Hinkle Creek Drain				
Section 2 Arm				
January 28, 2008				
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January 28, 2008 January 28, 2008 ains, Erosion Control, Sub-surface drain & Earthwork)				
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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

October 31, 2007

To: Hamilton County Drainage Board

Re: Hinkle Creek Estates Drain, Section 2 Arm

Attached is a petition filed by RDJ Custom Builders along with a nonenforcement request, plans, calculations, quantity summary and assessment roll for the Hinkle Creek Estates Drain, Section 2 Arm to be located in Noblesville 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:

> 765' 12" RCP 299' 21" RCP 1,797' 15" RCP 611' 18" RCP 4,545' 6" SSD

The total length of the drain will be 8,017 feet.

The Retention Ponds A & B located on lots 13, 14, 15 and on lots 22, 23, 29 respectively, are not to be considered part of the regulated drain. Pond maintenance shall include inlet, outlet, sediment removal and erosion control along the banks as part of the regulated drain. The maintenance of the pond such as mowing and aquatic vegetation control will be the responsibility of the Homeowners Association. The Board will also retain jurisdiction for ensuring the storage volume for which the pond was designed will be retained, thereby, allowing no fill or easement encroachments. The ponds were installed with Section 1. This is consistent with my previous report for Section 1 which

was approved by the Board on April 28, 2003 and recorded in Minutes Book 7, pages 46-47.

The issue of locating the ponds on individual lots was approved for the subdivision by the Drainage Board on October 28, 2002 as recorded in Minutes Book 6, pages 470-471.

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: Lots 29 & 30.

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 section will be \$1,240.50.

The petitioner has submitted surety for the proposed drain at this time. Surety shall be submitted prior to the approval of the Hamilton County Board of Commissioners/commencement of construction. The sureties which are in the form of a Letter of Credit are as follows:

Agent: Community Bank	Agent: Community Bank
Date: December 16, 2005	Date: December 16, 2005
Number: 342	Number: 343
For: Stormwater System	For: Subsurface Drain
Amount: \$156,675.00	Amount: \$27,500.00
Agent: Community Bank	Agent: Community Bank
Date: February 22, 2006	Date: February 9, 2006
Number: 348	Number: 347
For: Monument and Markers	For: Erosion Control
<u>Amount: \$2,970.00</u>	Amount: \$30,510.00

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 proposed drain that the Board also approve the attached non-enforcement request. The request is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Hinkle Creek Estates Section 2, as recorded in the office of the Hamilton County Recorder.

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

Sincerelý,

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Kenton C. Ward Hamilton County Surveyor

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KCW/trz

r

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 <u>Hinkle Creek Estates</u> Subdivision, ion <u>2</u> Drain Petition Section

Petitioner is the owner of all lots in the land affected by the proposed new regulated drain. The drainage will affect various lots in Hinkle Creek Estates, 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 benefitted 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 for the portion of the drainage system which will be made a regulated drain. The bond will be in the amount of 100% 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 reproducable 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.
- The Petitioner shall comply with the Erosion Control Plan as specified on 5. 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).

Signed neree Printed Name

Signed

lalter + Marilyn J. BarBour Living Trust Printed Name **RECORDED OWNER(S) OF LAND INVOLVED** 1/24/06 Date

p.1

Proposal							
1	FXCFC						
MANAGMES	NT SERVICES LLC.						
P.O. Box	(60 Westfield to come						
Proposal submitted to: RDJ COMPANIES	7-3703 Fax (317) 877-3703						
	Phone (317)896-1000 Date JUNE 6,2005						
A/ECTETELO TAL							
ROGER WARD ENG. DEC. 19 2003	Job Location HINKLE ROAD Noblesville In. Job No. MS1.006 Rev. Date Rev. Date						
We propo	ose to do the following:						
Earthwork per plan	se to do the following:						
Storm Water System per plan	\$ 67,250.00						
Lime Stabilization per plan	130,562.00						
CURBS per plan	24,250.00						
Sub-Surface Drain per plan	27,146.00						
ASPHALT per plan	22,917.00						
EROSION CONTROL per plan	91,020.00						
ENGINEERING AND STAKING	25,425.00 *						
BONDS AND PERMITTING	17,400.00						
CONTINGENCY	25,000.00						
	45,000.00						
Total	\$479,166.00						
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id conditions are satisfactory and are hareby accepted, you a outhorized to do the work as specified. Payment will be made a outhined abouted	Signature						
ate of Acceptance	Printed Name						



