

June 14, 2006

To: Hamilton County Drainage Board

Re: A J Myers Drain

Attached is a 52.0 petition and plans for the proposed relocation of the A J Myers Drain. The relocation is being proposed by Pulte Homes of Indiana. The proposal is to relocate the drain across Atlantic Road right-of-way and parcel 13-12-29-00-00-009.001 as part of the Britton Falls project per plans by Driesenga and Associates, Inc., Job No. 0560063.1A, revision date 4/13/2006. Per the plans, storm water will be intercepted on the east side of Atlantic Road at Str. 111 and piped to Str. 110 on the west side of Atlantic Road. This 52.0 petition is for that portion of the relocation project that crosses Atlantic Road from Str. 111 to Str. 110.

This ties into the storm line proposed under a separate A J Myers Drain relocation petition (52.5) that is designed to divert storm water north to a point upstream of the current outlet point and discharge into Thorpe creek 50 feet south of 136<sup>th</sup> and 390 feet west of Atlantic Road. Due to the relocation approved under the 52.5 hearing and this 52.0 petition we will now fully assess parcels 13-12-20-00-009.001 and 13-12-29-00-00-007.001.

This line will consist of the following:

# 94' of (2) 30" RCP

The total length of the new drain shall be 94 feet. The 73 feet of drain (temporary ditch) per my report dated June 9, 2006 between Sta. 0+00 (original drain) and Str. 110 of the new drainage system shall be reconstructed. This proposal will add 21 feet to the drain's total length.

The cost of the relocation is to be paid by Pulte Homes of Indiana. The developer has provided the Performance Bond as follows:

Name of Bonding Co.: Safeco Insurance Co. of Indiana Bond #: 6414691 Bond Date: May 23, 2006 Bond Amount: \$430,242.00

Attached is a Non-enforcement and legal description. The easement for the new drain will be entirely of parcel 13-12-29-00-009.001 as recorded in the Hamilton County Recorder's office and includes the right-of-way of Atlantic Road.

I recommend that this drain be classified as an urban drain. This drain may be assessed to the Martha Ford Drain or Thorpe Creek Drain in the future.

The project falls under the requirements as set out in IC 36-9-27-52.0. Therefore, a hearing is required for the petition. I recommend that the Board set a hearing date for July 24, 2006.

Sincerely C.N.

Kenton C. Ward Hamilton County Surveyor

KCW/stc

#### HAMILTON COUNTY DRAINAGE BOARD NOBLESVILLE, INDIANA

IN RE:	A.J. Meyers Legal Drain	)		
Hamilton County, Indiana				

### PETITION FOR RELOCATION AND RECONSTRUCTION

	Pulte Homes of Indiana, LLC	(hereinafter Petitioner"),		
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a				
section	n of the A.J. Meyers Legal	Drain, and in support of		
said po	etition advises the Board that:			
1.	Petitioner owns real estate through which a portion of the _	A.J. Meyers Legal		
	Drain runs.			
2.	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 A.J. Meyers L	ogal Drain, as		
specifically shown on engineering plans and specifications filed with the Hamilton				
	County Surveyor.			
4.	The work necessary for the proposed relocation and recons	truction will be undertaken at		
	the sole expense of the Petitioner and such work will result	in substantial improvement to		
	the A.J. Meyers Legal Drain, without o	cost to other property owners		
	on the watershed of the A.J. Meyers Legal			
WHEREFORE, Petitioner requests that an Order issued from the Hamilton County				
Drain	age Board authorizing relocation and reconstruction of the _	A.J. Meyers Legal		
	, in conformance with applicable law and plans and specifica			
Count	y Surveyor.	11		

p-Marthen D. Lohmeyer

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# Britton Falls – AJ Meyers Relocation GASB 34 Calculation

The engineer's estimate total for this project is \$358,534.50. The project itself was split into two reports and subsequent hearings. The first report dated June 9, 2006 was approved on June 26, 2006. This covered 3,652 of the project. The second report was dated June 14, 2006 and was approved on July 24, 2006. This portion covered 93' of twin 30" RCP.

The dollar amount will be split as follows:

\$358,534.50 <u>- 7,626.00</u> (186ft of 30 RCP)\* \$350,908.50

Therefore, part one of the project (June 9, 2006) will be priced at \$358,534.50 and part two (June 14, 2006) will priced at \$7626.00.

\*Pricing taken from the engineer's estimate provided by Driesenga & Associates Inc. dated May 23, 2006.

### FINDINGS AND ORDER

### CONCERNING THE MAINTENANCE OF THE

## A. J. Myers Drain, Britton Falls Relocation

On this **24th** day of July 2006, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **A**. J. Myers Drain, Britton Falls Relocation.

