



Kenton C. Ward, Surveyor Phone (317) 776-8495 Fax (317) 776-9628 Suite 188 One Hamilton County Square Noblesville, Indiana 46060-2230

August 30, 2006

To: Hamilton County Drainage Board

Re: J.W. Brendel Drain, Lakes at Towne Road Section 2 Arm

Attached is a petition filed by Skjodt Thomas & Associates along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Lakes at Towne Road 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	3,826 ft.	15" RCP	315 ft.	21" RCP	622 ft.
12" RCP	411 ft.	18" RCP	990 ft	24" RCP	55 ft.

The total length of the drain will be 6,219 feet.

This report replaces the temporary open ditch mentioned in my report for Lakes at Towne Road Section 1 dated September 30, 2005 and approved by the Board on January 23, 2006. (Hamilton County Drainage Board Minutes Book 9, Pages 19-20)

The retention ponds (Lake #2 & #3) located in Common Area #9 and #11 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, 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 ponds were designed will be retained, thereby, allowing no fill or easement encroachments.

The subsurface drains (SSD) to be part of the regulated drain are those located under the curbs and those main lines between lots or in rear yards. 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.

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 \$65.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$2,246.90.

The petitioner has submitted surety for the proposed drain at this time. The sureties which are in the form of a Performance Bond are as follows:

Agent: Bond Safeguard Insurance Company

Date: November 22, 2005

Number: 5020171

For: Storm Sewers and SSD Amount: \$175,324.00

Agent: Bond Safeguard Insurance Company

Date: November 22, 2005

Number: 5020170 For: Erosion Control Amount: \$68,494.00

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 Lakes at Towne Road Section 2 as recorded in the office of the Hamilton County Recorder.

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

Kenton C. Ward

Hamilton County Surveyor

KCW/pll

	(Revised 06/08/04)
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 The Lakes at Towne Road	Subdivision, Section
2 Drain Patition	

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>The Lakes at Towne Road, Sec. 2</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.

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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.
- 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 country Surveyor shall immediately install or repair the needed measures at Petitioners cost as per IC 36-9-27-46.

OF HAMILYON COUNTY SURVEYOR

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	Signed	
Ryan G. Thomas		
Printed Name	Printed Name	-
July 6, 2005		
Date	Date	
Signed	Signed	
Printed Name	Printed Name	
Date	Date	

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

J. W. Brendel Drain, Lakes at Towne Road Section 2 Arm

On this 23rd day of October 2006, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the J. W. Brendel Drain, Lakes at Towne Road Section 2 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

Mamhar

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD IN THE MATTER OF

J. W. Brendel Drain, Lakes at Towne Road Section 2 Arm

NOTICE

То	Whom	Ιt	May	Concern	and:_			 		
									40	

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the J. W. Brendel Drain, Lakes at Towne Road Section 2 Arm on October 23, 2006 at 9:45 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

J. W. Brendel Drain, Lakes at Towne Road Section 2 Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on October 23, 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

OFFICE OF

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of The J.W. Brendel, Lakes at Towne Road Sec. 2 Arm.

Towne Road Properties 1202 E. 38th St. Indianapolis, IN 46205

You are hereby notified that the maintenance report of the County 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 County Surveyor.

The Surveyor has estimated that the annual cost of periodically maintaining the drain is \$2,246.90 and that the schedule shows you are the owner of the following lands:

		Acres	Maint.	% of
Description	Description	Benefited	Assmt.	Asmnt.
17-09-29-00-16-001.000	Lakes at Towne Road 2nd Lot 27	One Lot	\$65.00	2.89%
17-09-29-00-16-002.000	Lakes at Towne Road 2nd Lot 28	One Lot	\$65.00	2.89%
17-09-29-00-16-003.000	Lakes at Towne Road 2nd Lot 29	One Lot	\$65.00	2.89%
17-09-29-00-16-004.000	Lakes at Towne Road 2nd Lot 30	One Lot	\$65.00	2.89%
17-09-29-00-16-005.000	Lakes at Towne Road 2nd Lot 31	One Lot	\$65.00	2.89%
17-09-29-00-16-006.000	Lakes at Towne Road 2nd Lot 32	One Lot	\$65.00	2.89%
17-09-29-00-16-007.000	Lakes at Towne Road 2nd Lot 33	One Lot	\$65.00	2.89%
17-09-29-00-16-008.000	Lakes at Towne Road 2nd Lot 34	One Lot	\$65.00	2.89%
17-09-29-00-16-009.000	Lakes at Towne Road 2nd Lot 35	One Lot	\$65.00	2.89%
17-09-29-00-16-010.000	Lakes at Towne Road 2nd Lot 36	One Lot	\$65.00	2.89%
17-09-29-00-16-011.000	Lakes at Towne Road 2nd Lot 37	One Lot	\$65.00	2.89%
17-09-29-00-16-012.000	Lakes at Towne Road 2nd Lot 38	One Lot	\$65.00	2.89%
17-09-29-00-16-013.000	Lakes at Towne Road 2nd Lot 39	One Lot	\$65.00	2.89%
17-09-29-00-16-014.000	Lakes at Towne Road 2nd Lot 40	One Lot	\$65.00	2.89%
17-09-29-00-16-015.000	Lakes at Towne Road 2nd Lot 41	One Lot	\$65.00	2.89%
17-09-29-00-16-016.000	Lakes at Towne Road 2nd Lot 42	One Lot	\$65.00	2.89%
17-09-29-00-16-017.000	Lakes at Towne Road 2nd Lot 43	One Lot	\$65.00	2.89%
17-09-29-00-16-018.000	Lakes at Towne Road 2nd Lot 44	One Lot	\$65.00	2.89%
17-09-29-00-16-019.000	Lakes at Towne Road 2nd Lot 45	One Lot	\$65.00	2.89%
17-09-29-00-16-020.000	Lakes at Towne Road 2nd Lot 46	One Lot	\$65.00	2.89%
17-09-29-00-16-021.000	Lakes at Towne Road 2nd Lot 47	One Lot	\$65.00	2.89%
17-09-29-00-16-022.000	Lakes at Towne Road 2nd Lot 48	One Lot	\$65.00	2.89%
17-09-29-00-16-023.000	Lakes at Towne Road 2nd Lot 49	One Lot	\$65.00	2.89%
17-09-29-00-16-024.000	Lakes at Towne Road 2nd Lot 50	One Lot	\$65.00	2.89%
17-09-29-00-16-025.000	Lakes at Towne Road 2nd Lot 51	One Lot	\$65.00	2.89%
17-09-29-00-16-026.000	Lakes at Towne Road 2nd Lot 52	One Lot	\$65.00	2.89%
17-09-29-00-16-027.000	Lakes at Towne Road 2nd Lot 53	One Lot	\$65.00	2.89%
17-09-29-00-16-028.000	Lakes at Towne Road 2nd Lot 54	One Lot	\$65.00	2.89%
17-09-29-00-16-029.000	Lakes at Towne Road 2nd C.A. 7, 0.47 Ac	0.47	\$65.00	2.89%

99-99-99-99-999.090	Lakes at Towne Road 2nd Roads	6.45	\$65.00	2.89%
17-09-29-00-16-033.000	Lakes at Towne Road 2nd C.A. 11, 4.01 Ac	4.01	\$65.00	2.89%
17-09-29-00-16-032.000	Lakes at Towne Road 2nd C.A. 10, 1.23 Ac	1.23	\$65.00	2.89%
17-09-29-00-16-031.000	Lakes at Towne Road 2nd C.A. 9, 1.64 Ac	1.64	\$65.00	2.89%
17-09-29-00-16-030.000	Lakes at Towne Road 2nd C.A. 8, 1.01 Ac	1.01	\$65.00	2.89%

A hearing will be held by the Drainage Board in Commissioner's Court at 9:45 A.M. on October 23, 2006 on the Surveyor's maintenance report and the schedule of assessments. The law requires that objections must be written and filed not less than five (5) days before the above hearing on the ground that benefits assessed are excessive. Written evidence in support of objections may also be filed. The failure of any owner to file an objection constitutes a waiver of his right to thereafter object on such ground to any final action of the Board. On or before the hearing date the Surveyor or any owner of lands named in the schedule of assessments may cause written evidence to be filed in support of or in rebuttal to any objection filed.