P.O. Box 1990 Noblesville, Indiana 46061 (317) 773-0800 ■ FAX (317) 776-6960

IRREVOCABLE LETTER OF CREDIT NO. 347

February 9, 2006

Amount: \$30,510.00 Expires: 2/9/07

For the Account of:

C H Partnership 12401 Old N. Meridian Carmel, IN 46032

For Beneficiary:

The Hamilton County Drainage Board

RE: Erosion Control – Hinkle Creek Estates-Section II

To Whom It May Concern:

We hereby establish our Irrevocable Letter of Credit No. 347 in favor of the Hamilton County Drainage Board for the account of C H Partnership up to the aggregate amount of Thirty Thousand Five Hundred Ten and 00/100 (\$30,510.00), available by your sight drafts drawn on us bearing the clause, "Drawn under Irrevocable Letter of Credit No. 347" and accompanied by a document which has been executed by the Beneficiary.

This Letter of Credit will expire on February 9, 2007. We engage with you that all Drafts drawn under and in compliance with the terms of the Letter of Credit will be duly honored if presented at the bank's office during the term of the Letter of Credit.

Except so far as otherwise expressly stated, this Letter of Credit is subject to the "Uniforms Customs and Practice for Documentary Credits (1993 revision), International Chamber of Commerce Publication No. 500".

Respectfully,

COMMUNITY BANK

Larfy W. Rigg

Executive Vice President



P.O. Box 1990 Noblesville, Indiana 46061 (317) 773-0800 ■ FAX (317) 776-6960

IRREVOCABLE LETTER OF CREDIT NO. 348

HCDB 2006-00011 February 22, 2006

Amount: \$2,970.00 Expires: 2/22/07

For the Account of:

C H Partnership 12401 Old N. Meridian Carmel, IN 46032

For Beneficiary:

The Hamilton County Drainage Board

RE: Monument and Markers – Hinkle Creek Estates-Section II

To Whom It May Concern:

We hereby establish our Irrevocable Letter of Credit No. 348 in favor of the Hamilton County Drainage Board for the account of C H Partnership up to the aggregate amount of Two Thousand Nine Hundred Seventy and 00/100 (\$2,970.00), available by your sight drafts drawn on us bearing the clause, "Drawn under Irrevocable Letter of Credit No. 348" and accompanied by a document which has been executed by the Beneficiary.

This Letter of Credit will expire on February 22, 2007. We engage with you that all Drafts drawn under and in compliance with the terms of the Letter of Credit will be duly honored if presented at the bank's office during the term of the Letter of Credit.

Except so far as otherwise expressly stated, this Letter of Credit is subject to the "Uniforms Customs and Practice for Documentary Credits (1993 revision), International Chamber of Commerce Publication No. 500".

Respectfully,

COMMUNITY BANK

Darye W. Russer

Daryl W. Russell Vice President



HCDB 2006-00001

IRREVOCABLE LETTER OF CREDIT NO. 343

December 16, 2005

Amount: \$27,500.00 Expires: 12/16/06

For the Account of:

C H Partnership 12401 Old N. Meridian Carmel, IN 46032

For Beneficiary:

The Hamilton County Drainage Board

RE: Sub Surface Drain – Hinkle Creek Estates-Section II

To Whom It May Concern:

We hereby establish our Irrevocable Letter of Credit No. 343 in favor of the Hamilton County Drainage Board for the account of C H Partnership up to the aggregate amount of Twenty Seven Thousand Five Hundred Dollars and 00/100 (\$27,500.00), available by your sight drafts drawn on us bearing the clause, "Drawn under Irrevocable Letter of Credit No. 343" and accompanied by a document which has been executed by the Beneficiary.