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

/ he la

Member

Member

Attest: Reputte Mostrue

STATE OF INDIANA ) ) ss: COUNTY OF HAMILTON ) BEFORE THE HAMILTON COUNTY DRAINAGE BOARD NOBLESVILLE, INDIANA

IN THE MATTER OF THE RECONSTRUCTION OF THE **A.** J. Myers Drain, Britton Falls Relocation

## FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **A**. J. Myers Drain, Britton Falls Relocation came before the Hamilton County Drainage Board for hearing on July 24, 2006, 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 **A. J. Myers Drain, Britton Falls Relocation** 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 E BOARD PRESTDE

Member

Membe

ATTEST

# CERTIFICATE OF COMPLETION AND COMPLIANCE

To: Hamilton County Surveyor

SURVEYONN

Re: AJ MEYER LEGAL DRAIN (BRITTON FALLS)

I hereby certify that:

- 1. J 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: type) Oc	Date: DECEMBER 1, 2009
Type or Print Name: <u>STEPHEN M. CC</u>	OOPER, L.S.
Business Address: <u>303 WEST MAIN</u>	STREFT
KNIGHTSTOWN,	INDIANA 46148
Telephone Number: <u>765-345-5943</u>	
No. S0557	INDIANA REGISTRATION NUMBER

#### CERTIFICATE OF COMPLETION AND COMPLIANCE

To: Hamilton County Surveyor

Re: Britton Falls - AJ Meyers Relocation along Atlantic Road

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.

Date: October 73, 2009 Signature:

Type or Print Name: Peter Siglow

Business Address: 455 E. 8th Street, Suite 100

Holland, MI 49423

Telephone Number: \_\_\_\_\_616-396-0255



#### INDIANA REGISTRATION NUMBER

PE10708377

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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

February 19, 2010

1643

# Re: Thorpe Creek: AJ Meyers Britton Falls Relocation

Attached are as-builts, certificate of completion & compliance, and other information for AJ Meyers Britton Falls 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 14, 2006. The report was approved by the Board at the hearing held July 24, 2006. (See Drainage Board Minutes Book 9, Pages 353-354) The changes are as follows:

Structure:	Length:	Size	Material:	Up Invert:	Dn_Invert:	Grade:	Changes:
111-110	96	30	RCP	851.52	850.94	0.6	2
110-109	378	30	RCP	850.94	849.5	0.38	8
109-108	395	30	RCP	849.5	848.11	0.35	-5
108-107	402	30	RCP	848.11	845.58	0.63	2
107-106	398	30	RCP	845.58	844.08	0.38	-2
106-105	402	30	RCP	844.08	842.69	0.35	2
105-104	399	30	RCP	842.64	841.39	0.31	-1
104-103	399	30	RCP	841.44	839.9	0.39	-1
103-102	363	30	RCP	839.85	838.94	0.25	-2
102-101	49	30	RCP	838.94	838.73	0.43	3
101-100	247	30	RCP	838.63	838.02	0.25	-3
RCP Pipe Totals:						Other To	tals:
30"	3528					Open	111
Total:	3528	-				Total:	111

The length of the drain due to the changes described above is now 3639 feet.

The non-enforcement was approved by the Board at its meeting on July 24, 2006 and recorded under instrument #'s 200600046804. The non-enforcement established the drainage easement at 30 feet per the approved drainage plans

The following sureties were guaranteed by Safeco Insurance Co. of Indiana and released by the Board on its February 8, 2010 meeting.