HAMILTON COUNTY DRAINAGE BOARD One Hamilton County Square, Ste. 188 Noblesville, IN 46060

This drain shall be designated as an Urban Drain.

AFTER FIVE DAYS RETURN TO HAMILTON COUNTY DRAINAGE BOARD

*** SUITE 188

INDIANAPOLIS IN 462

22 SEP 2006 PM 3 T



ONE HAMILTON COUNTY SQUARE NOBLESVILLE, INDIANA 46060-2230

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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

September 17, 2009

Re: JW Brendle: Lakes at Towne Road Section 2

Attached are as-builts, certificate of completion & compliance, and other information for Lakes at Towne Road 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 August 30, 2006. The report was approved by the Board at the hearing held October 23, 2006. (See Drainage Board Minutes Book 9, Pages 512-513) The changes are as follows:

127 236	18	RCP	904.08	000.07	0.00	
	40		304.00	903.97	0.09	
	18	RCP	903.97	903.74	0.1	-1
193	18	RCP	903.49	903.74	0.12	
125	18	RCP	903.49	903.4	0.07	
30	18	RCP	903.4	903.36	0.13	
72	18	RCP	903.36	903.3	0.08	
62	12	RCP	905.25	903.29	3.16	-2
30	15	RCP	904.51	904.42	0.3	
119	15	RCP	904.42	903.49	0.78	-1
30	18	RCP	905.19	905.1	0.3	
217	12	RCP	906.31	905.6	0.33	
155	15	RCP	905.6	905.19	0.26	
187	21	RCP	905.1	904.13	0.51	1
125	12	RCP	905.8	905.38	0.34	
30	18	RCP	905.38	905.26	0.4	
142	18	RCP	905.26	904.82	0.3	
259	21	RCP	904.82	904.14	0.26	-2
145	21	RCP	904.14	903.48	0.46	
30	21	RCP	903.48	903.39	0.3	
55	24	RCP	903.39	903.18	0.38	
	125 30 72 62 30 119 30 217 155 187 125 30 142 259 145 30	125 18 30 18 72 18 62 12 30 15 119 15 30 18 217 12 155 15 187 21 125 12 30 18 142 18 259 21 145 21 30 21	125 18 RCP 30 18 RCP 72 18 RCP 62 12 RCP 30 15 RCP 119 15 RCP 30 18 RCP 217 12 RCP 155 15 RCP 187 21 RCP 125 12 RCP 142 18 RCP 142 18 RCP 259 21 RCP 145 21 RCP 145 21 RCP	125 18 RCP 903.49 30 18 RCP 903.4 72 18 RCP 903.36 62 12 RCP 905.25 30 15 RCP 904.51 119 15 RCP 904.42 30 18 RCP 905.19 217 12 RCP 906.31 155 15 RCP 905.6 187 21 RCP 905.1 125 12 RCP 905.8 30 18 RCP 905.38 142 18 RCP 905.26 259 21 RCP 904.82 145 21 RCP 904.14 30 21 RCP 903.48	125 18 RCP 903.49 903.4 30 18 RCP 903.4 903.36 72 18 RCP 903.36 903.3 62 12 RCP 905.25 903.29 30 15 RCP 904.51 904.42 119 15 RCP 904.42 903.49 30 18 RCP 905.19 905.1 217 12 RCP 906.31 905.6 155 15 RCP 905.6 905.19 187 21 RCP 905.6 905.19 187 21 RCP 905.1 904.13 125 12 RCP 905.8 905.38 30 18 RCP 905.38 905.26 142 18 RCP 905.38 905.26 142 18 RCP 905.26 904.82 259 21 RCP 904.82 904.14 <	125 18 RCP 903.49 903.4 0.07 30 18 RCP 903.4 903.36 0.13 72 18 RCP 903.36 903.3 0.08 62 12 RCP 905.25 903.29 3.16 30 15 RCP 904.51 904.42 0.3 119 15 RCP 904.42 903.49 0.78 30 18 RCP 905.19 905.1 0.3 217 12 RCP 906.31 905.6 0.33 155 15 RCP 905.1 905.19 0.26 187 21 RCP 905.1 904.13 0.51 125 12 RCP 905.8 905.38 0.34 30 18 RCP 905.8 905.38 0.34 30 18 RCP 905.8 905.26 0.4 142 18 RCP 905.26

RCP Pipe Totals:

		J
	12	404
	15	304
	18	985
	21	621
,	24	55

Total: 2369

SSD Streets Totals:

Lost Creek	1630
Diamond	
Lake	850
Rock Creek	1215

Total: 3695

The length of the drain due to the changes described above is now 6064 feet.