This Letter of Credit will expire on December 16, 2006. We engage with you that all Drafts drawn under and in compliance with the terms of the Letter of Credit will be duly honored if presented at the bank's office during the term of the Letter of Credit.

Except so far as otherwise expressly stated, this Letter of Credit is subject to the "Uniforms Customs and Practice for Documentary Credits (1993 revision), International Chamber of Commerce Publication No. 500".

Respectfully,

COMMUNITY BANK

Carry W. Riggs

Executive Vice President



HCDB2006-00002

IRREVOCABLE LETTER OF CREDIT NO. 342

December 16, 2005

Amount: \$156,675.00 Expires: 12/16/06

For the Account of:

C H Partnership 12401 Old N. Meridian Carmel, IN 46032

For Beneficiary:

The Hamilton County Drainage Board

RE: Storm Water System – Hinkle Creek Estates-Section II

To Whom It May Concern:

We hereby establish our Irrevocable Letter of Credit No. 342 in favor of the Hamilton County Drainage Board for the account of C H Partnership up to the aggregate amount of One Hundred Fifty Six Thousand Six Hundred Seventy Five Dollars and 00/100 (\$156,675.00), available by your sight drafts drawn on us bearing the clause, "Drawn under Irrevocable Letter of Credit No. 342" and accompanied by a document which has been executed by the Beneficiary.

This Letter of Credit will expire on December 16, 2006. We engage with you that all Drafts drawn under and in compliance with the terms of the Letter of Credit will be duly honored if presented at the bank's office during the term of the Letter of Credit.

Except so far as otherwise expressly stated, this Letter of Credit is subject to the "Uniforms Customs and Practice for Documentary Credits (1993 revision), International Chamber of Commerce Publication No. 500".

COMMUNITY BANK Larry W. Riggs

Executive Vice President

P.O. Box 1990 Noblesville, Indiana 46061

IRREVOCABLE LETTER OF CREDIT NO. 362

May 7, 2007

(317) 773-0800 E FAX (317) 776-6960

Amount: \$2,970.00 Expires: 5/7/08

For the Account of:

C H Partnership 12401 Old N. Meridian Carmel, IN 46032

For Beneficiary:

Hamilton County Board of Commissioners

RE: Monument and Markers – Hinkle Creek Estates-Section II

To Whom It May Concern:

We hereby establish our Irrevocable Letter of Credit No. 362 in favor of the Hamilton County Board of Commissioners for the account of C H Partnership up to the aggregate amount of Two Thousand Nine Hundred Seventy and 00/100 (\$2,970.00), available by your sight drafts drawn on us bearing the clause, "Drawn under Irrevocable Letter of Credit No. 362" and accompanied by a document which has been executed by the Beneficiary.

This Letter of Credit will expire on May 7, 2008. We engage with you that all Drafts drawn under and in compliance with the terms of the Letter of Credit will be duly honored if presented at the bank's office during the term of the Letter of Credit.

Except so far as otherwise expressly stated, this Letter of Credit is subject to the "Uniforms Customs and Practice for Documentary Credits (1993 revision), International Chamber of Commerce Publication No. 500".

COMMUNITY BANK Larry J . Rīggs Executive Vice P



Noblesville, Indiana 46061 (317) 773-0800 ■ FAX (317) 776-6960

IRREVOCABLE LETTER OF CREDIT NO. 363

May 7, 2007

Amount: \$30,510.00 Expires: 5/7/08

For the Account of:

C H Partnership 12401 Old N. Meridian Carmel, IN 46032

For Beneficiary:

Hamilton County Board of Commissioners

RE: Erosion Control – Hinkle Creek Estates-Section II

To Whom It May Concern:

We hereby establish our Irrevocable Letter of Credit No. 363 in favor of the Hamilton County Board of Commissioners for the account of C H Partnership up to the aggregate amount of Thirty Thousand Five Hundred Ten and 00/100 (\$30,510.00), available by your sight drafts drawn on us bearing the clause, "Drawn under Irrevocable Letter of Credit No. 363" and accompanied by a document which has been executed by the Beneficiary.

