





SURVEYOR'S OFFICE

# Hamilton County

*Kenton C. Ward, Surveyor*

*Phone (317) 776-8495*

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*Suite 188*

*One Hamilton County Square  
Noblesville, Indiana 46060-2230*

January 6, 2006

TO: Hamilton County Drainage Board

RE: W. R. Fertig Drain, Guilford Reserve Arm

Attached is a petition filed by Crawford Development, LLC along with a drainage easement grant, plans, calculations, quantity summary and assessment roll for the Guilford Reserve Arm, W.R. Fertig 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:

12" RCP    156 ft.                      Open Ditch    45 ft.

The total length of the drain will be 201 feet.

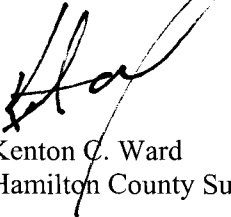
The retention pond (lake) located east of the W.R. Fertig Drain is to be considered part of the regulated drain. Pond maintenance shall include the inlet, outlet, sediment removal and erosion control along the banks, as part of the regulated drain. The maintenance of the pond (lake), such as mowing and aquatic vegetation control, will be the responsibility of the Homeowners Association. The Board will also retain jurisdiction for ensuring the storage volume for which the pond (lake) was designed will be retained, thereby, allowing no fill or easement encroachments.

Parcels assessed for this drain may be assessed for the Carmel 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.

The easement for the W.R. Fertig Drain and the W.R. Fertig Drain, Guilford Reserve Arm shall be the regulated drain easement described in the Drainage Easement Grant, which is recorded in the Office of the Hamilton County Recorder, as instrument number 200500040071. This drainage easement grant will also be shown and cross referenced on the secondary plat for Brownstone Homes at Guilford Reserve Section 2, which also will be recorded in the Office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for March 27, 2006.



Kenton C. Ward  
Hamilton County Surveyor

KCW/pll

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 Brownstones @ Guilford Reserve Subdivision, Section II  
Regulated 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 Brownstones @ Guilford Reserve 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.

FILED

JUN 03 2005

Adobe PDF Ffillable Form

OFFICE OF HAMILTON COUNTY SURVEYOR

# KEELER-WEBB ASSOCIATES

*Consulting Engineers-Planners-Surveyors*

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

May 31, 2005

Mr. Greg Hoyes  
Hamilton County Surveyors Office  
One Hamilton County Square  
Noblesville, IN 46060

Re: BROWNSTONE HOMES at GUILFORD RESERVE  
Regulated Drainage Easement  
1011 South Guilford Road  
Carmel, IN  
KWA project No. 0411-028

## ENGINEER'S COST ESTIMATE

Mr. Robert Barbato and Mr. David Klain are the managing partners and owners of Crawford Development, LLC. Crawford Development, LLC is proposing to provide 10 structures containing 40 Brownstone units on individual lots on the subject real estate. This property has been rezoned from B-6 to a Planned Unit Development. The Planned Unit Development Ordinance No. Z-448-04 was approved by the Carmel Common Council on June 7, 2004, as Docket No. 04-01-0024Z.

This letter is in response to your request for an Engineer's estimate for determining performance guarantees to be produced by the developer in the form of a letter of credit from a lending institution or developer's insurance/performance bond. The following applies to this project:

Certified Engineers Cost Estimates for determining the individual performance guarantees of the required items within the project.

### 1. Stormwater Control Structure

Description	Quantity	Unit Price	Total
Excavation	6,578 cu. yd.	\$1.75 / cu.yd.	\$11,511
Tree Removal	0.5 Acres	\$7,850 / Ac.	\$3,925
Seeding	1,811 sq.yd.	\$0.47 / sq.yd.	\$851
Erosion Control Blanket	1,185 sq.yd.	\$1.70/sq.yd.	\$2,015
Placed Rip-Rap	22 cu.yd.	\$33.50/cu.yd.	\$746
Gabion Baskets	178 sq.yd.	\$44.50/sq.yd.	\$7,921
Outlet Structure	1	\$2,000	\$2,000
12" RCP	32 ft.	\$30 / ft.	\$960
Reno blanket	39 sq.yd.	\$50 /sq.yd.	\$1,950
		<b>Total</b>	<b>\$31,879</b>

The developer will be forwarding a Performance Guarantee Bond (120% of the cost of construction) in the amount of \$38,254.80 for work in the regulated drainage easement for the stormwater control structure.