The non-enforcement was approved by the Board at its meeting on October 23, 2006 and recorded under instrument #200600063997.

The following sureties were guaranteed by Bond Safeguard Insurance Company and released by the Board on its October 23, 2006 meeting.

Bond-LC No: 5020171

Insured For: Storm Sewers

Amount: \$173,524

Issue Date: November 22, 2005

Bond-LC No: 5020170

Insured For: Erosion Control

Amount: \$68,494

Issue Date: November 22, 2005

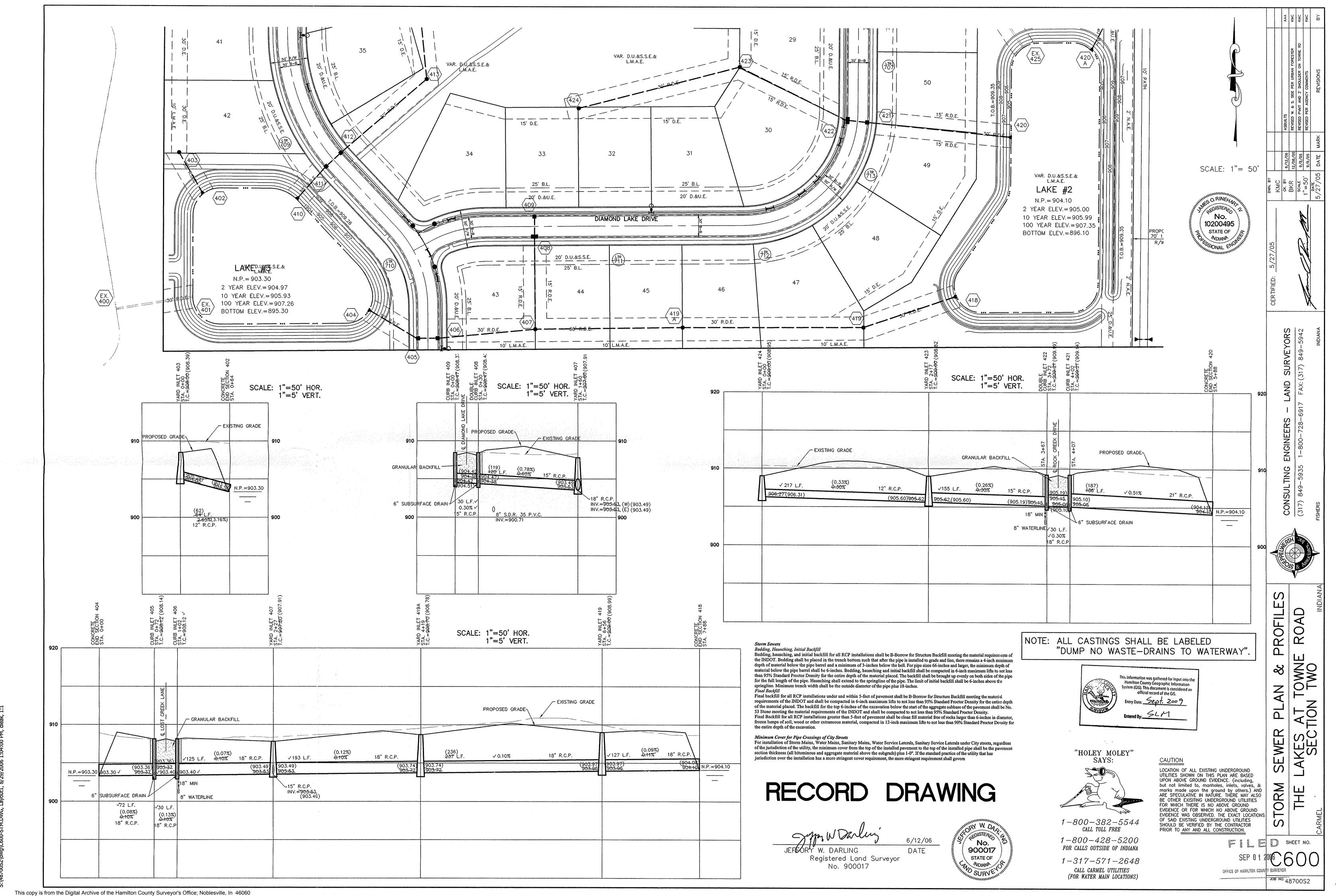
I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