This Letter of Credit will expire on May 7, 2008. We engage with you that all Drafts drawn under and in compliance with the terms of the Letter of Credit will be duly honored if presented at the bank's office during the term of the Letter of Credit.

Except so far as otherwise expressly stated, this Letter of Credit is subject to the "Uniforms Customs and Practice for Documentary Credits (1993 revision), International Chamber of Commerce Publication No. 500".

COMMUNITY BANK Larry W Riggs Executive Vice President



(317) 773-0800 ■ FAX (317) 776-6960

IRREVOCABLE LETTER OF CREDIT NO. 364

May 7, 2007

Amount: \$27,500.00 Expires: 5/7/08

For the Account of:

C H Partnership 12401 Old N. Meridian Carmel, IN 46032

For Beneficiary:

Hamilton County Board of Commissioners

RE: Sub Surface Drain – Hinkle Creek Estates-Section II

To Whom It May Concern:

We hereby establish our Irrevocable Letter of Credit No. 364 in favor of the Hamilton County Board of Commissioners for the account of C H Partnership up to the aggregate amount of Twenty Seven Thousand Five Hundred Dollars and 00/100 (\$27,500.00), available by your sight drafts drawn on us bearing the clause, "Drawn under Irrevocable Letter of Credit No. 364" and accompanied by a document which has been executed by the Beneficiary.

This Letter of Credit will expire on May 7, 2008. We engage with you that all Drafts drawn under and in compliance with the terms of the Letter of Credit will be duly honored if presented at the bank's office during the term of the Letter of Credit.

Except so far as otherwise expressly stated, this Letter of Credit is subject to the "Uniforms Customs and Practice for Documentary Credits (1993 revision), International Chamber of Commerce Publication No. 500".

COMMUNITY BANK Larry W. Rigg Executive Vice President



IRREVOCABLE LETTER OF CREDIT NO. 365

May 7, 2007

Amount: \$156,675.00 Expires: 5/7/08

For the Account of:

C H Partnership 12401 Old N. Meridian Carmel, IN 46032

For Beneficiary:

Hamilton County Board of Commissioners

RE: Storm Water System – Hinkle Creek Estates-Section II

To Whom It May Concern:

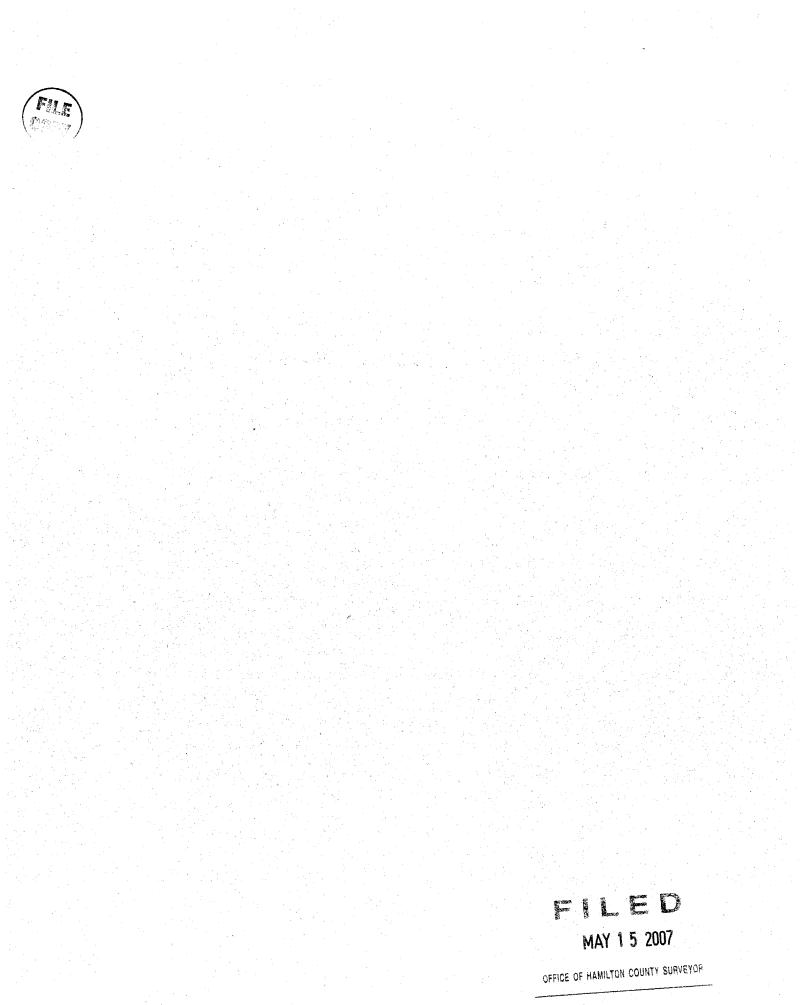
We hereby establish our Irrevocable Letter of Credit No. 365 in favor of the Hamilton County Board of Commissioners for the account of C H Partnership up to the aggregate amount of One Hundred Fifty Six Thousand Six Hundred Seventy Five Dollars and 00/100 (\$156,675.00), available by your sight drafts drawn on us bearing the clause, "Drawn under Irrevocable Letter of Credit No. 365" and accompanied by a document which has been executed by the Beneficiary.

This Letter of Credit will expire on May 7, 2008. We engage with you that all Drafts drawn under and in compliance with the terms of the Letter of Credit will be duly honored if presented at the bank's office during the term of the Letter of Credit.

Except so far as otherwise expressly stated, this Letter of Credit is subject to the "Uniforms Customs and Practice for Documentary Credits (1993 revision), International Chamber of Commerce Publication No. 500".

COMMUNITY BANK W. Riggs Larry

Executive Vice President



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

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Hinkle Creek Estates Drain, Section 2 Arm

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 Hinkle Creek Estates Drain, Section 2 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

Presid

Member

Attest: Junite Mastrug

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD IN THE MATTER OF THE

Hinkle Creek Estates Drain, Section 2 Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **January 28**, **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

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



Senion 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 CCG

To: Hamilton County Drainage Board

January 23, 2013

Re: Sly Run Drain - Hinkle Creek Estates: Sec. 2 Arm

Attached are as-builts, certificate of completion & compliance, and other information for Hinkle Creek Estates Section 2. 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 October 31, 2007. The report was approved by the Board at the hearing held January 28, 2008. (See Drainage Board Minutes Book 11, Pages 7-8) The changes are as follows:

The 12" RCP was shortened from 765 feet to 525 feet. The 15" RCP was shortened from 1797 feet to 1777 feet. The 18" RCP was shortened from 611 feet to 604 feet. The 24" (reported as 21") was shortened from 299 feet to 297 feet. The 6" SSD was lengthened from 4,545 feet to 4,590 feet. It should be noted that Structure 225 to Structure 142 consisting of 125 feet of 12" RCP was removed due to the wetland mitigation. The length of the drain due to the changes described above is now **7,793 feet**.

The non-enforcement was approved by the Board at its meeting on February 11, 2008 and recorded under instrument #2008006870.

The following sureties were guaranteed by Community Bank and have expired.

