Drain:	Park Northwestern Drain
Improvement-Arm:	L A Fitness Arm
Date Approved:	January 28, 2008
Dra	ain Input Checklist
• Create Regulated Drain Record in 1	Posse
Drain Type Outlet (Tab) Outlet Attached Location Twp Certification Drain Number • Enter Improvement Arm in Posse (Construction Amount = Storm Dra • Scan Documents • Scan Documents • Surveyor's Report Engineer's Estimate Bonds Findings and Order Petition	Image:
 Create Posse Inspection Job Enter into Watershed Summary Spin Check for Vacation of Drain & Mail Check Drainage Easement Classified Sum drain length & Validate in GIS Enter New Watershed Length into I Create Boundary of Improvement in 	p Changes cation S Posse



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

November 30, 2007

To: Hamilton County Drainage Board

Re: Park Northwestern Drain

Attached is a petition and plans for the proposed reconstruction of the Park Northwestern Drain in Weston Park Block A. The relocation is being proposed by LA Fitness International, LLC. The proposal is to reconstruct the drain by enclosing it in pipe along the ROW of 106th Street and partially along the west property line of Weston Park Block A, to a point approximately 570 feet south of the center line of 106th Street and approximately 25 feet east of the west property line of Block A. The reconstructed drain is as shown on sheet C5.2 of the plans for LA Fitness, by TLF Consulting Engineers, dated September 21, 2007 and having job number 2007-199.

The line will consist of the following:

12" RCP 93 feet

18" RCP 750 feet

The new drain begins at Structure 305 per the plans, which is approximately 40 feet south of the center line of 106th Street and 320 feet east of the western boundary line of the Weston Park development, then to Structures 304, 303, 302, 301, and ending at Structure 300. The drain then goes back to the original open ditch. The project is enclosing 671 feet of open ditch from Sta. 0+00 to approximate Sta. 6+71, as outlined per the Park Northwestern Reconstruction Report to the Board dated December 1, 2004, with hearing date of December 13, 2004 (Drainage Board Minute Book 8, Pages 111 - 112).

The total length of new drain shall be 843 feet. The 671 feet of original drain between Sta. 0+00 and Sta. 6+71 shall be vacated. This proposal will add an additional 172 feet to the drains total length.

The cost of the relocation is to be paid for by LA Fitness International, LLC.

The petitioner has provided the Performance Bond as follows:

Name of Bonding Co.: Fidelity and Deposit Company of Maryland

Bond Number: 08900601

Bond Date: November 9, 2007

Bond Amount: \$75,445.20

I recommend the Board set a hearing for this proposed drain on January 28, 2008.

Konton C. Ward, CFM Hamilton County Surveyor

KCW/pll

HAMILTON COUNTY DRAINAGE BOARD NOBLESVILLE, INDIANA

IN RE: LA Fltness - Weston Park Block A Hamilton County, Indiana

PETITION FOR RELOCATION AND RECONSTRUCTION

		LA Fitness Internal	lional, LLC	(hereinafter Petitioner"),	
hereby	petitions the Har	nilton County Drai	nage Board for authority t	to relocate and improve a	
section	of the	Park North	western	_Drain, and in support of	
said pe	tition advises the	Board that:			
1.	Petitioner owns	real estate through	which a portion of the	Park Northwestern	
	Drain runs.		X		
2.	Petitioner plans	to develop its real e	estate with roads, building	s, utilities, storm drains,	
	sanitary sewers a	and other structures	i.		
3.	Petitioner's prop	osed development	of its real estate will requi	ire relocation and	
	reconstruction of	f a portion of the _	Park Northweste	rnDrain, as	
			plans and specifications fil		
	County Surveyo	r.			
4.	The work necess	ary for the propose	d relocation and reconstru	uction will be undertaken at	
	the sole expense	of the Petitioner ar	nd such work will result in	substantial improvement to	
	the Pa	ark Northwestern	Drain, without cos	st to other property owners	
	on the watershed	l of the	Park Northwestern	Drain.	
W	/HEREFORE, Pe	etitioner requests th	at an Order issued from th	e Hamilton County	

Drainage Board authorizing relocation and reconstruction of the _____ Park Northwestern _____ Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

Signed

John R. Turek Printed

Adobe PDF Fillable Form

LA Fitness Carmel - Weston Park Block A Park Northwestern Regulated Drain Reconstruction ENGINEER'S ESTIMATE OF PROBABLE CONSTRUCTION COSTS

Ter Horst, Lamson & Fisk, Inc.