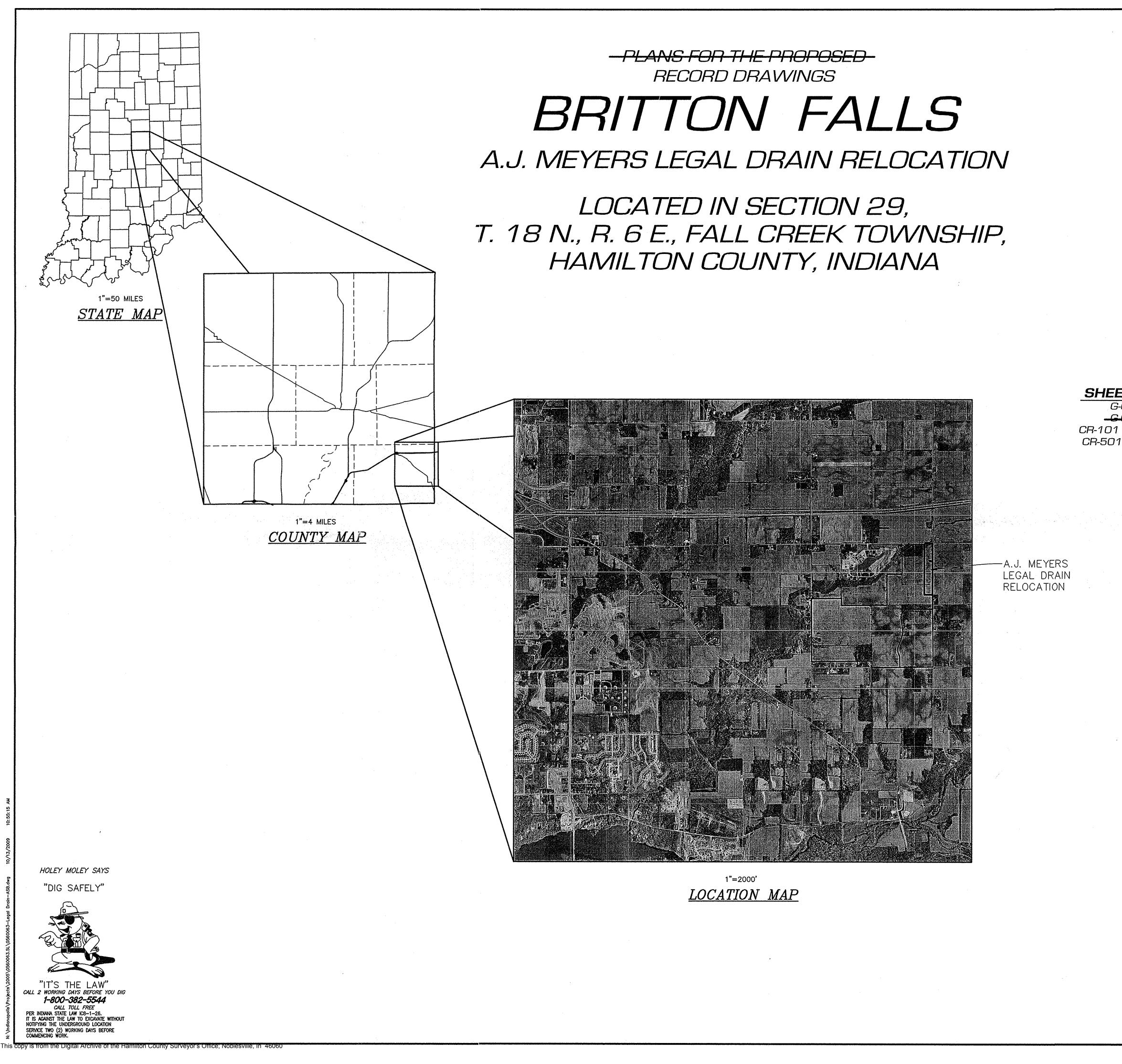
**Bond-LC No:** 6414691 **Insured For:** Storm Sewers **Amount:** \$430,242.00 **Issue Date:** May 23, 2006

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

Sincerely,

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/slm



# CERTIFICATE OF COMPLETION AND COMPLIANCE

# I HEREBY CERTIFY THAT:

1. I AM FAMILIAR WITH DRAINAGE REQUIREMENTS APPLICABLE TO SUCH LAND ALTERATION (AS SET FORTH IN THE STORMWATER MANAGEMENT ORDINANCE OF HAMILTON COUNTY); AND

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SENG/

**DBRE** 

REVISIONS

SUBMITTED FOR AGENCY REVIE (02/01/08)

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 AND LOCATION (11/01/08)

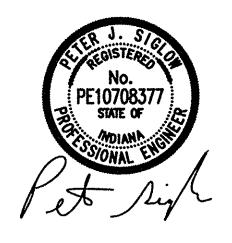
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 AS-BUILT REVISED 10-13-2009

