

Kenton C. Ward, Surveyor Phone (317) 776-8495 Tax (317) 776-9628

Suite 188 One Hamilton County Square Noblesville, Indiana 46060-2230

June 8, 2004

To: Hamilton County Drainage Board

Re: Oliver Shoemaker Drain

Attached is a petition and plans for the proposed relocation of the Oliver Shoemaker Drain. The relocation is being proposed by AMLI Residential Construction, LLP. The proposal is to reconstruct and relocate the original Oliver Shoemaker Drain between Sta. 32+00 and Sta. 58. Station 32+00 is that which is located on the west side of Cumberland Road and is described in my report to the Board dated June 4, 1999 and approved by the Board at it's meeting of June 14, 1999. See Drainage Board Minute Book 5, Pages 154-157. Station 58 is located on the north side of 141st Street and is described in my report to the Board dated April 21, 1996 and approved by the Board at it's meeting of May 28, 1996. See Drainage Board Minutes Book 4, pages 235-237.

The portion of new drain is that as shown on the plans prepared by Mid-States Engineering dated January 26, 2004, project number 122-0102. The plans, prepared for AMLI Residential Construction, LLP are titled Site Construction Plans for Oliver Shoemaker Legal Drain Relocation. The lengths to be considered part of the drain are those portions of drain between the following structures as shown on these plans:

Str. ES to OS1, OS2, OS3, OS4, OS5, OS6, OS8.

Structure OS8 is the same as Station 32+00 of the original Oliver Shoemaker Drain. The drain shall also consist of the extension of the existing 30x48" CMPA to OS6. Along with the above lengths of pipe shall be a swale which is to be constructed with the storm sewer.

The relocated drain also consists of the section of existing tile between structures 2 and 3 shown on the plans dated September 20, 2000, Job Number 111-1275 prepared by Mid-States Engineering. The lake shown on these plans (Between ES on 2004 plans and Str. 3 on 2000 plans) shall not be considered as part of the regulated drain. Only the inlet and outlet will be maintained as part of the regulated drain. The maintenance of the pond (lake) will be the responsibility of the property owner. The Board will however retain jurisdiction for ensuring the storage volume for which the lake was designed will be retained. Thereby, allowing no fill or

easement encroachments. Also, to be considered part of the regulated drain is the open ditch between Str. 7 of the 2004 plan and Str. 2 of the 2000 plan along with Str. 7, 8 and 8A.

This line will consist of the following:

36" RCP	75 ft	48" RCP	1626 ft	Open Ditch	290 ft
42" RCP	236 ft	30"x48" CMPA	42 ft	•	

The total length of new drain shall be 2,269 feet. The 2,600 feet of original drain between Station 32 and Station 58 shall be vacated. This proposal will reduce the length of drain by 331 feet.

The cost of the relocation is to be paid by AMLI Residential Construction, LLP. Because the project is to be paid by the petitioner and is within the boundaries of the petitioner's property, the project falls under the requirements as set out in IC 36-29-27-52.5. Therefore, a hearing is not required for the petition.

The petitioner has provided the Performance Bond as follows:

Name of Bonding Company: Fidelity and Deposit of Maryland

Bond #: PRF8136481

Bond Date: March 12, 2004 Bond Amount: \$198,033.00

I recommend approval by the Board at this time.

Kenton C. Ward

Hamilton County Surveyor

KCW/llm

HAMILTON COUNTY DRAINAGE BOARD NOBLESVILLE, INDIANA

IN RE:
Hamilton County, Indiana)
PETITION FOR RELOCATION AND RECONSTRUCTION
Construction Limited for thership (hereinafter "Petitioner"),
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a
section of the Oliver Shoemaker Open Legal Drain, and in support of said
petition advises the Board that:
Petitioner owns real estate through which a portion of the Oliver Shoemaker Open Legal
Drain runs.
2. Petitioner plans to develop its real estate with roads, buildings, utilities, storm drains,
sanitary sewers and other structures.
3. Petitioner's proposed development of its real estate will require relocation and
reconstruction of a portion of the Oliver Shoemaker Open Legal Drain, as
Specifically shown on engineering plans and specifications filed with the Hamilton
County Surveyor.
4. The work necessary for the proposed relocation and reconstruction will be undertaken at
the sole expense of the Petitioner and such work will result in substantial improvement to
the Oliver Shoemaker Open Legal Drain, without cost to other property owners on the
watershed of the Oliver Shoemaker Open Legal Drain.
5. Proposed relocation and reconstruction will not adversely affect other land owners within
the drainage shed.
6. Petitioner request approval of the proposed relocation and reconstruction under
IC 36-9-27-52.5.
WHEREFORE, Petitioner requests that an Order issued from the Hamilton County
Drainage Board authorizing relocation and reconstruction of the Oliver Shoemaker Open Legal
Drain, in conformance with applicable law and plans and specifications on file with the Hamilton
County Surveyor.
BuceWRoll
Signed
MAR 1 7 2004 Printed
OFFICE OF HAMILTON COUNTY SURVEYOR AMLI RESIDENTIAL CONSTRUCTION, L.P.

By: AMLI Residential Construction,LLC, its sole general partner By: Bruce W. Rigsbee Vice-President

Oliver Shoemaker Legal Drain

On June 14, 2004 the Hamilton County Drainage Board met to review the plans for the relocation of the Oliver Shoemaker Legal Drain, Project #122-0102.

The decision of the Board is:		
Approved:	Disapproved:	
Approved with Comment:	NONE	
Signature:Christine Altman President	Signature:	Gold.
Signature:Steven C. Dillinger	<u>.</u> ·	

State of Indiana Mid-States Engineering LLC Estimator Detailed Estimate

Page 1 Mar 8, 2004 9:19 AM

Contract Number:

Project: AMLI AT PAIRIE LAKES

Estimated by: Jay Shockley Mar 05, 2004 Checked by: Chadi Karam Mar 08, 2004 Approved by: Jonathan Moen Mar 08, 2004

Units: English County: Hamilton

Spec Year: 1999 Work Type: G400

Letting Date: May 05, 2004

Total Estimate: \$198,033.28		
202-93047 1.0000 EACH @ \$484.21 0001 MANHOLE, REMOVE	=	\$484.21
203-02000 1,900.0000 CYS @ \$11.08 0002 EXCAVATION, COMMON	=	\$21,052.00
205-00001 1.0000 LS @ \$5,000.00 0003 SEDIMENT AND REROSION CONTROL		\$5,000.00
621-00001 1.0000 LS @ \$3,000.00 0004 SEEDING		\$3,000.00
715-00001 1,675.0000 LFT @ \$75.00 0005 PIPE, RCP, 48 IN.	=	\$125,625.00
715-00002 76.0000 LFT @ \$90.00 0006 PIPE, RCP, MIN. AREA 8.8 SQ. FT. 48 IN. x 36 IN.	=	\$6,840.00
715-00003 1.0000 EACH @ \$1,200.00 0007 PIPE END SECTION, RCP, 48 IN.	==	\$1,200.00
720-00001 7.0000 EACH @ \$4,976.01 0008 MANHOLE, L WITH NEEHAH R-2560-D CASTING	=	\$34,832.07
		·
Project Motal	_	¢100 022 00



Fidelity and Deposit Company of Maryland Home Office: P.O. Box 1227, Baltimore, MD 21203-1227

PERFORMANCE BOND

Bond #PRF8136481

KNOW ALL MEN BY THESE PRESENTS, that we, <u>AMLI Residential Construction</u> , LLC, as Principal and <u>Fidelity & Deposit Company</u> , a Corporation of the State of Maryland, authorized to write Surety Bonds in the State of Indiana, as Surety, are jointly and severally held and firmly bound unto the <u>Hamilton County Board of Commissioners</u> , the sum of <u>One hundred ninety-eight thousand thirty-three</u> dollars (\$198,033.00) lawful money of the United State of America, for which payment well and truly to be made, we bind ourselves, executors, administrators, heirs, successors, and assigns, jointly and severally by these presents.
THE CONDITIONS OF THIS OBLIGATION ARE SUCH THAT,
WHEREAS, the <u>Hamilton County Board of Commissioners</u> has required the Principal as a condition of approval and acceptance of the project listed below to post a bond and insure completion of:
Relocation of legal drain at AMLI at Prairie Lakes, NW Corner of Cumberland Road at 141st Street, Noblesville, Indiana.
We understand and agree that the only requirements necessary for drawing any part or all the total amount of this bond is a letter of request from the <u>Hamilton County Board of Commissioners</u> signed by the <u>Hamilton County Surveyor</u> stating that the <u>Hamilton County Board of Commissioners</u> considers such a drawing on this bond amount necessary. No further substantiation of the necessity of the draw is required by the bond.
NOW, THEREFORE, if the said Principal shall furnish, install and complete, under the inspection and to the satisfaction of the <u>Hamilton County Board of Commissioners</u> and in accordance with the above described specifications, the improvements aforesaid in said project as hereinbefore listed, then this obligation shall be null and void; otherwise, it shall remain in full force and effect.
Signed, sealed and dated this day of March, 2004
Principal: AMLI Residential Construction, LLC Surety: Fidelity & Deposit Co. of MD
By: AMLI Management Company
By: By: Charlotte Sparrow, Vice President By: Mark T. Meyers, Attorney-In-Fact
125 S. Wacker Drive, Suite 3100 P.O. Box 1227 Mailing Address Mailing Address
Chicago, IL 60611 City, State, Zip Baltimore, MD 21203-1227 City, State, Zip
الماري

Power of Attorney FIDELITY AND DEPOSIT COMPANY OF MARYLAND HOME OFFICE: 3910 KESWICK ROAD, BALTIMORE, MD 21211

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by PAUL C. ROGERS, Vice President, and T. E. SMITH, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Mark T. Meyers, Dennis M. Kelly, Daniel J. Schwartz, William S. Fischbein and Nancy M. Evans, all of Chicago, Illinois, EACH its true and lawful agent and Attendy-in-Fact, to take, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, each in a penalty not to exceed the sum of ONE MILLION DOLLARS (\$ 1,000,000) and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company action of Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Mark T. Meyers, Dennis M. Kelly, Daniel J. Schwartz, and William S. Fischbein, dated February 7, 2001.

The said Assistant Secretary does hereby contribute that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company and now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 16th day of July, A.D.

ATTEST:



FIDELITY AND DEPOSIT COMPANY OF MARYLAND

T. E. Smith

Assistant Secretary

Paul C. Rogers

Vice President

State of Maryland County of Baltimore ss

On this 16th day of July, A.D. 2002, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came PAUL C. ROGERS, Vice President, and T. E. SMITH, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

NOTARY PUBLIC S

Carol J. Fader

Notary Public

My Commission Expires: August 1, 2004

State Of <u>Illinois</u>				
County Of <u>Cook</u>				
I,Darla Kinkade	, a	Notary Public	in and for the Co	inty in the State
aforesaid, do hereby certify that	Mark T. Meyers			and, in the State
Attorney-in-Fact of the Fidelity and Deposit before me this day and acknowledged that hand voluntary act as Attorney-in-Fact of the voluntary act of the Fidelity and Deposit Cor	ie signed, sealed Fidelity and Deno	and delivered	the foregoing inst	rument as his free
Given under my hand and notarial seal this	12th	day of	March	, _2004
"UFFICIAL SEAL" DARLA KINKADE Notary Public, State of Illinois My Commission Business (1987)	Mari	a (G	shagh	Noton, Dukli
BR(36)17 REV.09/1998				Notary Public

