

SURVEYOR'S OFFICE

# Hamilton County

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August 3, 2020

To: Hamilton County Drainage Board

**Re: Sly Run Drain, Beals & Cox Drain—Northpoint Commerce Park—Phase 1**

Attached is a petition and plans for the proposed reconstruction of the Sly Run Drain, Beals & Cox Arm. The reconstruction is being proposed by Stellhorn Northpoint LLC. The proposal is to reconstruct the Beals & Cox drain located within the Northpoint Commerce Park. The reconstruction is per plans by Kimley Horn, having job no. 170157001 and dated May 29, 2020. (See sheet C4.0).

The new system consists of one dry swale and one wet detention basin connected via reinforced concrete pipe which will run underneath a road to be built with the construction of the Northpoint Commerce Park. The reconstruction shall begin at the Western edge of the dry swale per the plans and then run 260 feet East to new structures D4 and D7 per the plans. Then, turning Southeast the existing tile will be replaced with dual pipes consisting of 176 feet of 30" RCP each which will run to new structures D5 and D6 per the plans. These two outlet structures empty into the wet detention basin which runs Southeast for 280 feet before turning East and running for 252 feet before outletting into new outlet control structure D32 per plans and running for 40 feet with 18" RCP before entering the existing open drain through end-section structure D31 per plans. To the North of new Structures D32 and D31 is an emergency spillway which runs Southeast for 60 feet before flowing into the existing open drain.

This Reconstructed drain shall consist of the following:

18" RCP	40 feet
30" RCP	352 feet
Dry Swale	260 feet
Wet Detention Basin	532 feet
Spillway	60 feet

The total length of the reconstructed drain will be 1244 feet. The total amount of drain being removed is 925 feet. The beginning station is located at the western limits of the lot at Sta. 16+00 and the end station is located at the eastern limits of the lot Sta. 24+95.

This project will add 319 feet to the drains length.

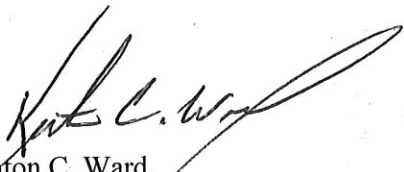
The 1,050 feet of original drain tile between Sta. 15+70 and Sta. 26+20 was vacated with the approval of the Northpoint Off-Site reconstruction approved on September 24<sup>th</sup>, 2018 (Minutes book 18; Page 246). Pending final report, the current orientation of the Beals and Cox drain to be reconstructed consists of 1070 feet of open ditch as reflected in the as-builts for the Northpoint Offsite Reconstruction project approved on September 24<sup>th</sup>, 2018 (Minutes book 18, Page 246)

The dry swale and the wet detention basin are to be considered part of the regulated drain as open ditches. Maintenance of the area assumed by the drainage board shall include the inlet and outlet and ensuring that the flow of water is maintained as well as the storage volume, thus allowing no encroachments. The maintenance of the detention basin and dry swale such as sediment and erosion control along the banks, mowing and aquatic vegetation maintenance and control will be the responsibility of the Northpoint Commerce Park owners association.

In accordance with IC 36-7-4-709, the petitioner did not submit surety for the proposed drain prior to drainage board approval. A bond will be submitted prior to the commencement of construction.

Because the proposed reconstruction will be done upon the petitioner's property at the petitioner's expense it meets the requirements of I.C. 36-9-27-52.5 for a hearing. Therefore, I recommend approval by the Board at this time.

I recommend that upon approval of the above proposed reconstruction that the Board also approve the attached nonenforcement for Northpoint Commerce Park.



Kenton C. Ward

Hamilton County Surveyor

KCW/pll

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

FILED

JUN 18 2020

OFFICE OF HAMILTON COUNTY SURVEYOR

IN RE: \_\_\_\_\_ )  
Hamilton County, Indiana )

PETITION FOR RELOCATION AND RECONSTRUCTION

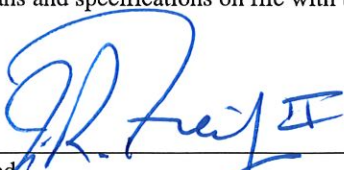
\_\_\_\_\_  
Stellhorn Northpoint LLC (hereinafter Petitioner”),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the \_\_\_\_\_  
Beals & Cox Legal Drain, and in support of

said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the \_\_\_\_\_  
Beals & Cox 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 \_\_\_\_\_  
Beals & Cox 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 \_\_\_\_\_  
Beals & Cox Legal Drain, without cost to other property owners on the watershed of the \_\_\_\_\_  
Beals & Cox Legal Drain.
5. Proposed relocation and reconstruction will not adversely affect other land owners within the drainage shed.
6. Petitioner requests 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 \_\_\_\_\_  
Beals & Cox Legal Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

  
Signed \_\_\_\_\_  
Printed J.R. Freiburger II - MEMBER

STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**52.5 Hearing - Sly Run Drain, Beals & Cox Arm, Northpoint Commerce  
Park Phase 1**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Sly Run Drain, Beals & Cox Arm, Northpoint Commerce Park Phase 1** came before the Hamilton County Drainage Board for hearing **on September 14, 2020**, 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 **Sly Run Drain, Beals & Cox Arm, Northpoint Commerce Park Phase 1** 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

  
Member

ATTEST:   
Executive Secretary



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### Engineer's Preliminary Opinion of Probable Construction Cost

<b>Name:</b> Northpoint Commerce Park Legal Drain Reconstruction	<b>Date:</b> 8/3/2020
<b>Client:</b> Stellhorn Northpoint	<b>Prepared By:</b> MJT
<b>KHA No:</b> 170157001	<b>Checked By:</b> WAB

#### Pond Construction

Item	Description	Unit	Quantity	Unit Price	Cost
1	COMMON EXCAVATION	CYS	33,000	\$ 7.00	\$ 231,000.00
2	STORM OUTFALL STRUCTURE	EACH	1	\$ 5,500.00	\$ 5,500.00
3	END SECTION	EACH	2	\$ 4,500.00	\$ 9,000.00
4	42" STORM PIPE	LFT	147	\$ 90.00	\$ 13,230.00
5	EROSION CONTROL BLANKET	SYS	7,200	\$ 6.00	\$ 43,200.00
6	SEEDING	SYS	15,000	\$ 1.25	\$ 18,750.00
Total Estimated Cost					\$ 320,680.00