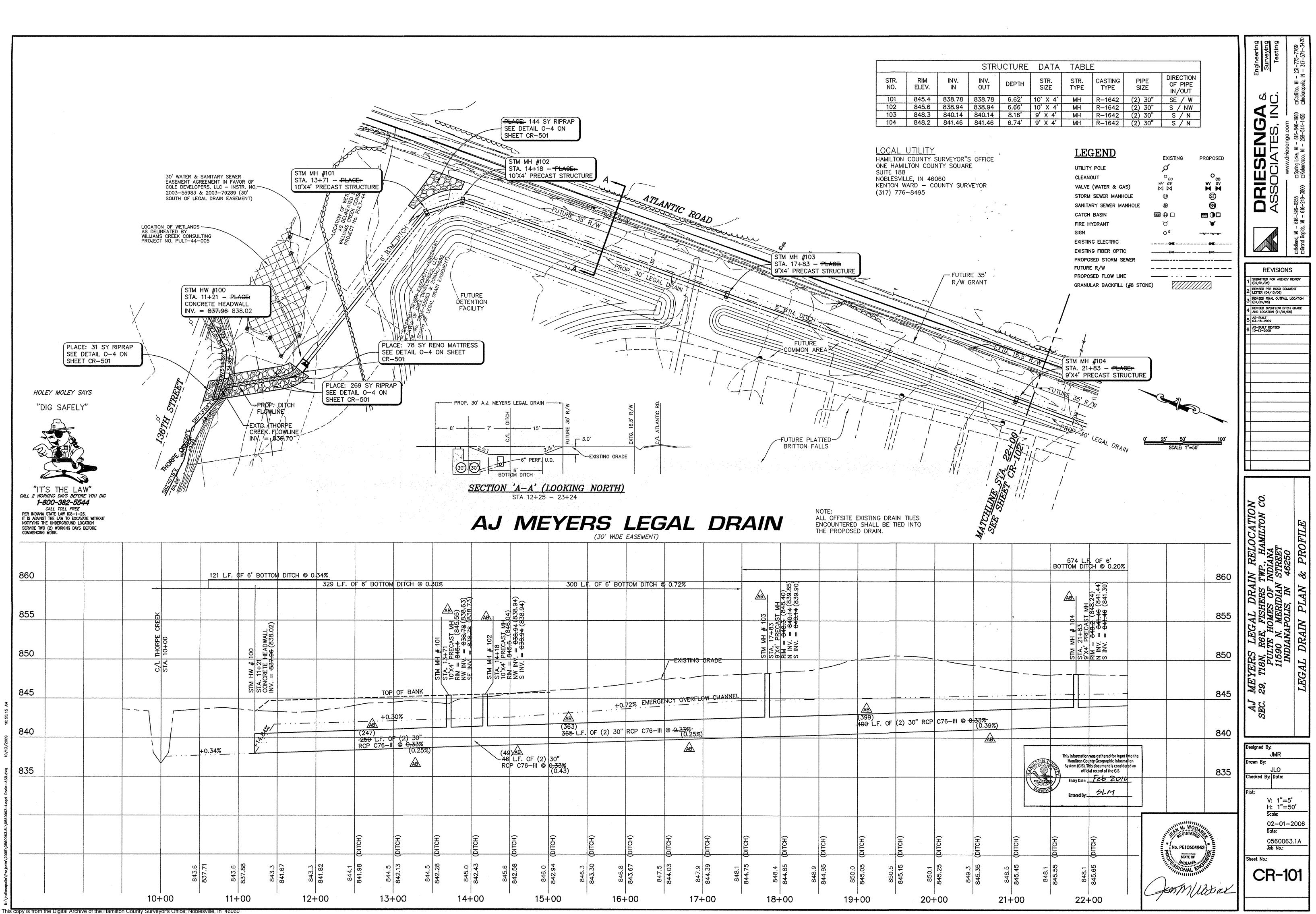
- 2. I (OR A PERSON UNDER MY DIRECT SUPERVISION) HAVE PERSONALLY INSPECTED THE COMPLETED WORK AND EXAMINED THE DRAINAGE PERMIT AND ITS CONDITIONS, AS-BUILT PLANS, AND FINAL DRAINAGE CALCULATIONS CONSISTENT WITH AS-BUILT CONDITIONS PERFORMED
- PURSUANT TO THE ABOVE REFERENCED DRAINAGE PERMIT; AND TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, SUCH LAND ALTERATION HAS BEEN PERFORMED AND COMPLETED IN CONFORMITY WITH ALL SUCH DRAINAGE REQUIREMENTS.

