

Kew

SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County

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One Hamilton County Square
Noblesville, Indiana 46060-2230

October 2, 2015

To: Hamilton County Drainage Board

Re: Ream Creek Regulated Drain - Sunrise on the Monon

Attached is a petition, filed by Judy Singleton and Thomas Hinshaw on December 30, 2014, along with drain map, plans, non-enforcement request, and schedule of assessments for the Ream Creek Drainage Area. Ream Creek Drain is 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:

1,897 FT.	Open Ditch.
556 FT.	Open Ditch – Arm 1

The total new length of the drain will be 2,453 feet.

The proposed drain will begin at the south property line of parcel 17-13-12-00-00-003.002, owned by Sunrise on the Monon Apartments, LLC, which is also the current Sta. 0+00 of the Ream Creek Drain. The drain will extend north across parcel 17-13-12-00-00-003.000, owned by Sunrise on the Monon, LLC, to the point it crosses the north property line of parcel 17-13-12-00-00-003.001, owned by Carmel Clay Board of Parks and Recreation. Arm 1 shall begin at the confluence with the main channel and run west in the existing channel to the west property line of parcel 17-13-12-00-00-003.001, owned by Carmel Clay Board of Parks and Recreation, then continue as open drain through the existing pipe under the Monon Trail, to the western property line of parcel 17-13-12-00-00-012.002, owned by the City of Carmel.

The drain is being reconstructed and deepened by the developer of Sunrise on the Monon at my request, as shown on the plans for Sunrise on the Monon – Ream Creek Modifications, designed by Crossroad Engineers, PC., dated November 17, 2014.

I recommend the Drainage Board place this segment of Ream Creek on a maintenance program as set out in IC 36-9-27-38. The nature of the maintenance work which may be required, but not limited to, is as follows:

- a. Removal and /or prevention of brush within the drainage easement by hand, mechanical or spray methods.
- b. Re-excavating of open ditch to original grade line.
- c. Installation and/or repair of surface water structure as might be required.
- d. Bank erosion protection and/or seeding as might be required.
- e. Repair of regulated and private tile outlet ends as might be required.
- f. Replacement of broken tile outlet ends as might be required.
- g. Removal of debris and/or blockage from the existing open drain.
- h. Any other repairs necessary to restore the drain to its original intended condition.

The frequency with which maintenance work should be performed annually is as required by the condition of the drain.


I have reviewed the drain map and believe, as set out in IC 36-9-27-69(b) (1) that all tracts within the drainage shed of the Ream Creek Drain will benefit. The following maintenance assessments have been adopted by the Board at its meeting on June 23, 2003, (Minutes Book 7, Pages 79-80).

Maintenance of the remaining drainage facilities within the Sunrise on the Monon subdivision shall be under the City of Carmel.

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 will be for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Sunrise on the Monon as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for November 23, 2015.



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

**Gasb 34 Asset Price &
Drain Length Log**

Drain-Improvement: REAM CREEK: SUNRISE ON THE MONON

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
OPEN	-	2453	2453	0	\$19.55 lf	\$47,956.15

Sum: _____ \$47,956.15

Final Report: n/a

Comments:
existing Ream Creek - approved as Regulated Drain on 11-23-2015

DEC 30 2014

To: Hamilton County Drainage Board

Re: In the matter of the Ream Creek Drain Petition

OFFICE OF HAMILTON COUNTY SURVEYOR

Comes now the undersigned individuals, who petition the Hamilton County Drainage Board, per IC 36-9-27-54, for a new regulated drain. The undersigned believe the following:

1. They are owners of ten percent (10%) in acreage; or twenty five percent (25%) or more of the assessed valuation of the land that is outside the corporate boundaries of a municipality and is alleged by the petition to be affected by the proposed drain.
2. That as property owners within the drainage shed, they are qualified petitioners.
3. That they now desire that a regulated drain be established in Clay Township, which involves the following public roads; Orchard Park Drive and various areas surrounding these roads in the drainage shed.
4. The names and address of each owner affected by the proposed public drainage are attached hereto, made a part hereof, and marked Exhibit "A", which area of land involved in the proposed drainage area is located in section 12, township 17 north, range 3 east, Hamilton County, Indiana.
5. No other public lands or owners are located in the area which would affect improvement.
6. That the general route of the proposed drain is shown in the attached plan which is marked Exhibit "B" and made a part hereof.
7. That in the opinion of the Petitioner, the costs, damages, and expenses of the proposed improvement will be less than the benefits which will result to the owners of the land to be benefited thereby.
8. That in the opinion of the Petitioner, the proposed improvement will improve the public health; benefit a public highway; and be of public utility.
9. That the name of the attorney or spokesman representing petitioner in the drainage petition is ANDREW GREENWOOD, who has an office at or whose address is 1132 S. RANGELINE RD CAMEL, IN 46032, phone 317-341-5909.
10. That Petitioners shall pay all the cost of notice and all legal costs if the petition is dismissed. These costs include but are not limited to engineering, appraisals, surveying and other costs associated with the proposed drain.
11. Petitioners shall post a bond, if required, to pay the cost of notice and all legal costs in the case the improvement is not established. These costs include but are not limited to engineering, appraisals, surveying and other costs associated with the proposed drain.

