

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

TO: Hamilton County Drainage Board

RE: Stultz & Almond Drain, Westmont Section 1

Attached is a petition filed by Platinum Properties, LLC along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Westmont Section 1 Arm, Stultz and Almond Drain to be 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:

6" SSD	10,523 ft.	21" RCP	290 ft.
12"CMP	65 ft.	24" RCP	678 ft.
12" RCP	912 ft.	30" RCP	107 ft.
15" RCP	654 ft.	36" RCP	446 ft.
18" RCP	1,253 ft.	Open Dite	ch 180 ft.

The total length of the drain will be 15,108 feet.

The open ditch listed above is the channel between Str. 108 and Str. 108A. The CMP listed above is the existing CMP that runs across 136<sup>th</sup> Street and is being connected to Str. 101.

The retention ponds (Pond #1, existing pond and Pond #2)) located in Common Area #2 and #4 are 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 (Pond #1, existing Pond and Pond #2) 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 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 and 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:

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Rear yard lots 6-7 from Str. 118 Rear yard lots 8-9 from Str. 118 Rear yard lot 5 from Str. 114 Rear yard lot 4 from Str. 114 Rear yard lot 4 from Str. 113 Rear yard lot 3 from Str. 113 Rear yard lots 1-2 from Str. 112 Rear yard lot 39 from Str. 140 Rear yard lot 40-41 from Str. 140 Rear yard lot 28 from Str. 151A Rear yard lots 26-27 from Str. 146A Rear yard lots 25-26 from Str. 146 Rear yard lot 25 from Str. 146 Rear yard lot 24 from Str. 145 Rear yard lot 23 from Str. 145 Rear yard lot 23 from Str. 144

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 \$ 30.00 per platted lots, \$10.00 per acre for common areas and roadways, with a \$30.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$1,584.60.

The petitioner has submitted surety for the proposed drain at this time. The sureties which are in the form of a Performance Bond are as follows:

Agent: Bond Safeguard Insurance Company

Date: April 8, 2008 Number: 5033225

For: Storm Sewers and Sub-surface drains

Amount: \$348,194.00

Parcels assessed for this drain may be assessed for the Osborn & Collins or Williams Creek Drain at sometime in the future.

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 requests. The request are for the reduction of the regulated drain easement to those easement widths as shown on the secondary plats for Westmont Section 1 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for September 22, 2008.

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/pll

		(Revised 06/08/04)
STATE OF INDIANA	A )	
COUNTY OF HAMI	LTON )	
% Hamilton Cou One Hamilton	DUNTY DRAINAGE BOARD inty Surveyor County Square, Suite 188 N. 46060-2230	
In the matter of	Westmont	Subdivision, Section
One	Drain Petition.	

Petitioner is the owner of all lots in the land affected by the proposed new regulated drain. The drainage will affect various lots in Westmont, Section One \_\_\_\_\_\_, 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 benefited 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 or Non-Revocable Letter of Credit for the portion of the drainage system which will be made a regulated drain. The bond will be in the amount of 120% 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.
- 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 reproducible 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.
- 5. The Petitioner shall comply with the Erosion Control Plan as specified on 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).

## RECORDED OWNER(S) OF LAND INVOLVED

Str Brown		
Signed	Signed	
Steve Broermann		
Printed Name	Printed Name	
May 1, 2007		
Date	Date	
Signed	Signed	······································
Printed Name	Printed Name	
Date	Date	

# BEFORE THE HAMILTON COUNTY DRAINAGE BOARD IN THE MATTER OF

### Stultz & Almond Drain, Westmont Section 1 Arm

NOTICE

Го	Whom	Ιt	May	Concern	and:			 	 	

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Stultz & Almond Drain**, **Westmont Section 1 Arm** on **September 22**, **2008** at **9:05 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

#### Stultz & Almond Drain, Westmont Section 1

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **September 22**, 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

#### FINDINGS AND ORDER

#### CONCERNING THE MAINTENANCE OF THE

### Stultz & Almond Drain, Westmont Section 1

On this 22nd day of September 2008, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Stultz & Almond Drain, Westmont Section 1.

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: Seprette Martan



## STOEPPELWERTH & ASSOCIATES, INC.

#### CONSULTING ENGINEERS • LAND SURVEYORS

David J. Stoeppelwerth President, CEO Professional Engineer Professional Land Surveyor

Curtis C. Huff Vice President, COO Professional Land Surveyor

R.M. Stoeppelwerth Founder Professional Engineer Professional Land Surveyor March 28, 2008

Hamilton County Surveyor's Office One Hamilton County Square Suite 188 Noblesville, Indiana 46060

Attention: Kent Ward

Re: Westmont, Section 1

Dear Mr. Ward:

On behalf of the developer Platinum Properties, L.L.C., I wish to submit the following Engineer's Estimate for Westmont, Section 1. The estimate is as follows:

Storm Sewer

\$215,945.00

Sub Surface Drains

\$74,216.00

Monumentation

\$8,980.00

If you have any questions regarding these estimates, please contact Brian Robinson at (317) 849-5935.