Item No.	Description	Quantity	Unit	Rate \$	Cost \$
1	18" concrete end section & anchor	1	EACH	1,000.00	1,000
2	12" concrete end section & anchor	1	EACH	900.00	900
3	Remove 12" end section	2	EACH	250.00	500
4	18" RCP	662	LF	25.00	16,550
5	12" RCP	93	LF	20.00	1,860
6	4' dia. MH & casting	3	EACH	2,400.00	7,200
7	Type E inlet box & casting	1	EACH	1,200.00	1,200
8	Granular backfill	14	CY	30.00	420
9	Ditch fill & compaction	2460	CY	7.00	17,220
10	Hydroseed	28800	SF	0.15	4,320
11	Erosion blanket	1350	SF	1.00	1,350
12	Inlet protection	4	LS	100.00	400
13	Rip-rap at end sections	2	LS	500.00	1,000
14	Layout/Construction Staking	1	LS	550.00	550
15	As-built survey & drawing	1	LS	1,200.00	<u>1,200</u>
	Subtotal				54,670
	General Conditions, OH&P @ 15%				<u>8,201</u>
	TOTAL				\$62,87 1

9/25/2007



HCDB-2007-00068

Bond No. 08900601

COMPLETION BOND

KNOW ALL MEN BY THESE PRESENTS, that we, <u>Kite Realty Construction, LLC</u> as Principal, and Fidelity and Deposit Company of Maryland, of Baltimore, Maryland, as Surety, are held and firmly bound unto the <u>Hamilton County Board of Commissioners</u>, 1 <u>Hamilton County Square</u>, <u>Suite 188</u>, <u>Noblesville</u>, <u>IN 46060</u> in the sum of <u>Seventy-Five Thousand Four Hundred Forty-Five and 20/100ths</u> (<u>\$75,445.20</u>) 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 <u>9th</u> day of <u>November</u>, 2007.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH THAT:

Whereas, the <u>Hamilton County Board of Commissioners</u> has granted <u>Kite Realty Construction, LLC</u> a permit to construct <u>LA Fitness Carmel - Weston Park Block A</u>, 07-6079 – Park Northwestern <u>Regulation Drain Reconstruction</u>.

Now, if said <u>Kite Realty Construction, LLC</u>. shall improve said <u>LA Fitness Carmel - Weston Park</u> <u>Block A, 07-6079 – Park Northwestern Regulation Drain Reconstruction</u> in accordance with specifications and regulations of the <u>Hamilton County Board of Commissioners</u> 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.

Kite Realty Construction Principal By:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND Ginger J. Krahn Attorney-in-Fact

form#This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060



EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this	9th	day of	November	2007	
					-

Soncher

Assistant Secretary

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

Park Northwestern Drain, L. A. Fitness Sta. 0+00 to Sta.6+71

On this 28th day of January 2008, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Park Northwestern Drain, L. A. Fitness, Sta. 0+00 to Sta. 6+71.