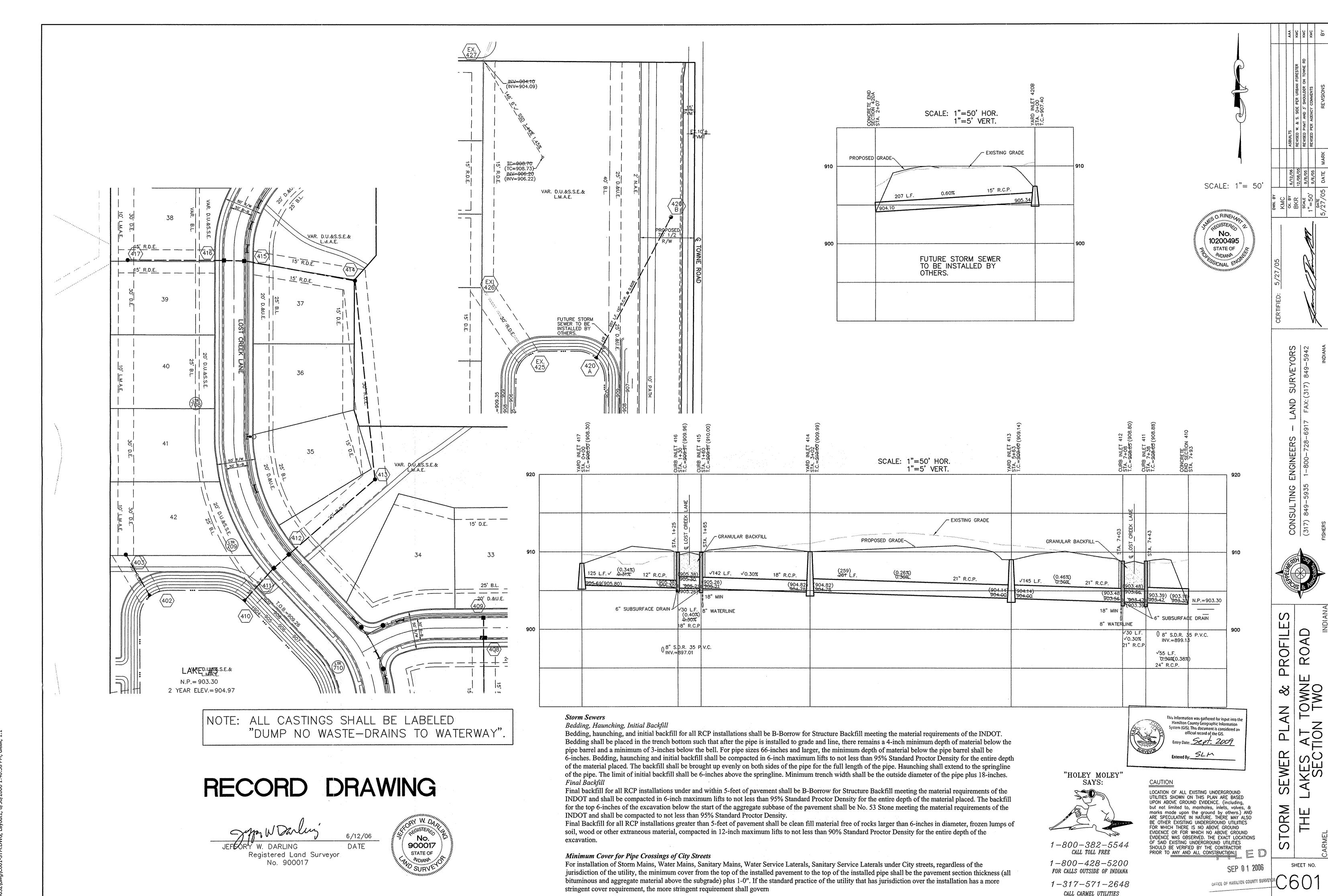
Kenton C. Ward, CFM

Hamilton County Surveyor

KCW/slm



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