Respectively submitted,

STOEPPELWERTH & ASSOCIATES, INC.

David J. Stoeppelwerth, P.E. STOEPPE MANA STOEPPE MANA STOEPPE MANA STATE OF WOIANA STATE O

No. 19385

Cc: Steve Broermann

7965 East 106th Street Fishers, Indiana 46038-2505

317.849.5935 Fax: 317.849.5942 www.Stoeppelwerth.com S:\52415S1\Blue\_Book\Agency\_Correspondence\HamiltonCountySurveyorWardEE03-28-08.doc



#### CERTIFICATE OF COMPLETION AND COMPLIANCE

To: Hamilton County Surveyor

Re: Westmont, Section 1

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.

Signature:	Date:January 29, 2009
Type or Print Name: Dennis D. Olmstead	
Business Address: Stoeppelwerth & Associates, In	c
7965 East 106 <sup>th</sup> Street, Fishers,	Indiana 46038
Telephone Number: (317) 849-5935	
SEAL	INDIANA REGISTRATION NUMBER
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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

To: Hamilton County Drainage Board

January 7, 2010

Re: Stultz & Almond: Westmont Section 1

Attached are as-builts, certificate of completion & compliance, and other information for Westmont Section 1. 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 August 1, 2008. The report was approved by the Board at the hearing held September 22, 2008. (See Drainage Board Minutes Book 11, Pages 324-325) The changes are as follows:

				Up			
Structure:	Length:	Size	Material:	Invert:	Dn_Invert	Grade:	Changes:
118-117	153	24	RCP	896.19	895.63	0.37	3
117-116	32	24	RCP	895.63	895.42	0.66	
116-115	36	24	RCP	895.42	895.34	0.22	
115-114	112	24	RCP	895.34	894.76	0.52	1
114-113	107	30	RCP	894.76	894.55	0.2	
113-112	327	36	RCP	894.55	892.78	0.54	-2
112-111	129	36	RCP	892.79	892.51	0.21	12
122-121	154	18	RCP	897.58	896.82	0.49	1
121-120	78	21	RCP	896.82	896.46	0.46	-2
120-119	30	21	RCP	895.68	895.54	0.47	
119-114	173	24	RCP	895.54	895.07	0.27	3
105-104	30	12	RCP	894.93	894.36	1.9	
104-103	41	12	RCP	894.26	893.88	0.93	
103-102	40	15	RCP	893.76	893.25	1.28	
102-101	71	18	RCP	893.15	892.95	0.28	
101-100	62	18	RCP	892.85	892.5	0.56	1
106-103	74	12	RCP	894.52	893.88	0.86	-11
107-108	94	24	RCP	892.55	892.1	0.48	
128-127	30	15	RCP	895.41	895.31	0.33	
127-126	75	15	RCP	895.16	894.75	0.55	
126-125A	41	15	RCP	894.62	893.69	2.27	-1
125A-125	105	15	RCP	893.59	892.53	1.01	24

108A-108B	85	24	RCP	892.01	891.72	0.34	
110-109	94	18	RCP	893.12	892.36	0.81	
124-123	30	12	RCP	897.41	896.98	1.43	
123-113	168	12	RCP	896.89	894.65	1.33	-2
134-133A	193	18	RCP	894.1	893.79	0.16	-1
133A-133	32	18	RCP	893.69	893.56	0.41	-1
133-132	30	18	RCP	893.34	892.98	0.2	
132-131	180	21	RCP	893.34	892.98	0.2	
146A-146	192	12	RCP	895.59	894.81	0.41	2
146-145	179	12	RCP	894.81	894.13	0.38	-1
145-144	110	18	RCP	894.13	893.76	0.34	-1
144-143	81	18	RCP	893.76	893.03	0.9	1
148-147	30	12	RCP	897.87	897.66	0.7	
147-145	138	12	RCP	895.66	894.28	1	-2
142-141	40	15	RCP	894.6	894.03	1.43	
140-139	170	15	RCP	895.77	895.33	0.26	
139-138	31	18	RCP	895.23	894.97	0.84	-1
138-137	33	18	RCP	894.9	894.71	0.58	3
137-136	153	18	RCP	894.61	894.16	0.29	
136-135	31	18	RCP	894.06	893.98	0.26	-1
151A-151	157	12	RCP	897.77	895.44	1.48	1
151-150	36	15	RCP	895.37	895.29	0.22	
150-149	175	18	RCP	895.19	894	0.68	
129-130	126	12' x 6'	CONSPAN	892.3	891.32		

**RCP Pipe Totals:** 

	12	901			
	15	675			
	18	1250			
	21	288			
	24	685			
	30	107			
	36	456			
Total:		4362			

SSD	lota	s:

Streets	7939
Rear Yards	2353

**Total:** 10292

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Open Ditch	190
12x6 Conspan	126

Total: 316

The length of the drain due to the changes described above is now 14,970 feet.

The non-enforcement was approved by the Board at its meeting on September 22, 2008 meeting and recorded under instrument # 2009034277.

The following sureties were guaranteed by Bond Safeguard Insurance Company and released by the Board on its February 9, 2009 meeting.

**Bond-LC No:** 5033225 **Insured For:** Storm Sewers

**Amount:** \$348,194

Issue Date: April 8, 2008

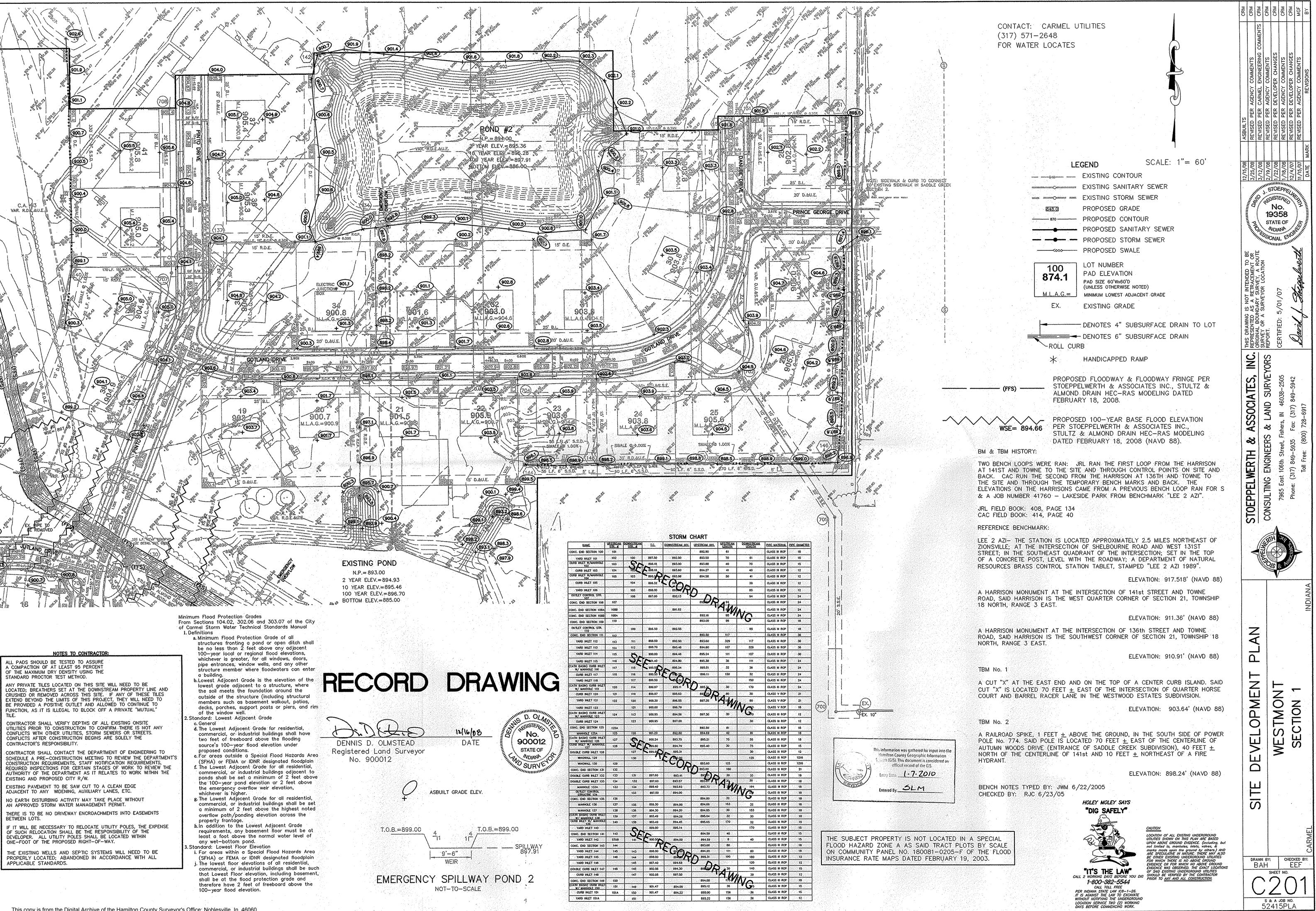
I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM

Hamilton County Surveyor

KCW/slm



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