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 **Park Northwestern Drain, L. A. Fitness.**

HAMILTON COUNTY DRAINAGE BOARD

Presiden

Member

Survette Mastrug-Attest:

STATE (ЭF	INDIANA)	
)	ss:
COUNTY	OF	HAMILTON)	

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD NOBLESVILLE, INDIANA

IN THE MATTER OF THE RECONSTRUCTION OF THE Park Northwestern Drain, L. A. Fitness Reconstruction

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Park Northwestern Drain, L. A. Fitness Reconstruction** came before the Hamilton County Drainage Board for hearing on January 28, 2008, 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 **Park Northwestern Drain**, L. A. Fitness Reconstruction 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

ATTEST:

Member

CERTIFICATE OF COMPLETION AND COMPLIANCE

To: Hamilton County Surveyor

Re: LA FITNESS, WESTON PARK BLOCK A

I hereby certify that:

- 1. I am a Registered Land Surveyor or Engineer 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.
- 4. The drainage facilities within the above referenced subdivision to the best of my knowledge, information and belief have been installed and completed in conformity with all plans and specifications.
- 5. The drainage facilities within the above referenced subdivision to the best of my knowledge, information and belief have been correctly represented on the Record Drawings, Digital Record Drawings and the Structure Data Spreadsheet.

Signature:	P. R. Date: 09.11.09
Type or Print Name: _	Pete M. Rankovich
Business Address:	TER HORST, LAMSON & FISK INC
	8675 PURDLE RD, INDIANAPOLIS IN 46268
Telephone Number:	317.334.1500
SISK MILOMIA SISK MILOMIA CONTREGIST NO	INDIANA REGISTRATION NUMBER
STATI	



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

March 10, 2010

Re: Park Northwestern Drain: LA Fitness Relocation

Attached are as-builts, certificate of completion & compliance, and other information for LA Fitness 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 November 30, 2007. The report was approved by the Board at the hearing held January 28, 2008. (See Drainage Board Minutes Book 11, Pages 23-25) The changes are as follows:

The 18" RCP was shortened from 750 feet to 745 feet.

The length of the drain due to the changes described above is now **838 feet**. This project removed 662 feet of open ditch that was installed with the 2004 Park Northwestern Drain Reconstruction. Therefore, this project added 176 feet of drain to the overall watershed.

The non-enforcement was approved by the Board at its meeting on January 28, 2008 and recorded under instrument # 2007068530. The following sureties were guaranteed by Fidelity and Deposit Company of Maryland and released by the Board on its November 9, 2009 meeting.