FILED  
JUN 03 2005  
OFFICE OF HAMILTON COUNTY SURVEYOR

This estimate is expressly for use by the Hamilton County Surveyors Office to determine the cost estimate of the individual performance guarantees within the regulated drain easement for use by the client to provide a financial performance guaranty in the amount of the Engineer's estimate to be submitted for review and approval to the Hamilton County Drainage Board.

This project is very time sensitive because of executed leases and contracts. We appreciate your efforts on this project to gain the necessary HCSO approvals. If you have any questions, require any additional documentation, or comments, please do not hesitate to contact our office at any time and we will respond rapidly with any request.

Respectfully,  
Keeler-Webb Associates

Adam DeHart, L.S.  
Project Manager



See attached legal description

VARIABLE REGULATED DRAIN EASEMENT  
IN FAVOR OF HAMILTON COUNTY DRAINAGE BOARD  
LEGAL DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 3 EAST, OF THE SECOND PRINCIPAL MERIDIAN, IN CLAY TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

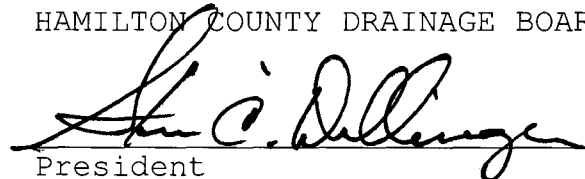
COMMENCING AT A POINT 66.0 FEET WEST AND 475.0 FEET SOUTH OF THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 18 NORTH, RANGE 3 EAST; THENCE NORTH 89 DEGREES 14 MINUTES 12 SECONDS EAST 469.98 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89 DEGREES 14 MINUTES 12 SECONDS EAST 256.92 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 17 SECONDS EAST, 302.00 FEET; THENCE SOUTH 89 DEGREES 40 MINUTES 42 SECONDS WEST, 203.65 FEET; THENCE NORTHERLY ALONG A LINE LYING 25 FEET PARALLEL TO AND WEST OF THE TOP OF BANK OF W.R. FERTIG LEGAL DRAIN (CARMEL CREEK) THE FOLLOWING (6) COURSES; 1) NORTH 09 DEGREES 59 MINUTES 01 SECONDS WEST, 42.98 FEET; 2) NORTH 27 DEGREES 45 MINUTES 48 SECONDS WEST, 44.02 FEET; 3) NORTH 29 DEGREES 34 MINUTES 11 SECONDS WEST, 23.52 FEET; 4) NORTH 11 DEGREES 46 MINUTES 21 SECONDS WEST, 38.19 FEET; 5) NORTH 16 DEGREES 16 MINUTES 21 SECONDS WEST, 30.78 FEET; 6) NORTH 00 DEGREES 43 MINUTES 05 SECONDS EAST, 131.28 FEET, TO THE POINT OF BEGINNING. CONTAINING 1.679 ACRES MORE OR LESS.

**FINDINGS AND ORDER**  
**CONCERNING THE MAINTENANCE OF THE**  
**W. R. Fertig Drain, Guilford Reserve Arm**

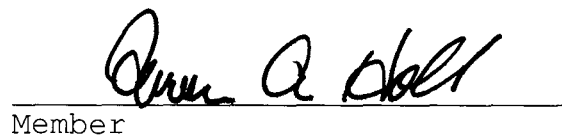
On this **27th day of March 2006**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **W. R. Fertig Drain, Guilford Reserve Arm**.

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: 



BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***W. R. Fertig Drain, Guilford Reserve Arm***

NOTICE

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

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **W. R. Fertig Drain, Guilford Reserve Arm** on **March 27, 2006** at **9:15 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana, and which construction and maintenance reports of the Surveyor and the Schedule of Assessments made 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

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF THE

*W. R. Fertig Drain, Guilford Reserve Arm*

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **March 27, 2006** has issued an order adopting the Schedule of Assessments, filed the same and made public announcement thereof at the hearing and ordered publication. If judicial review of the findings and order of the Board is not requested pursuant to Article Eight of this code within twenty (20) days from the date of this publication, the order shall be conclusive.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY