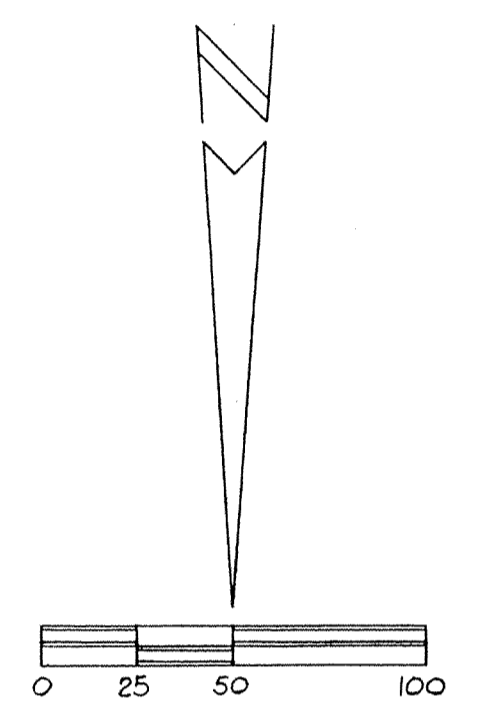
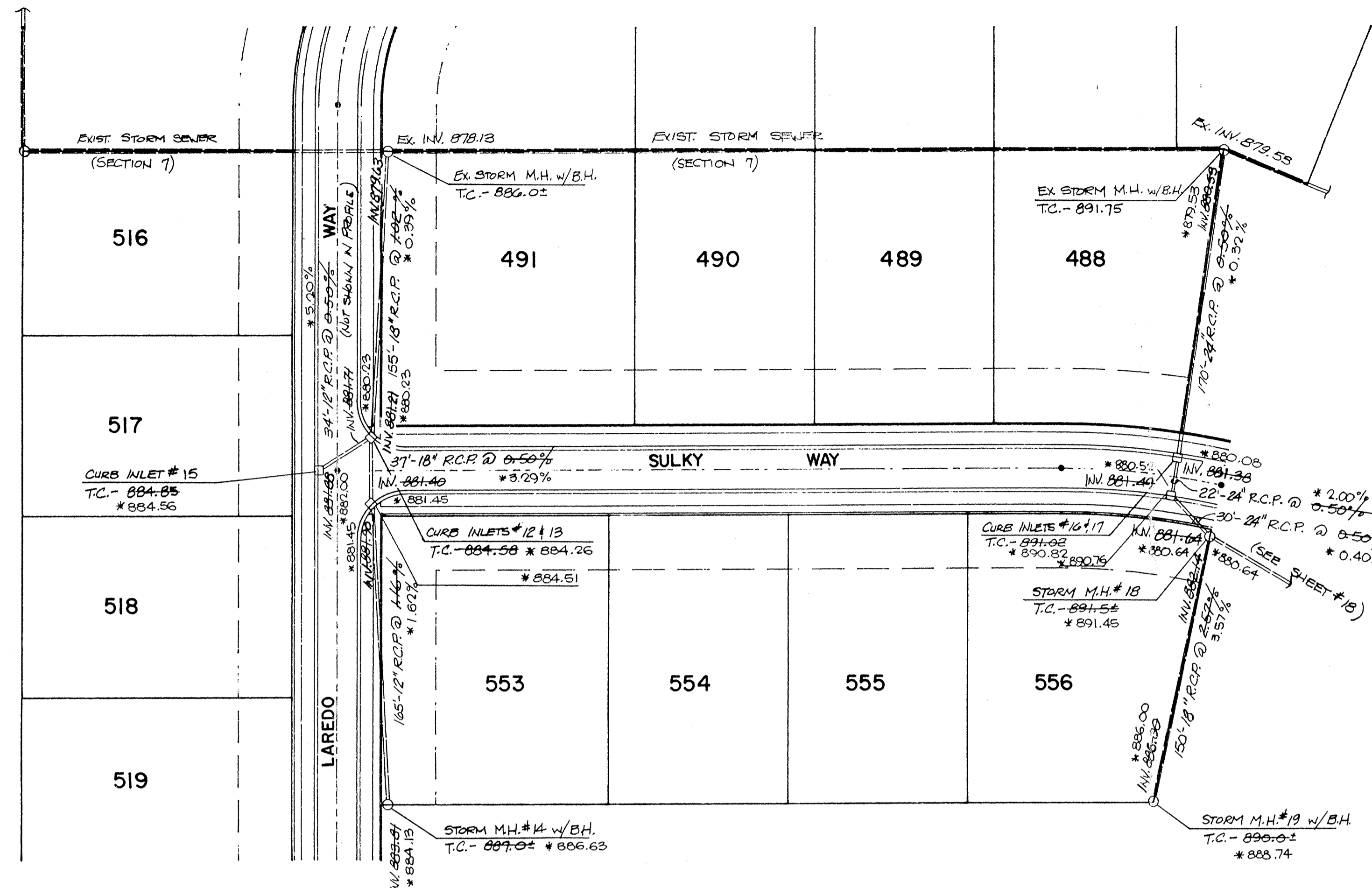
The Board at this time should also approve the non-enforcement that is attached.

The drainage facilities for this section intercept the Overman-Harvey legal drain at Village Farms Section 7. Section 9 ties into Section 7 at the northwest corner of Lots 480, 484, 485, and the southwest corner of lot 488, all of Section 9. Section 7 intercepts the original John Harvey drain at or near Station 17+00 and Arm #1 at or near Station 16+00. Both portions of this drain are no longer in operation downstream of these stations. For further information consult the report for Section 7 dated January 17, 1992. I recommend the Board accept the drainage facilities in this section.



Kenton C. Ward
Hamilton County Surveyor

KCW/jlk



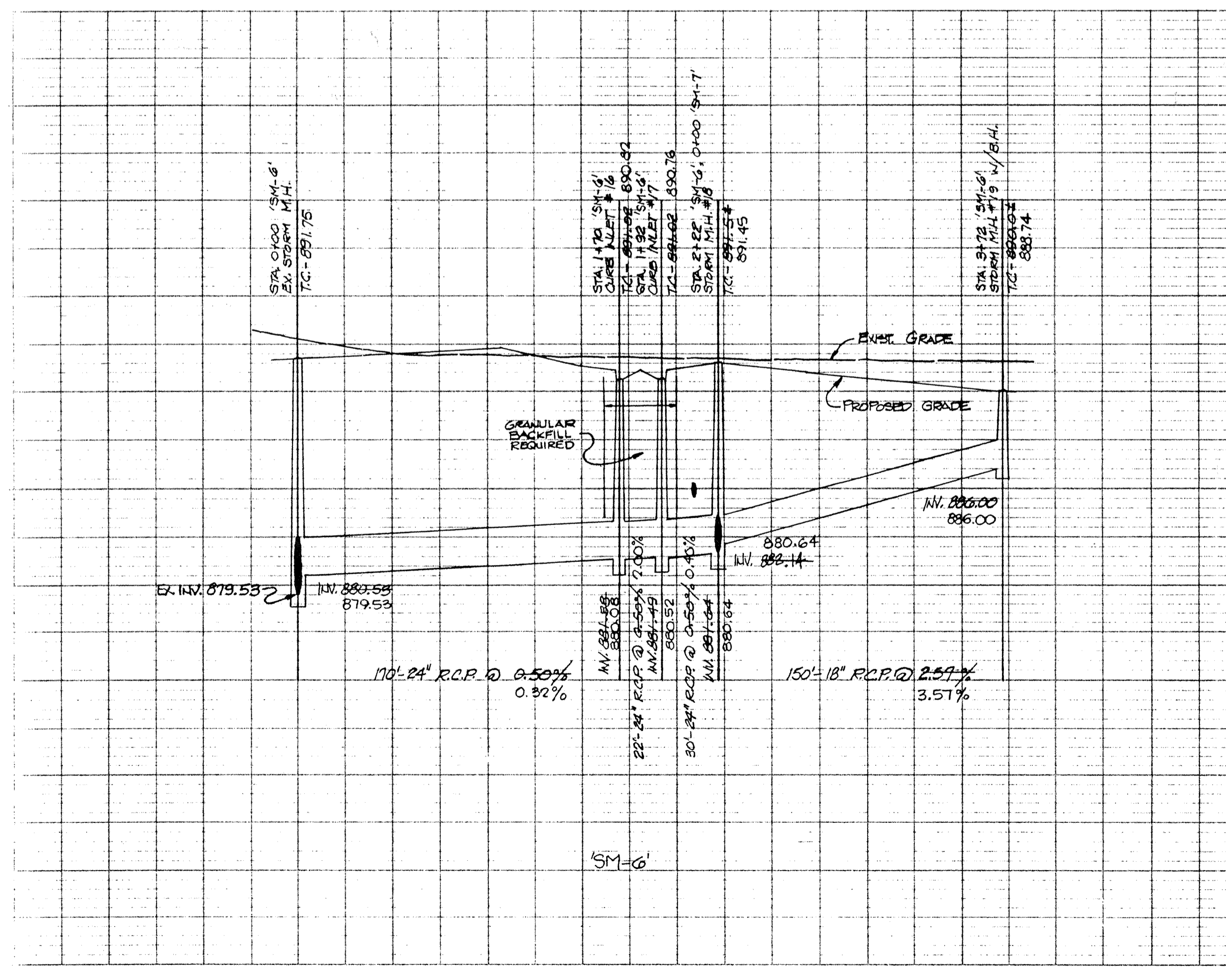
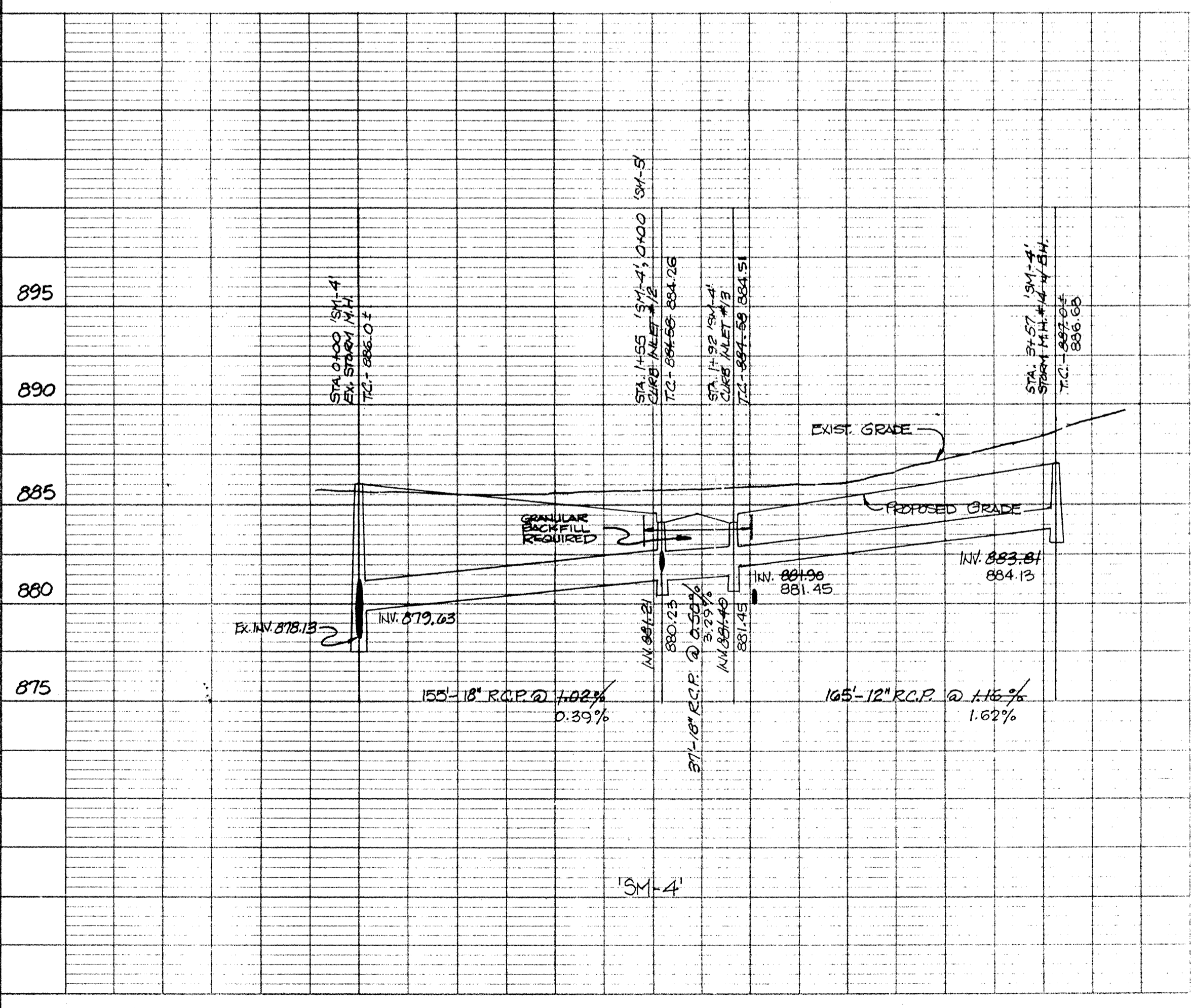
NOTE: THERE WILL BE NO SIDEWALKS CONSTRUCTED IN THIS SECTION.

Hamilton County Seal: HAMILTON COUNTY INDIANA 1825

This information was gathered for input into the Hamilton County Geographical Information System. This document is considered an official record of the GIS.

Entry Date: 5-26-94

Entered by: JOH



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

"RECORD DRAWING" - VILLAGE FARMS SECTION 9
Storm sewers - TC's, Inverts and grades Nov. 10, 1993

Signature: Allan H. Weihe
ALLAN H. WEIHE, Reg. P.E., INDIANA 8827

Professional Engineer Seal: ALLAN H. WEIHE, REGISTERED PROFESSIONAL ENGINEER, NO. 8827, STATE OF INDIANA

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Signature: Allan H. Weihe
ALLAN H. WEIHE, Reg. P.E., INDIANA 8827