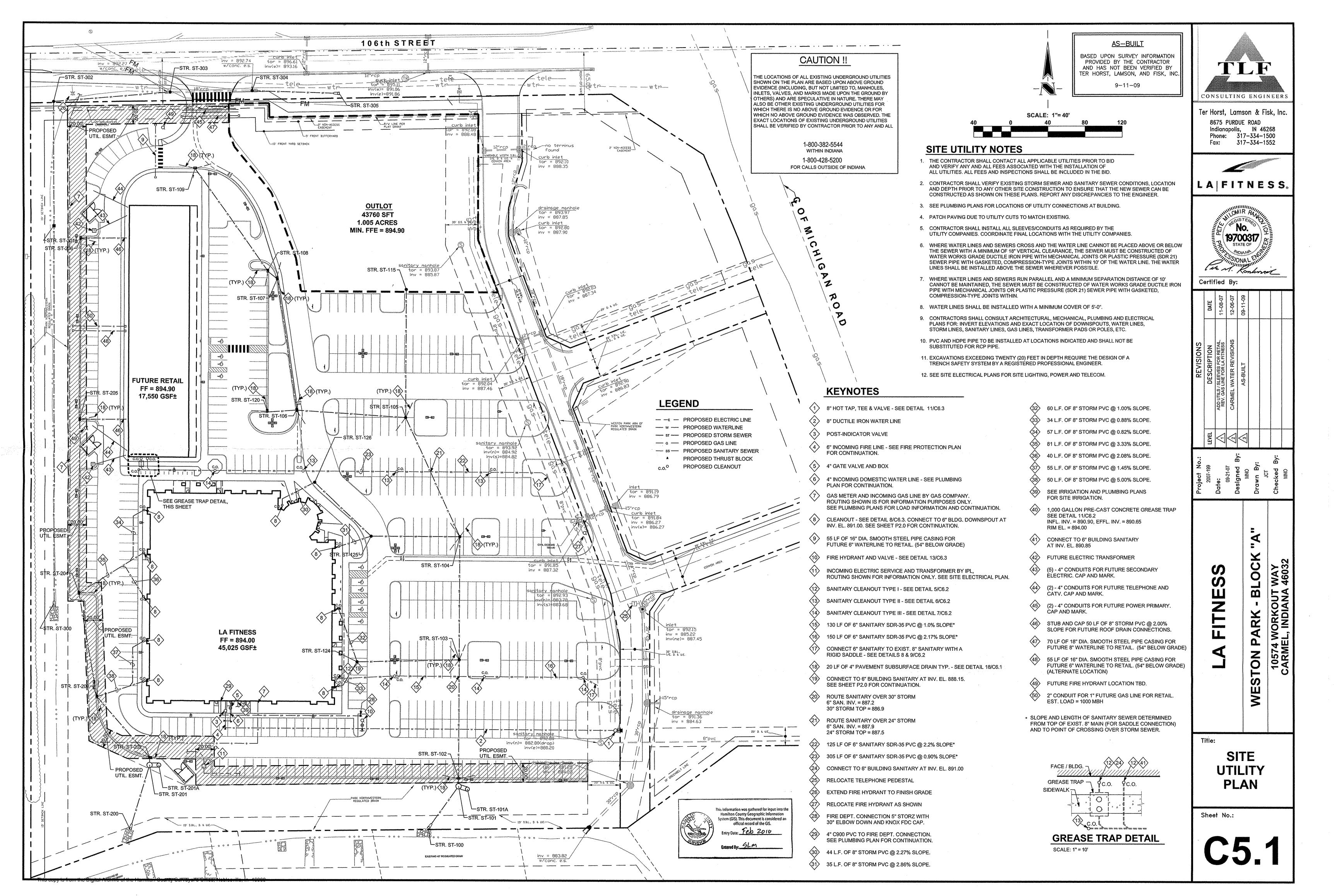
Bond-LC No: 08900601 Insured For: Storm Sewers Amount: \$75,445.20 Issue Date: November 9, 2007