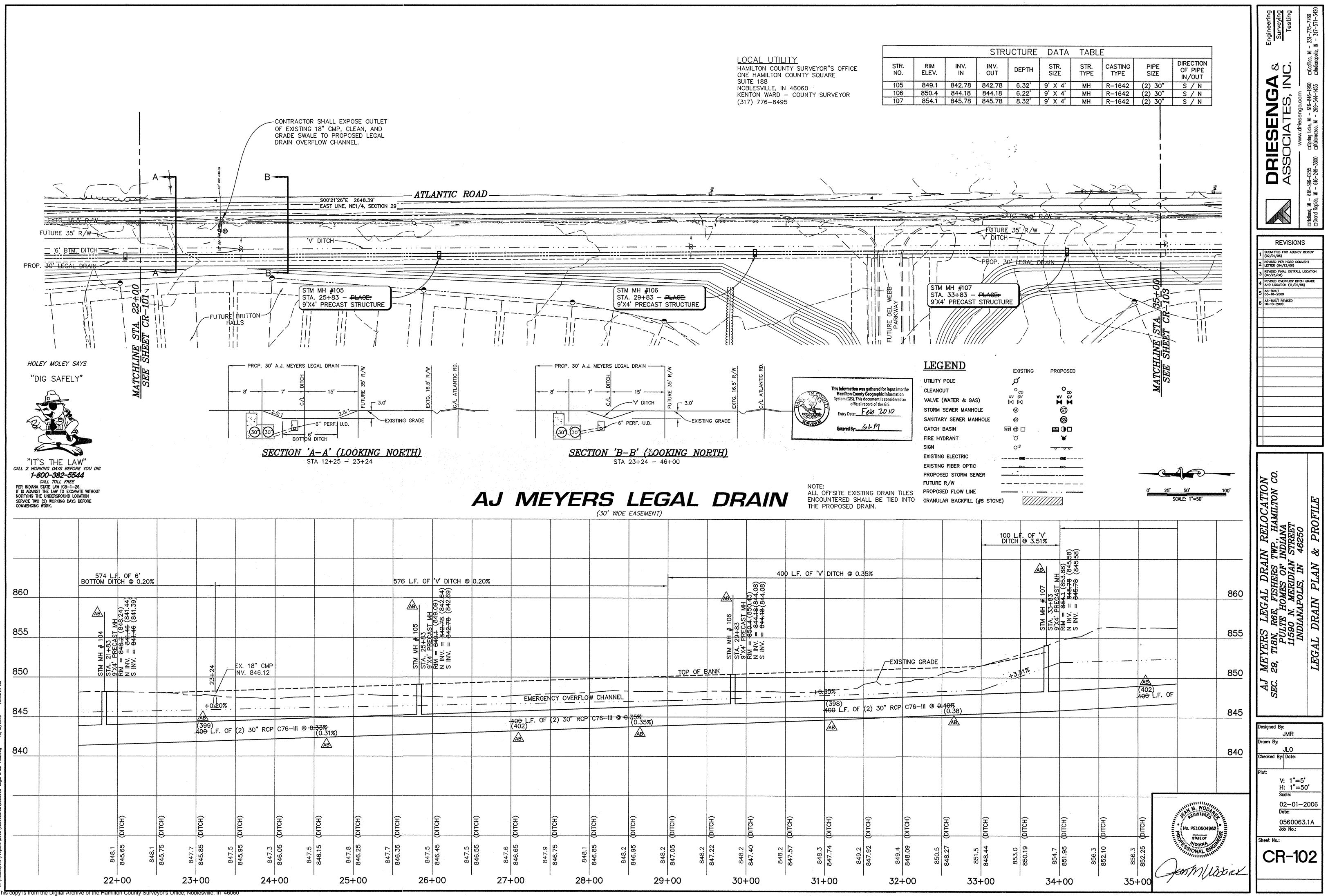
DATE: October 13, 2009

Peter Siglow, P.E. (616) 396-0255