Signature	Printed Name	Printed Address
<u>Judy H. Singleton</u>	<u>Judy Singleton</u>	<u>7820 Holly Creek Lane, INDY 46240</u>
<u>Thomas B. Hinshaw</u>	<u>Thomas B. Hinshaw</u>	<u>5901 N. Illinois St INDIANAPOLIS, IN 46208</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

DEC 30 2014

EXHIBIT "A"
Legal Description

OFFICE OF HAMILTON COUNTY SURVEYOR

Tract 1

The North Half of the Southeast Quarter of Section 12, Township 17 North, Range 3 East located in Clay Township, Hamilton County, Indiana, except the following described real estate:

Beginning at the Southeast corner of the North Half of the Southeast Quarter of Section 12, Township 17 North, Range 3 East running thence West 402 Feet to an iron stake; thence North parallel with the East line of said quarter section, 325 feet to an iron stake; thence East parallel with the South Line of this tract 402 feet to the intersection with the East line of said quarter section; thence South on and along said East line 325 feet to the place of beginning, containing 3 acres, more or less, in Clay Township, Hamilton County, Indiana. Also except that real estate conveyed to the City of Carmel by Warranty Deed dated August 9, 2006, and recorded January 10, 2007, as Instrument 2007002077, and more particularly described as follows:

A part of the North Half of the Southeast Quarter of Section 12, Township 17 North, Range 3 East, Hamilton County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Plat marked Exhibit "B" described as follows: Beginning at the northeast corner of said Southeast Quarter; thence South 0 degrees 07 minutes 23 seconds West (bearing assumed) 1014.06 feet along the east line of said Southeast Quarter to the northeast corner of a 3 acre exception parcel described in a Warranty Deed recorded as Instrument No. 9509566876 in the Office of the Recorder of Hamilton County, Indiana; thence North 89 degrees 05 minutes 53 seconds West 70.01 feet along the north line of said exception parcel to point "336" designated on said Plat; thence North 0 degrees 07 minutes 23 seconds East 1013.34 feet to the north line of said Southeast Quarter and point "335" designated on said Plat; thence South 89 degrees 41 minutes 06 seconds East 70.00 feet along said north line to the point of beginning and containing 1.629 acres, more or less.

Tract 2

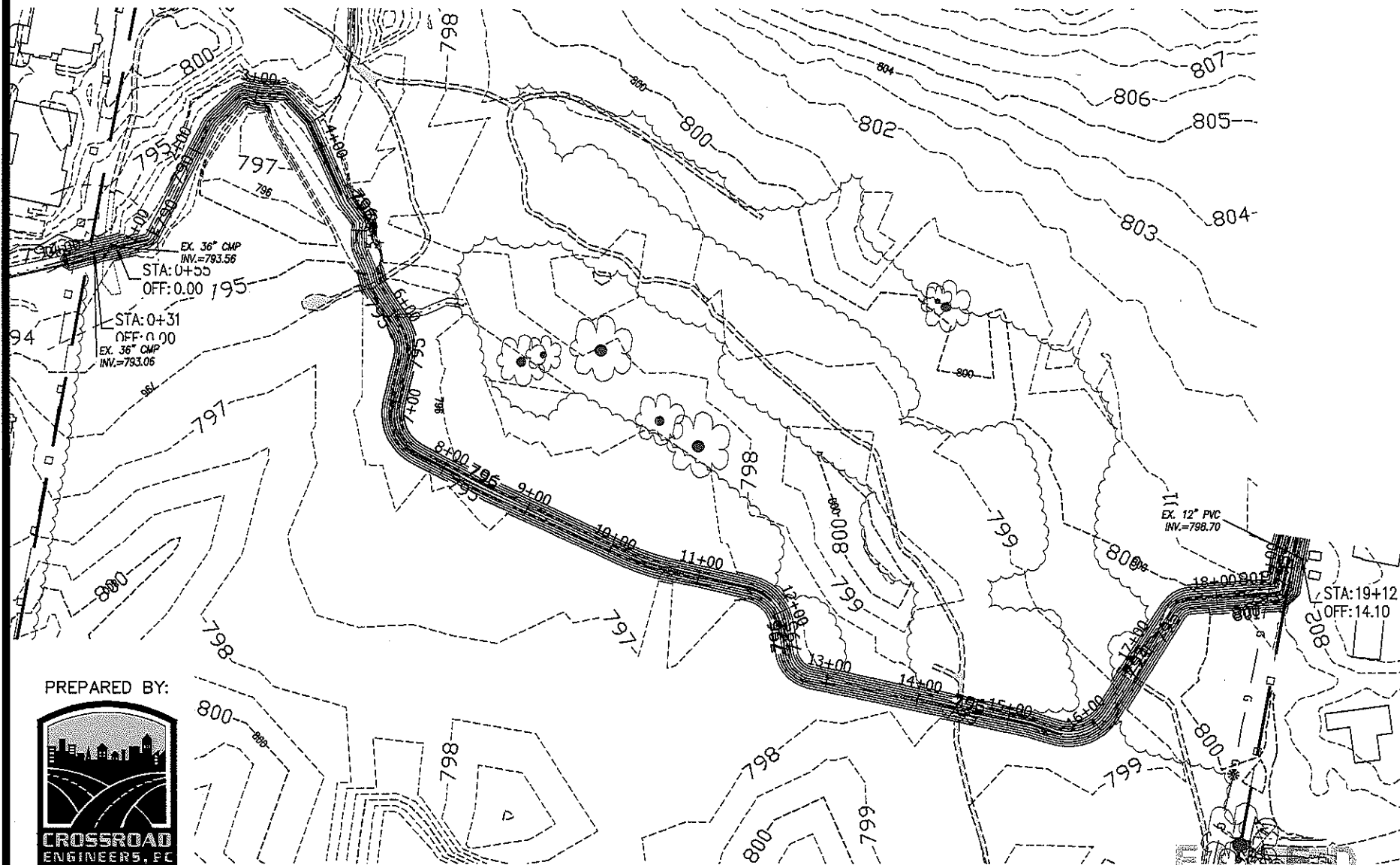
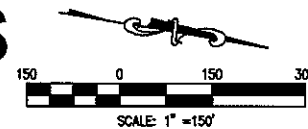
Part of the Southwest Quarter of Section 12, Township 17 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows to-wit:

Beginning at the Southeast corner of the North Half of the Southeast Quarter of Section 12, Township 17 North, Range 3 East; running thence West 402 Feet to an iron stake; thence North parallel with the East line of said quarter section, 325 feet to an iron stake; thence East parallel with the South Line of this tract 402 feet to the intersection with the East line of said quarter section; thence South on and along said East line 325 feet to the place of beginning, containing 3 acres, more or less.

EXCEPT for the following described real estate: A part of the North Half of the Southeast Quarter of Section 12, Township 17 North, Range 3 East, Hamilton County, Indiana, and being the real estate depicted on the attached Right-of-Way Parcel Plat marked Exhibit "B", beginning at the southeast corner of the North Half of said Southeast Quarter; thence North 89 degrees 05 minutes 53 seconds West (bearing assumed) 70.01 feet along the south line of said Half Quarter Section to point "337" designated on said Plat; thence North 0 degrees 07 minutes 23 seconds East 325.00 feet to the north line of the grantor's land and point "336" designated on said Plat; thence South 89 degrees 05 minutes 53 seconds East 70.01 feet along said north line to the east line of said Southeast Quarter; thence South 0 degrees 07 minutes 23 seconds West 325.00 feet along said east line to the point of beginning and containing 0.522 acres, more or less.

EXHIBIT "B"

REAM CREEK MODIFICATIONS



PREPARED BY:



CROSSROAD
ENGINEERS, PC

Transportation &
Development Consultants
3417 SHEWAN DR. BEECH GROVE, IN 46107 (317) 780-1505
DECEMBER 17, 2014

FILED

DEC 30 2014

OFFICE OF HAMILTON COUNTY SURVEYOR

FINDINGS AND ORDER

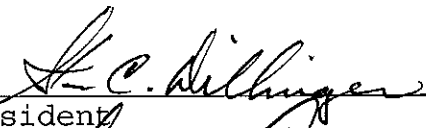
CONCERNING THE MAINTENANCE OF THE

Ream Creek Regulated Drain, Sunrise on the Monon

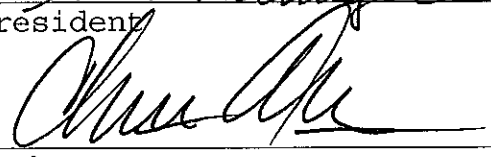
On this 23rd day of November, 2015, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Ream Creek Regulated Drain, Sunrise on the Monon*.

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.

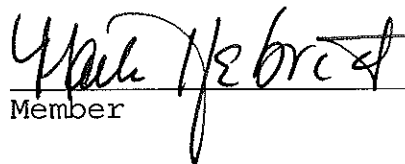
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 
Executive Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Ream Creek Regulated Drain, Sunrise on the Monon

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Ream Creek Regulated Drain, Sunrise on the Monon** on **November 23, 2015** at **9:00 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

Ream Creek Regulated Drain, Sunrise on the Monon

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **November 23, 2015** 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