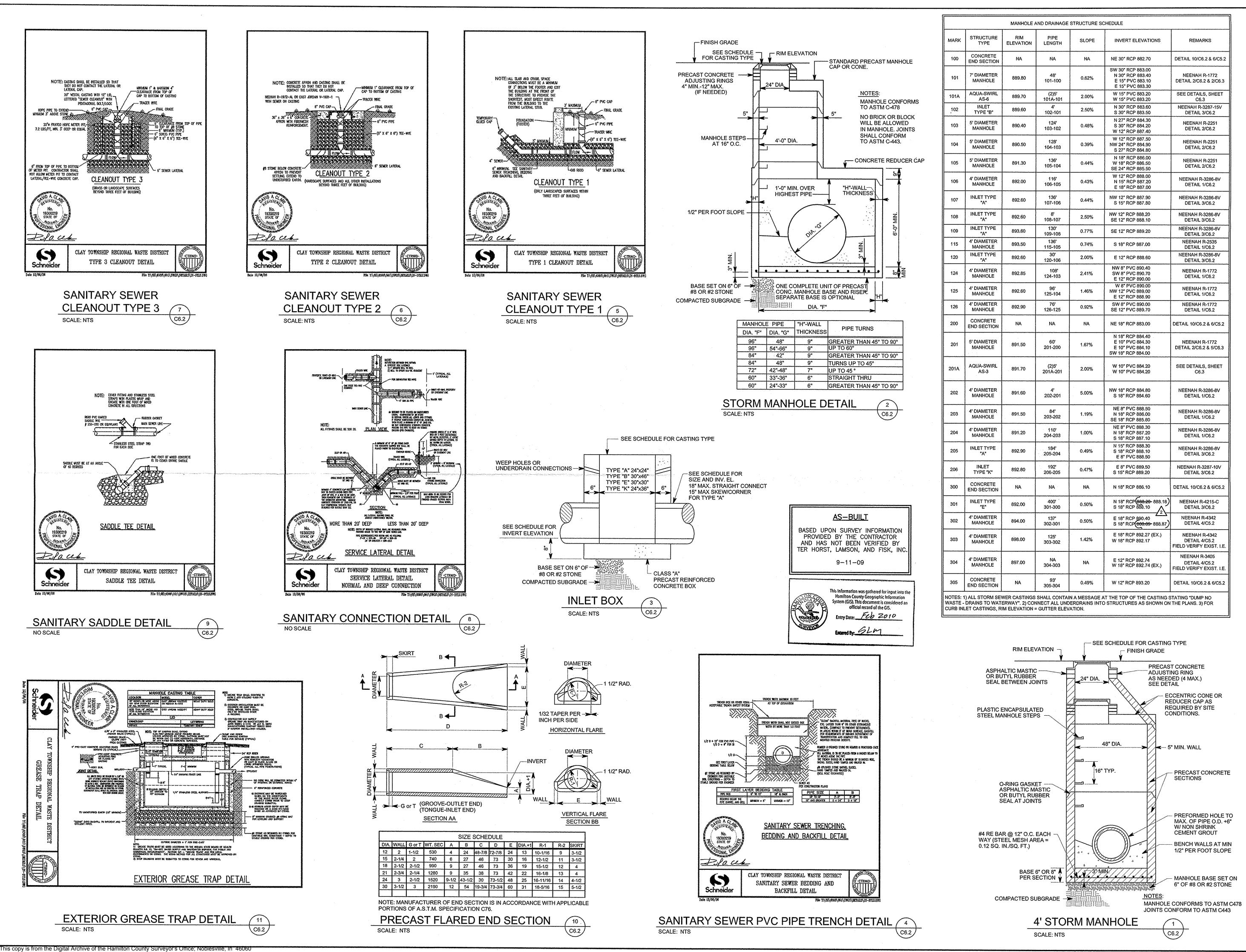
I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely.