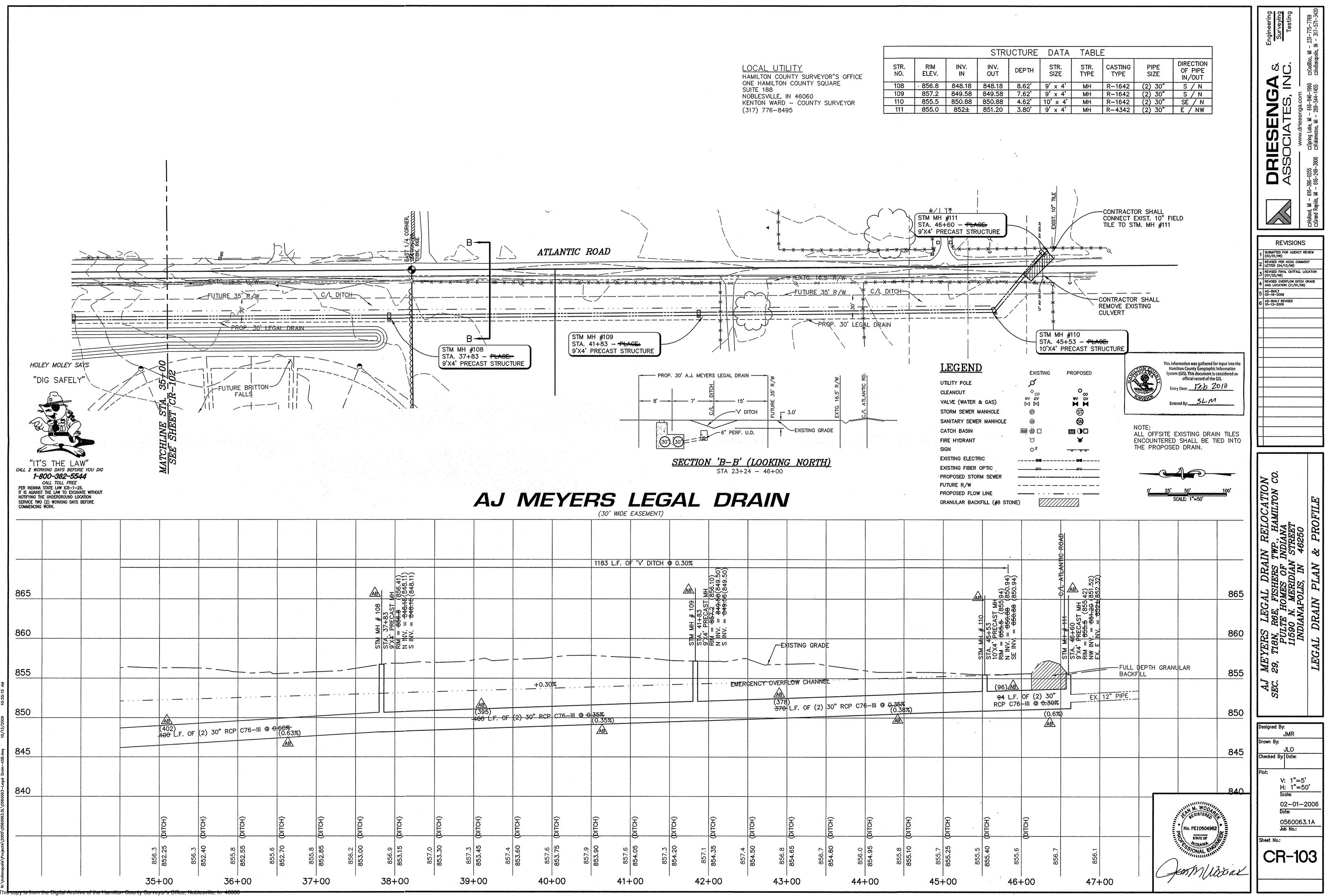


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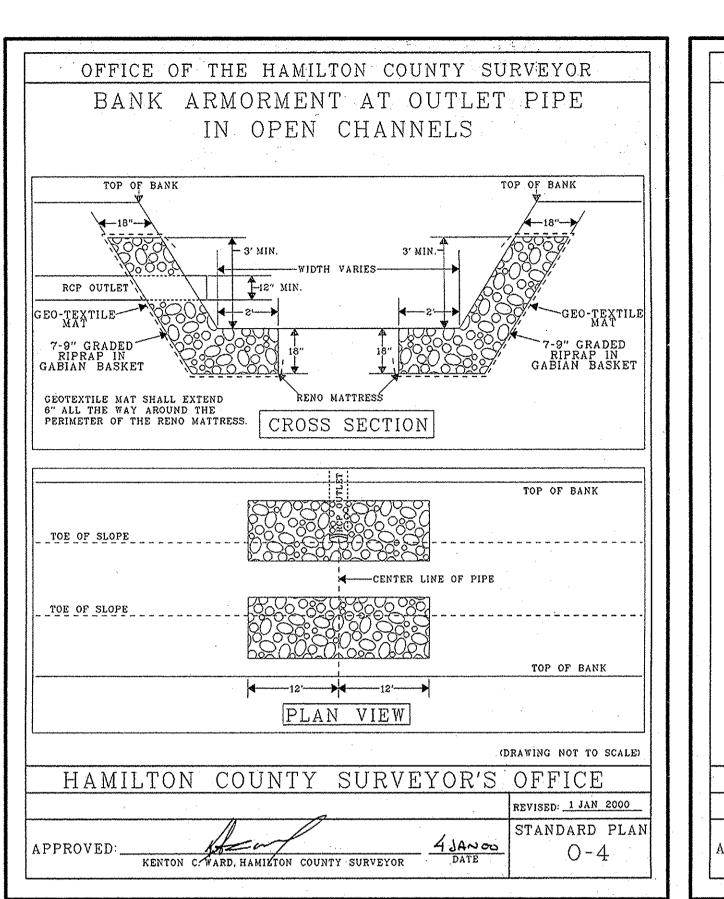