AMLI RESIDENTIAL BOND REQUEST FORM

To Be Completed by AMLI			
Date Requested:	3/19/04		
Obligae;	Hamilton County Board of Commissioners c/o Hamilton County Surveyor One Hamilton County Square, Suite 188 Noblesville, IN 46060		
Obligee Contact:	Steve Cash, (Jerry Liston for release)		
Obliges Phone:	317-776-8495		
Obligee Form Required? (Y/N)	No		
Community / Job Location:	NW Corner of Cumberland Road at 141st Street, Noblesville, IN		
Service / Job Description:	Relocation of Legal Drain		
Type of Surety Bond:	Construction Performance		
Bond Amount Required:	100% of Engineer's Estimated Construction Cost, attached		
Estimated Bond Period:	1 year 3/12/04-05		
Release Trigger:	Completion of work, Hamilton Co. Surveyor's release		
Company to Bill:	AMRESCON, for Prairie Lakes Infrastructure, Project #11401		
Requested By:	Bruce Rigsbee		
Approved By:	Bruce Rigsbee		
To Be Completed by JMB Inst	Irance and Submitted with Invoice		
Bond Number:	PRF8136481		
Original Date of Issuance:	3/12/04		
Insurance Company:	Fidelity & Deposit		
Premlum:	#4,951 - Invoice # 273607		
,	JMB Insurance Attn: Darla Kinkade 312-915-2245 fax		
	Chicago Corporate Attn: Scott White 312-443-0919 fax		

F & L E D
MAR 1 7 2004

OFFICE OF HAMILTON COUNTY SURVEYOR

Gasb 34 Footages for Historical Cost Drain Length Log

Drain-Improvement: Oliver Shoemaker Vacation (574 32 - 57458)

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	Price:	Cost:
Tile	unknown	-26001	- 2600'	9	*	
				,		
					:	
	Sum:	- 2600	- 2600	#		\$
Final Report: - Z	600					
Comments:						
	· · · · · · · · · · · · · · · · · · ·					
				·		

CERTIFICATE OF COMPLETION AND COMPLIANCE

To: Hamilton County Surveyor

Re: OLIVER SHOEMAKER LEGAL DRAIN AS-BUILT

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:	2. The Comment Date: FEBRUARY 28, 2007
Type or Print Name:	JOHN R. HESHELMAN
Business Address:	7140 WALDEMAR DRIVE
<u></u>	INDIANAPOLIS, IN 46268
Telephone Number: _	317-299-7500
SEAL	INDIANA REGISTRATION NUMBER
HESHEN HESHE	
No.	
= * : S0385	



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

April 17, 2008

Other Drain:

Re: Oliver Shoemaker: Amli Relocation

Attached are as-builts, certificate of completion & compliance, and other information for Amli 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 June 8, 2004. The report was approved by the Board at the hearing held June 14, 2004. (See Drainage Board Minutes Book 7, Pages 471-473) The changes are as follows:

Structure:	Length:	Diameter:	Height:	Material:	Up Invert:	Dn_Invert	Grade:
OS8-OS6	38	36		RCP	811.87	811.75	0.32
OS6-OS5	394	48		RCP	811.7	810.92	0.2
OS5-OS4	399	48		RCP	810.88	810.17	0.2
OS4-OS3	399	48		RCP	810.13	809.33	0.2
OS3-OS2	246	48		RCP	809.98	808.81	0.23
OS2-OS1	181	48		RCP	808.8	808.58	0.15
OS1-ES	14	60	38	ERCP	808.58	808.56	0.14
OS7-		-				300.00	0.14
OS6A	34	48	34	ECMP	815.28	814.88	1
OS6A-							
OS6	42	48	30	ECMP	814.88	811.81	7.31
8-8A	98	42		RCP	808.4	808.22	0.18
7-8	35	36		RCP	806.37	805.94	1.2
2-3	138	42		RCP	805.86	805.82	0.03

RCP/CMP Pipe Totals:

36	73
42	236
48	1619
48 CMPA	76
60 ERCP	14

 42
 236

 48
 1619

 MPA
 76

 Open Ditch
 290

 Total:
 290

Total: 2018

The length of the drain due to the changes described above is now 2308 feet.

The non-enforcement was approved by the Board at its meeting on June 28, 2004 and recorded under instrument #200400048567.

The following sureties were guaranteed by Fidelity and Deposit of Maryland and released by the Board on its March 26, 2007 meeting.

Bond-LC No: PRF8136481 Insured For: Storm Sewers Amount: \$198,033.00 Issue Date: March 12, 2004

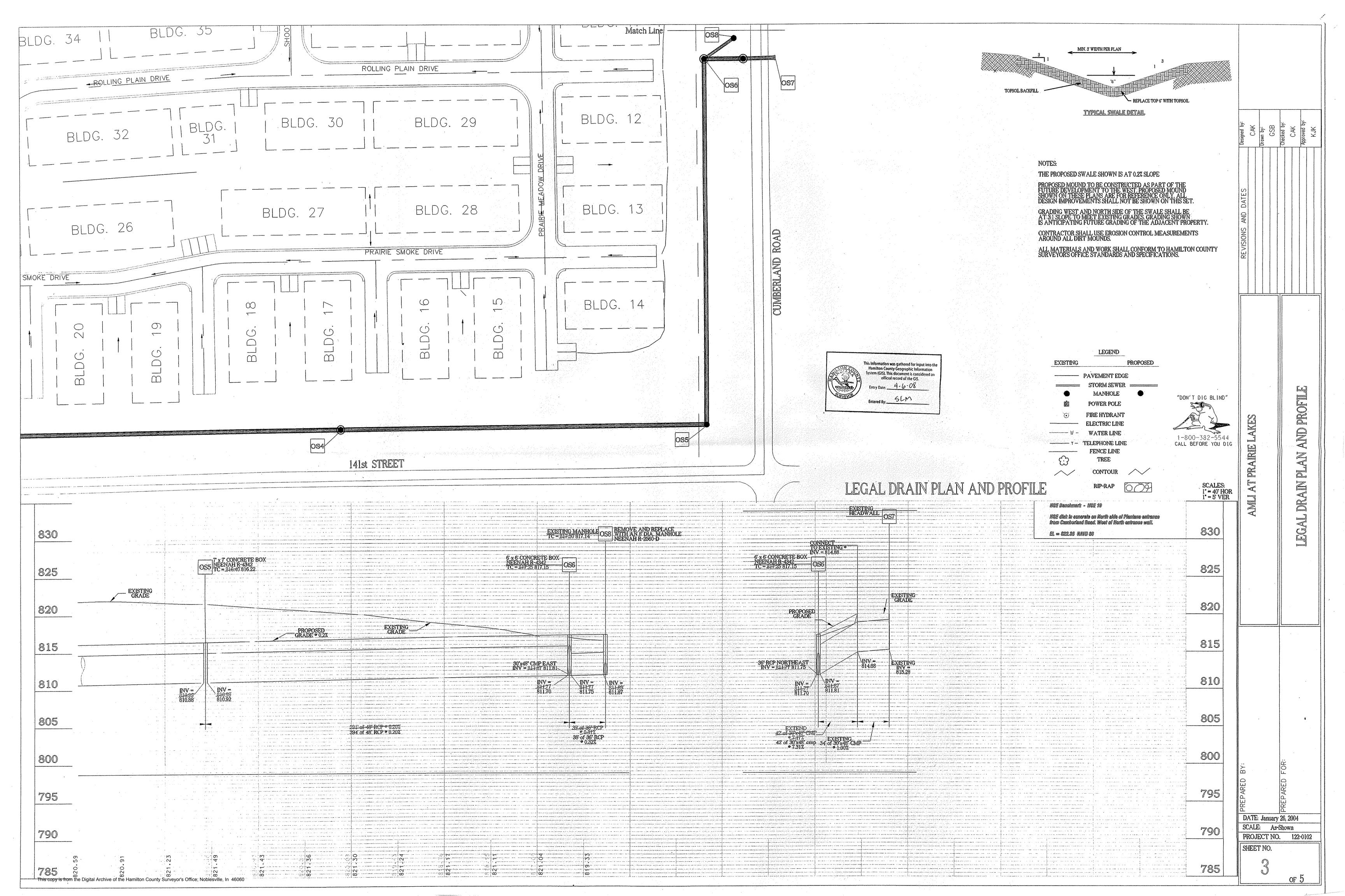
I recommend the Board approve the drain's construction as complete and acceptable.

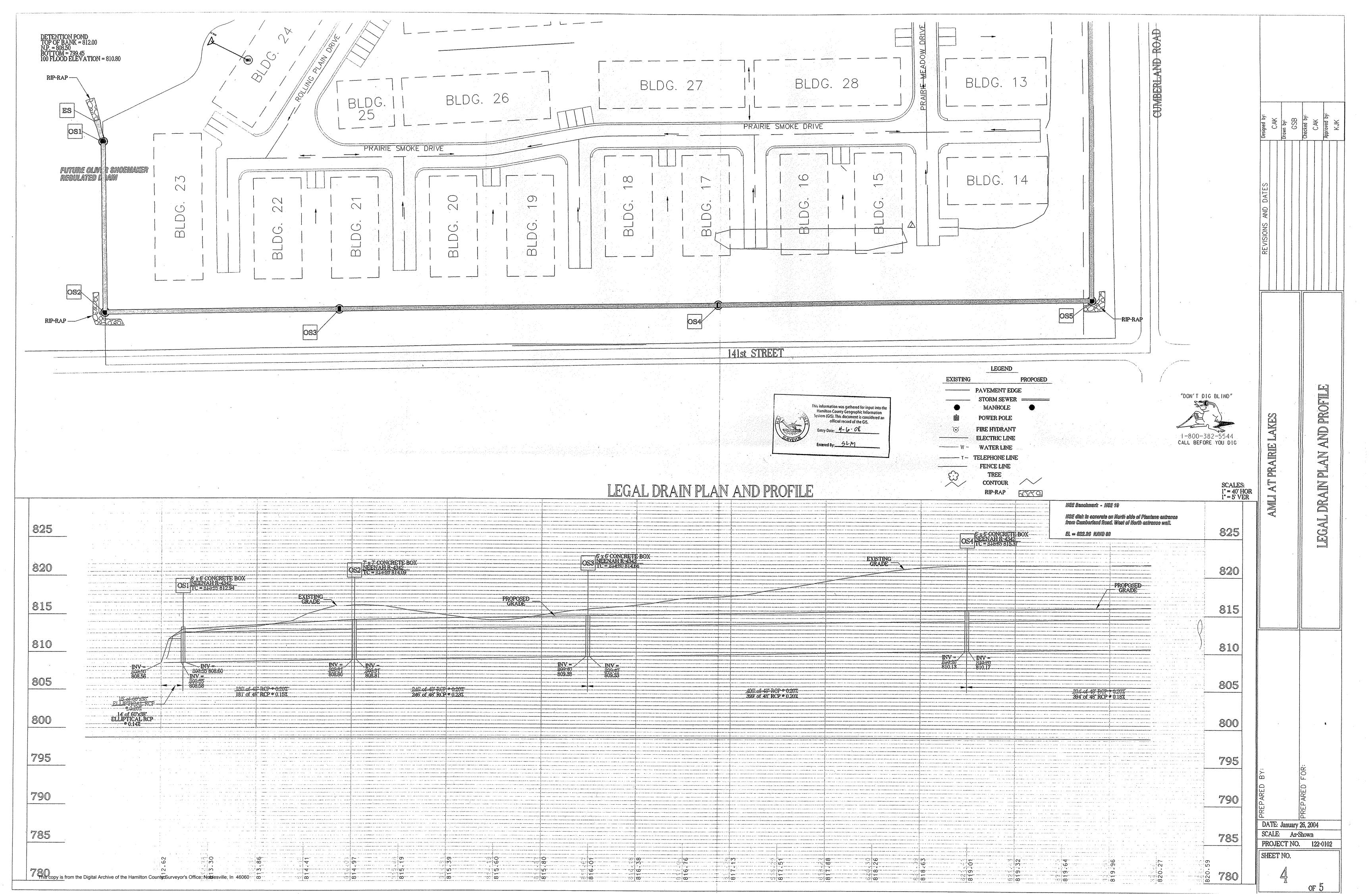
Sincerely,

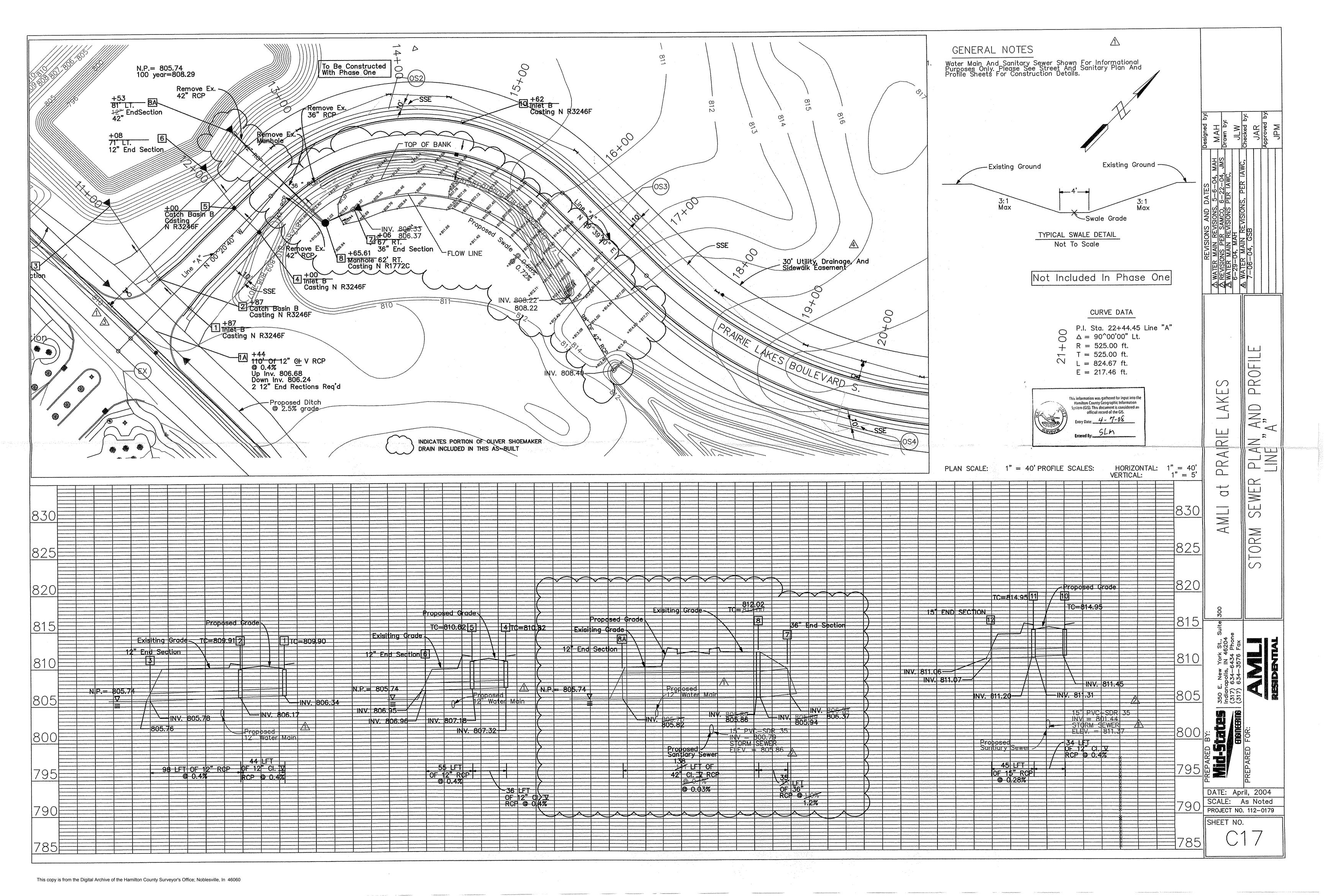
Kenton C. Ward, CFM

Hamilton County Surveyor

KCW/slm











Kenton C. Ward, CFM Surveyor of Hamilton County Phone (317) 776-8495 Fax (317) 776-9628

Suite x 88 One Hamilton County Square Noblesville, Indiana 46060-2230

Map Correction-Field Verification

Drain Number: #42

Drain Length: N/A

Drain Name: Oliver Shoemaker

Change +/-: N/A

Date: 08-27-2010

New Length: N/A

Verified By: JLL

Notes & Sketch:

The Amli Relocation was modified at Structure 0S6 by the City of Noblesville with the widening of Cumberland Rd. They removed 7 feet of ECMP (48" x 30" ECMP) and replaced it with open ditch and rip rap. It was also discovered at the time of inspection that Structure 0S6A had never been installed at the time of the original relocation.

Suzanne L. Mills GIS Specialist