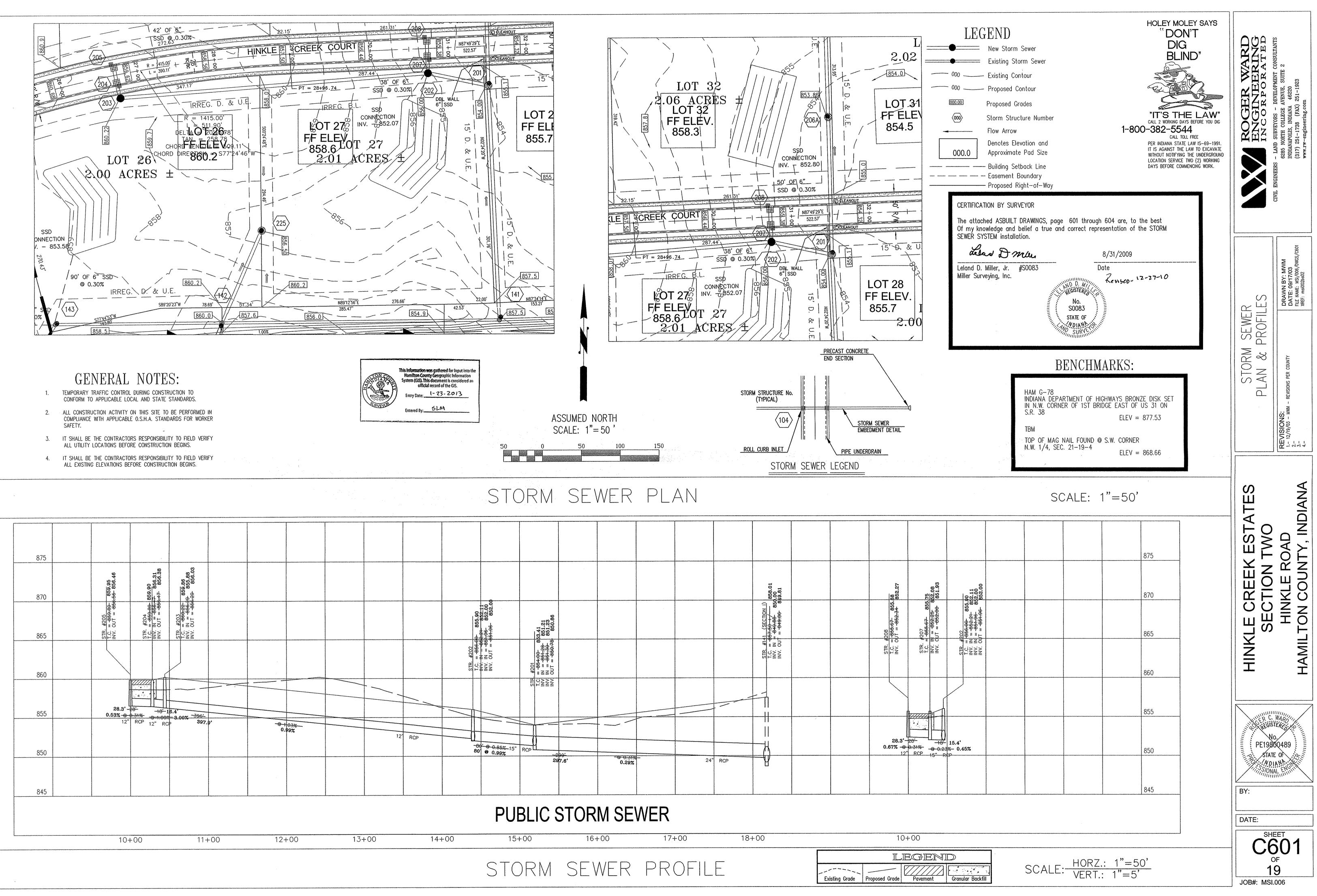
Bond-LC No: 342 Insured For: Storm Sewers Amount: \$156,675.00 Issue Date: December 16, 2005

Bond-LC No: 343 Insured For: Subsurface Drain Amount: \$27,500.00 Issue Date: December 16, 2005 Bond-LC No: 347 Insured For: Erosion Control Amount: \$30,510.00 Issue Date: February 9, 2006 I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

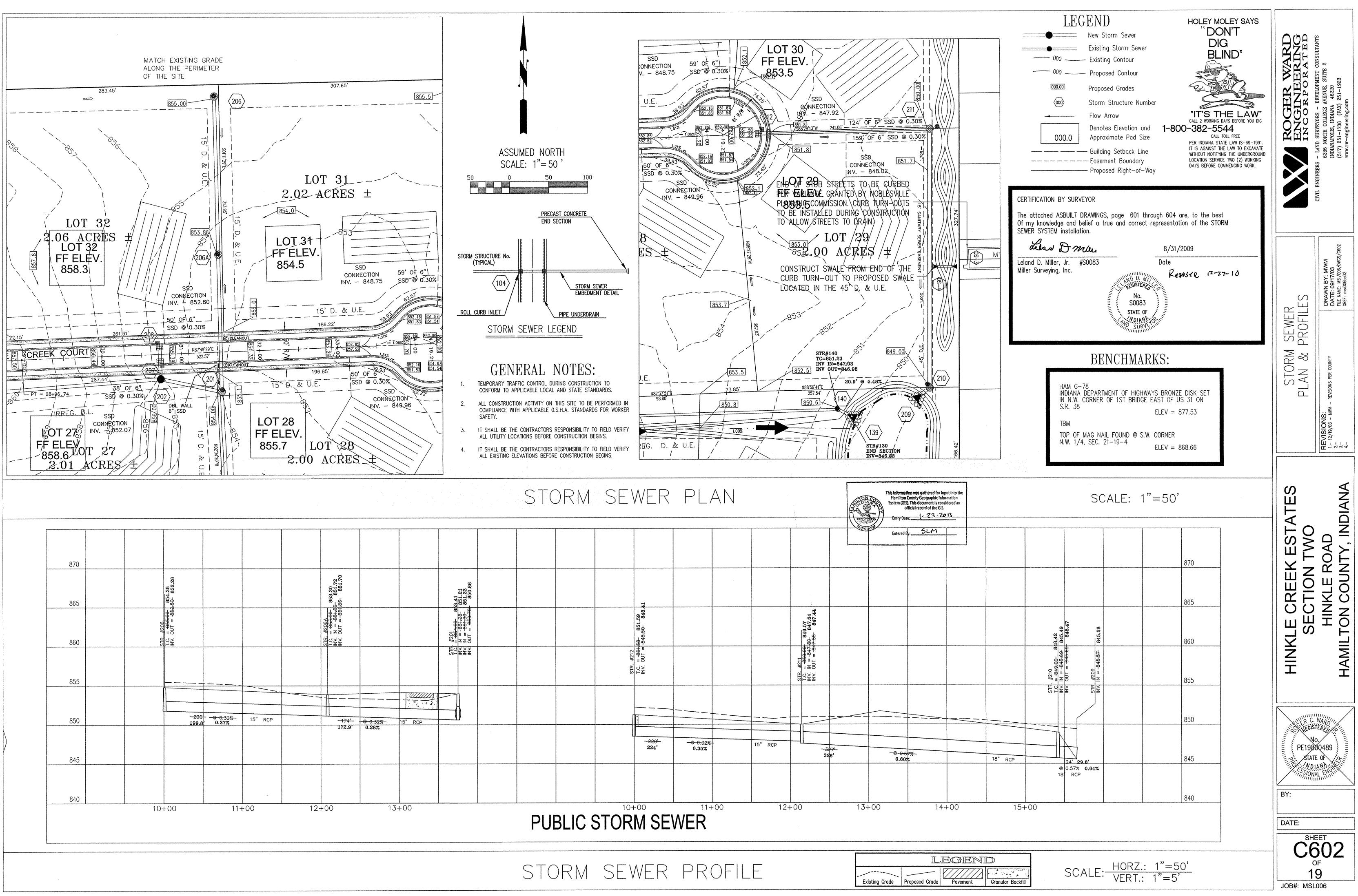
Kentoh C. Ward, CFM Hamilton County Surveyor

KCW/slm

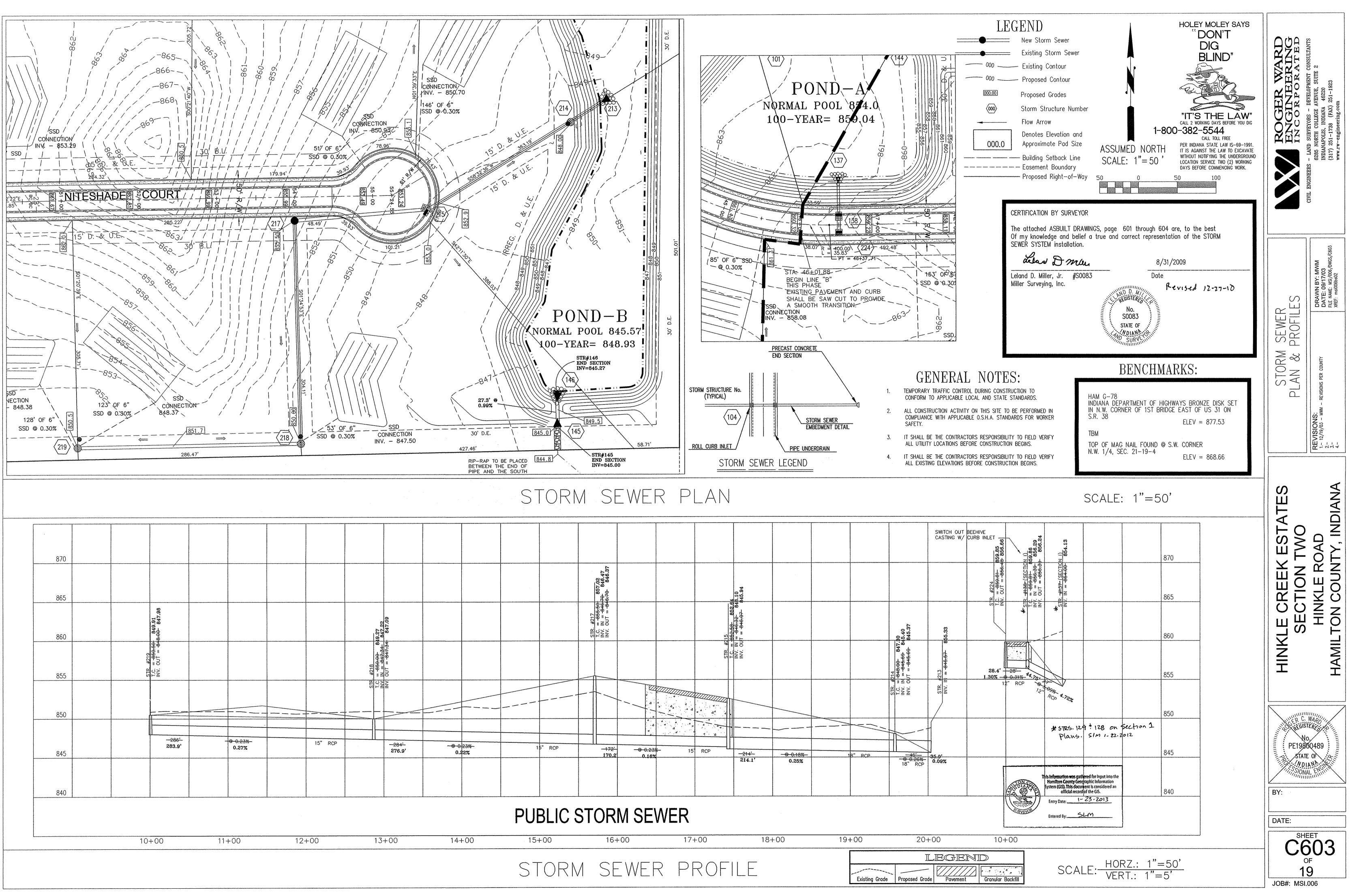


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