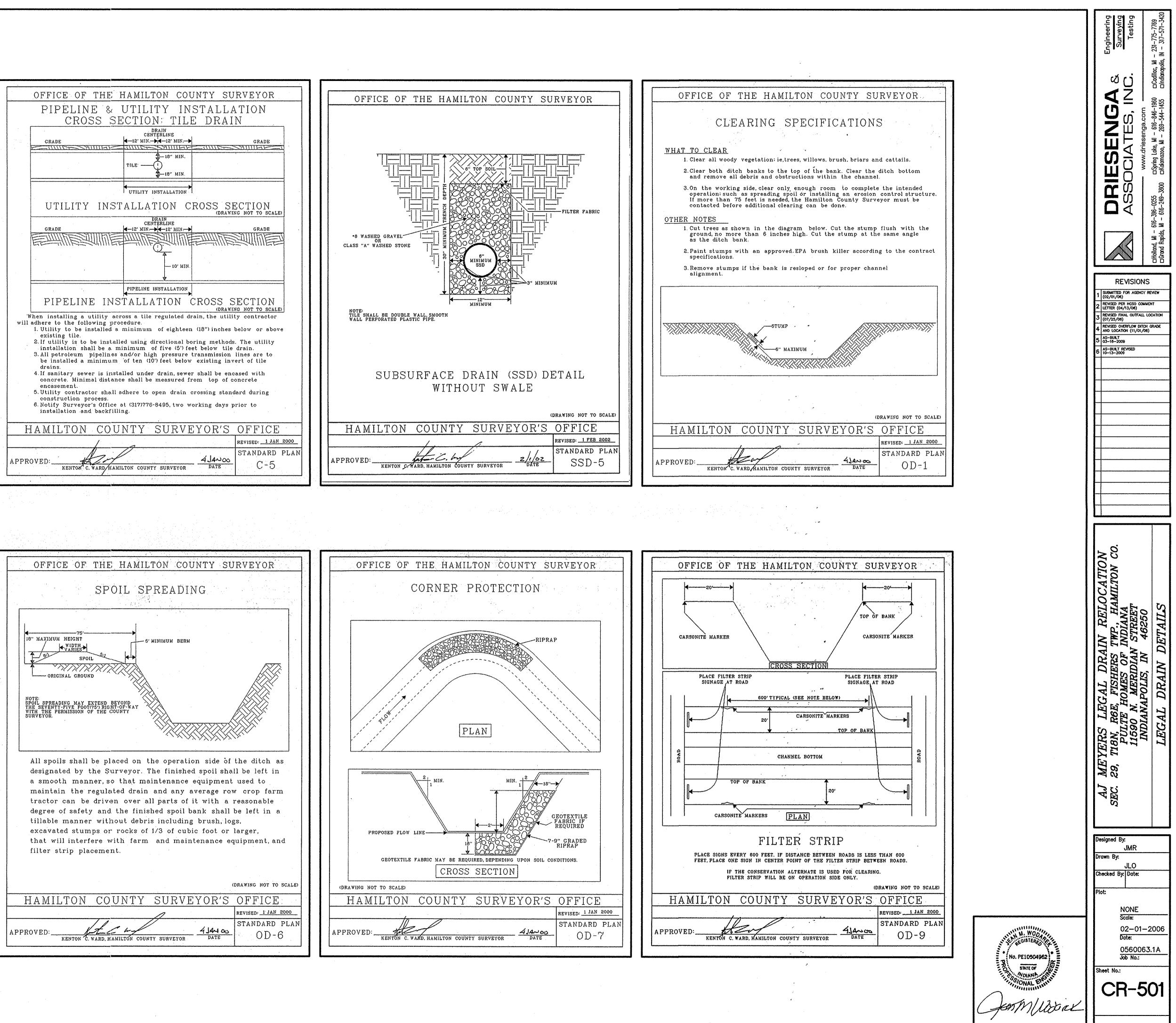


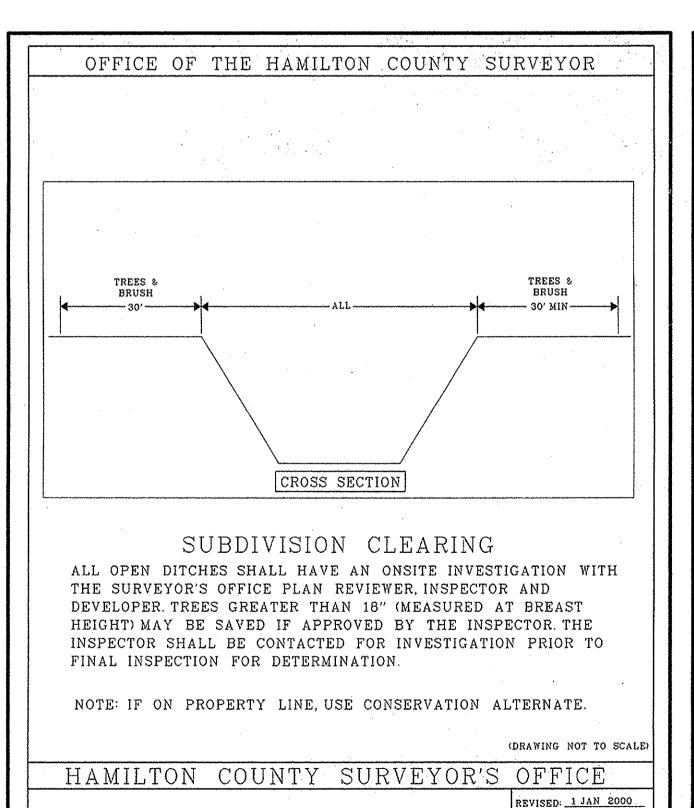
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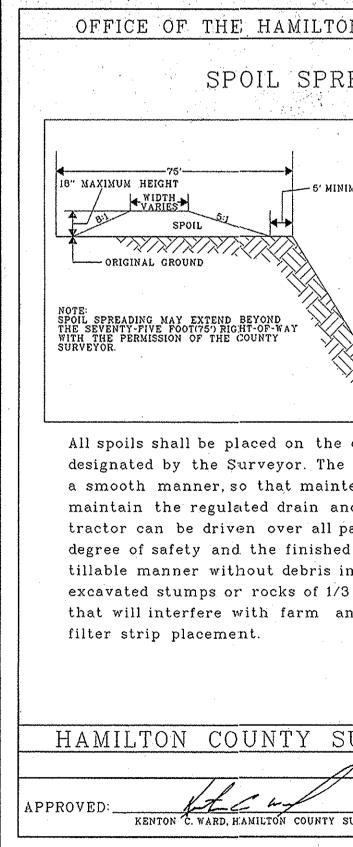