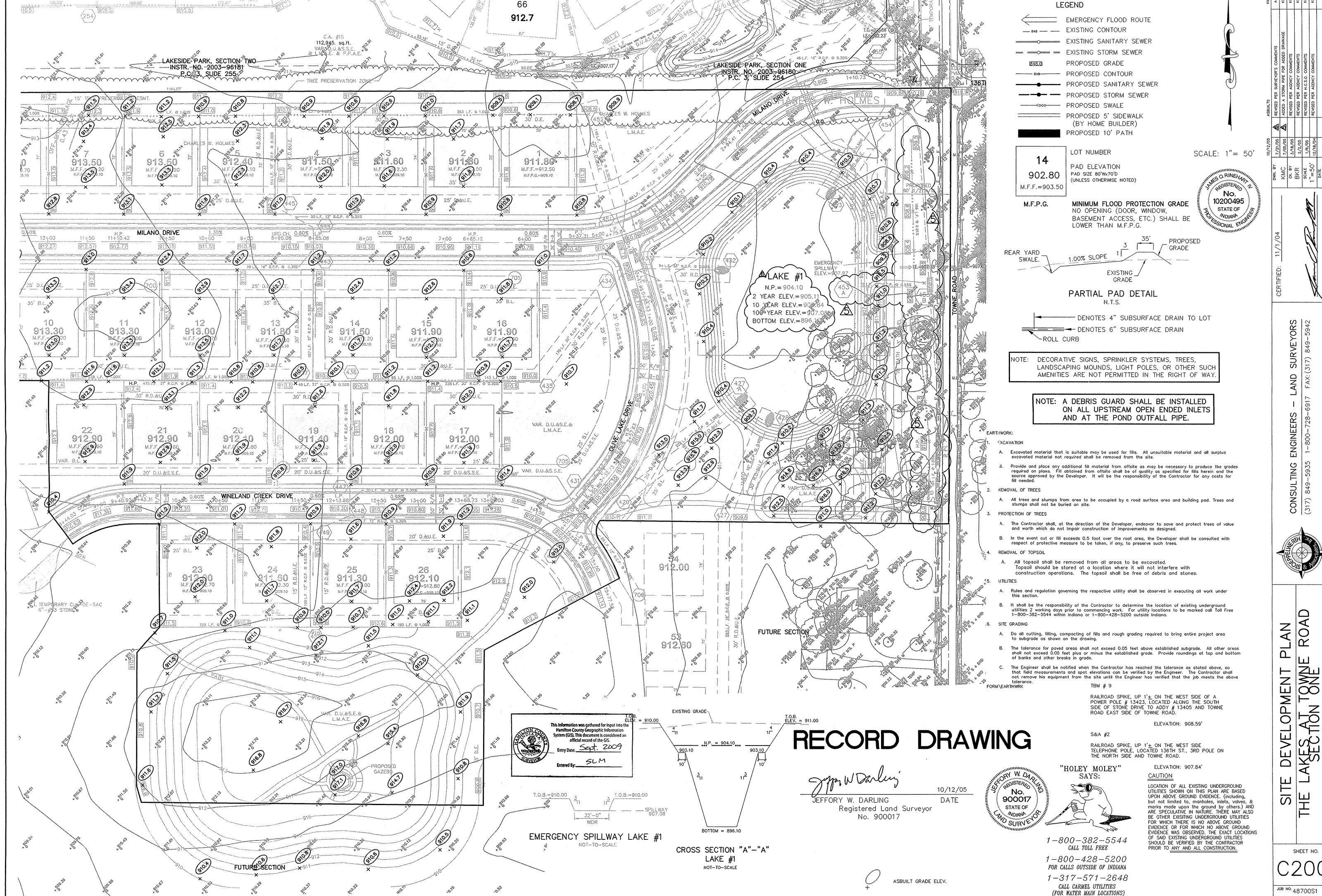


(FOR WATER MAIN LOCATIONS)

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