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/slm





ICTURE YPE	RIM ELEVATION	PIPE LENGTH	SLOPE	INVERT ELEVATIONS	REMARKS
CRETE	NA	NA	NA	NE 30" RCP 882.70	DETAIL 10/C6.2 & 6/C5.2
METER IHOLE	889.80	48' 101-100	0.62%	SW 30" RCP 883.00 N 30" RCP 883.40 E 15" PVC 883.10 E 15" PVC 883.30	NEENAH R-1772 DETAIL 2/C6.2 & 2/C6.3
-SWIRL S-6	889.70	(2)5' 101A-101	2.00%	W 15" PVC 883.20 W 15" PVC 883.20	SEE DETAILS, SHEET C6.3
LET PE "B"	889.60	4' 102-101	2.50%	N 30" RCP 883.60 S 30" RCP 883.50	NEENAH R-3287-15V DETAIL 3/C6.2
METER IHOLE	890.40	124' 103-102	0.48%	N 27" RCP 884.30 S 30" RCP 884.20 W 12" RCP 887.40	NEENAH R-2251 DETAIL 2/C6.2
METER IHOLE	890.50	128' 104-103	0.39%	W 12" RCP 887.50 NW 24" RCP 884.90 S 27" RCP 884.80	NEENAH R-2251 DETAIL 2/C6.2
METER IHOLE	891.30	136' 105-104	0.44%	N 18" RCP 886.00 W 18" RCP 886.50 SE 24" RCP 885.50	NEENAH R-2251 DETAIL 2/C6.2
METER IHOLE	892.00	116' 106-105	0.43%	W 12" RCP 888.00 N 15" RCP 887.20 E 18" RCP 887.00	NEENAH R-3286-8V DETAIL 1/C6.2
T TYPE	892.60	136' 107-106	0.44%	NW 12" RCP 887.90 S 15" RCP 887.80	NEENAH R-3286-8V DETAIL 3/C6.2
T TYPE 'A"	892.60	8' 108-107	2.50%	NW 12" RCP 888.20 SE 12" RCP 888.10	NEENAH R-3286-8V DETAIL 3/C6.2
Г ТҮРЕ 'А"	893.60	130' 109-108	0.77%	SE 12" RCP 889.20	NEENAH R-3286-8V DETAIL 3/C6.2
METER HOLE	893.50	136' 115-105	0.74%	S 18" RCP 887.00	NEENAH R-2535 DETAIL 1/C6.2
TTYPE A"	892.60	30' 120-106	2.00%	E 12" RCP 888.60	NEENAH R-3286-8V DETAIL 3/C6.2
METER HOLE	892.85	108' 124-103	2.41%	NW 8" PVC 890.40 SW 8" PVC 890.70 E 12" RCP 890.00	NEENAH R-1772 DETAIL 1/C6.2
METER HOLE	892.60	96' 125-104	1.46%	W 8" PVC 890.00 NW 12" PVC 889.00 E 12" RCP 888.90	NEENAH R-1772 DETAIL 1/C6.2
METER HOLE	892.90	76' 126-125	0.92%	SW 8" PVC 890.00 SE 12" PVC 889.70	NEENAH R-1772 DETAIL 1/C6.2
CRETE ECTION	NA	NA	NA	NE 18" RCP 883.00	DETAIL 10/C6.2 & 6/C5.2
METER IHOLE	891.50	60' 201-200	1.67%	N 18" RCP 884.40 E 10" PVC 884.30 E 10" PVC 884.10 SW 18" RCP 884.00	NEENAH R-1772 DETAIL 2/C6.2 & 5/C6.3
-SWIRL S-3	891.70	(2)5' 201A-201	2.00%	W 10" PVC 884.20 W 10" PVC 884.20	SEE DETAILS, SHEET C6.3
METER HOLE	891.60	4' 202-201	5.00%	NW 18" RCP 884.80 S 18" RCP 884.60	NEENAH R-3286-8V DETAIL 1/C6.2
METER HOLE	891.50	84' 203-202	1.19%	NE 8" PVC 888.50 N 18" RCP 886.00 SE 18" RCP 885.80	NEENAH R-3286-8V DETAIL 1/C6.2
METER HOLE	891.20	110' 204-203	1.00%	NE 8" PVC 888.30 N 18" RCP 887.20 S 18" RCP 887.10	NEENAH R-3286-8V DETAIL 1/C6.2
TYPE A"	892.90	184' 205-204	0.49%	N 15" RCP 888.30 S 18" RCP 888.10 E 8" PVC 888.50	NEENAH R-3286-8V DETAIL 3/C6.2
LET E "K"	892.80	192' 206-205	0.47%	E 8" PVC 889.50 S 15" RCP 889.20	NEENAH R-3287-10V DETAIL 3/C6.2
CRETE ECTION	NA	NA	NA	N 18" RCP 886.10	DETAIL 10/C6.2 & 6/C5.2
TYPE E"	892.00	400' 301-300	0.50%	N 18" RCP 888.20- 888.18) S 18" RCP 888.10	NEENAH R-4215-C DETAIL 3/C6.2
METER HOLE	894.00	137' 302-301	0.50%	E 18" RCP 890.40 S 18" RCP(608.09- 888.87)	NEENAH R-4342 DETAIL 4/C5.2
METER HOLE	898.00	125' 303-302	1.42%	E 18" RCP 892.27 (EX.) W 18" RCP 892.17	NEENAH R-4342 DETAIL 4/C5.2 FIELD VERIFY EXIST, I.E
METER HOLE	897.00	NA 304-303	NA	E 12" RCP 892.74 W 18" RCP 892.74 (EX.)	NEENAH R-3405 DETAIL 4/C5.2 FIELD VERIFY EXIST. I.E
CRETE ECTION	NA	93' 305-304	0.49%	W 12" RCP 893.20	DETAIL 10/C6.2 & 6/C5.2

