

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

August 1, 2008

TO: Hamilton County Drainage Board

RE: Long Branch Drain, The Sanctuary at 116th Street Section 4 Arm

Attached is a petition filed by Platinum Properties, LLC along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for The Sanctuary at 116th Street Section 4 Arm, Long Branch 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	7,468 ft.	24" RCP	288 ft.
12" RCP	431 ft.	30" RCP	329 ft.
15" RCP	255 ft.	36" RCP	372 ft.
18" RCP	1,104 ft.		

The total length of the drain will be 10,247 feet.

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 easement (right of way), are to be maintained as regulated drain. Laterals for individual lots will not be considered part of the regulated drain. The portion of the SSD which will be regulated other than those under curbs are as follows:

- Rear yard lots 125-126 from Str. 4719
- Common area Block W from Str. 2727
- Rear yard lot 155 from Str. 2731
- Rear yard lots 149-150 from Str. 2708
- Rear yard lots 147-148 from Str. 2708
- Rear yard lots 114 from Str. 4705
- Rear yard lots 115 from Str. 4705
- Rear yard lot 116 from Str. 4704
- Rear yard lots 117-118 from Str. 4704
- Rear yard lots 118-119 from Str. 4703
- Rear yard lots 120 from Str. 4703

Rear yard lot 121 from Str. 4702
Rear yard lot 124 from Str. 4702
Rear yard lot 126 from Str. 4714
Rear yard lot 134 from Str. 4714
Rear yard lot 133 from Str. 4713
Rear yard lots 130-132 from Str. 4713
Rear yard lots 137-138 from Str. 4718
Rear yard lots 138-139 from Str. 4721
Rear yard lot 140 from Str. 4721
Rear yard lots 141-142 from Str. 4722
Rear yard lots 143-146 from Str. 1737

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 \$1,471.70 for Section 4A and \$1,802.10 for Section 4B.

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:

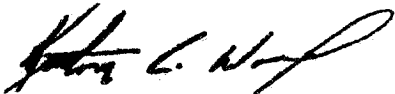
Agent: Bond Safeguard
Date: April 16, 2008
Number: 5033247
For: Storm Sewers
Amount: \$85,112.00

Agent: Bond Safeguard
Date: April 15, 2008
Number: 5033250
For: Sub-Surface Drain
Amount \$13, 148.00

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 two attached non-enforcement requests. The requests are for the reduction of the regulated drain easement to those easement widths as shown on the secondary plats for The Sanctuary at 116th Street, Section 4A & 4B as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for September 22, 2008



Kenton C. Ward, CFM
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 Sanctuary at 116th Street Subdivision, Section
Four 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 Sanctuary at 116th Street, 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

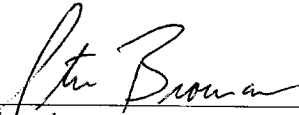
Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

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

Steve Broermann

Printed Name

8-16-07

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Long Branch Drain, The Sanctuary at 116th Street Section 4 Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Long Branch Drain, The Sanctuary at 116th Street Section 4 Arm** on **September 22, 2008** at **9:05 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

Long Branch Drain, The Sanctuary at 116th Street Section 4 Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **September 22, 2008** 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

FINDINGS AND ORDER

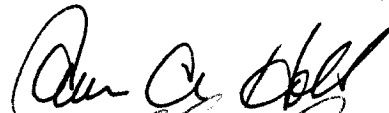
CONCERNING THE MAINTENANCE OF THE

Long Branch Drain, The Sanctuary at 116th Street Section 4 Arm

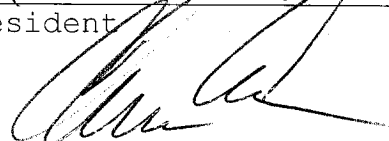
On this **22nd day of September 2008**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Long Branch Drain, The Sanctuary at 116th Street Section 4 Arm**.

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.

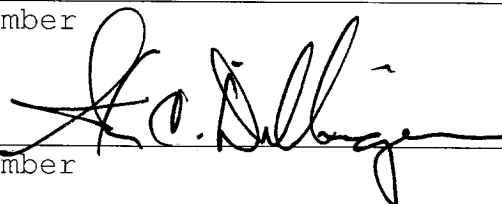
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

WEIHE
ENGINEERS
Land Surveying | Civil Engineering
Landscape Architecture
Build with confidence.

February 29, 2008

Hamilton County Surveyor's Office
One Hamilton County Square
Suite 188
Noblesville, Indiana 46060

Attention: Kent Ward

Re: Sanctuary at 116th St., Section 4A

Dear Mr. Ward:

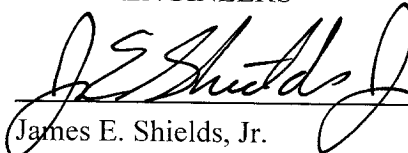
On behalf of the developer Platinum Properties, L.L.C., I wish to submit the following Engineer's Estimate for Sanctuary at 116th St., Section 4A. The estimate is as follows:

Storm Sewer	\$70,927.00
Sub Surface Drains	\$10,957.00
Monumentation	\$5,500.00

If you have any questions regarding these estimates, please contact Edward E. Fleming at (317) 846-6611.

Very truly yours,

WEIHE ENGINEERS



James E. Shields, Jr.
Professional Engineer