KENTON C. WARD, HAMPLTON COUNTY SURVEYOR

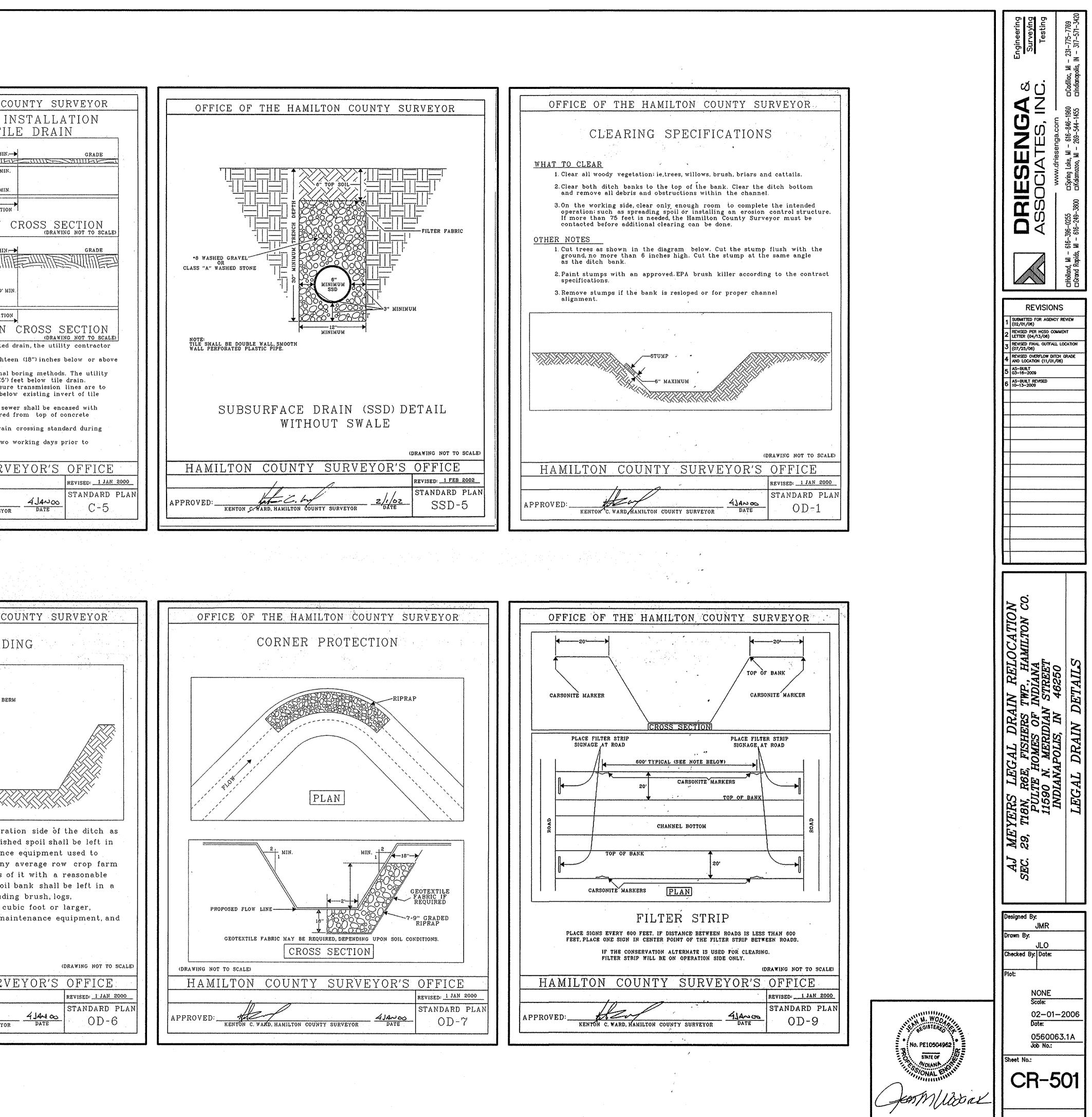
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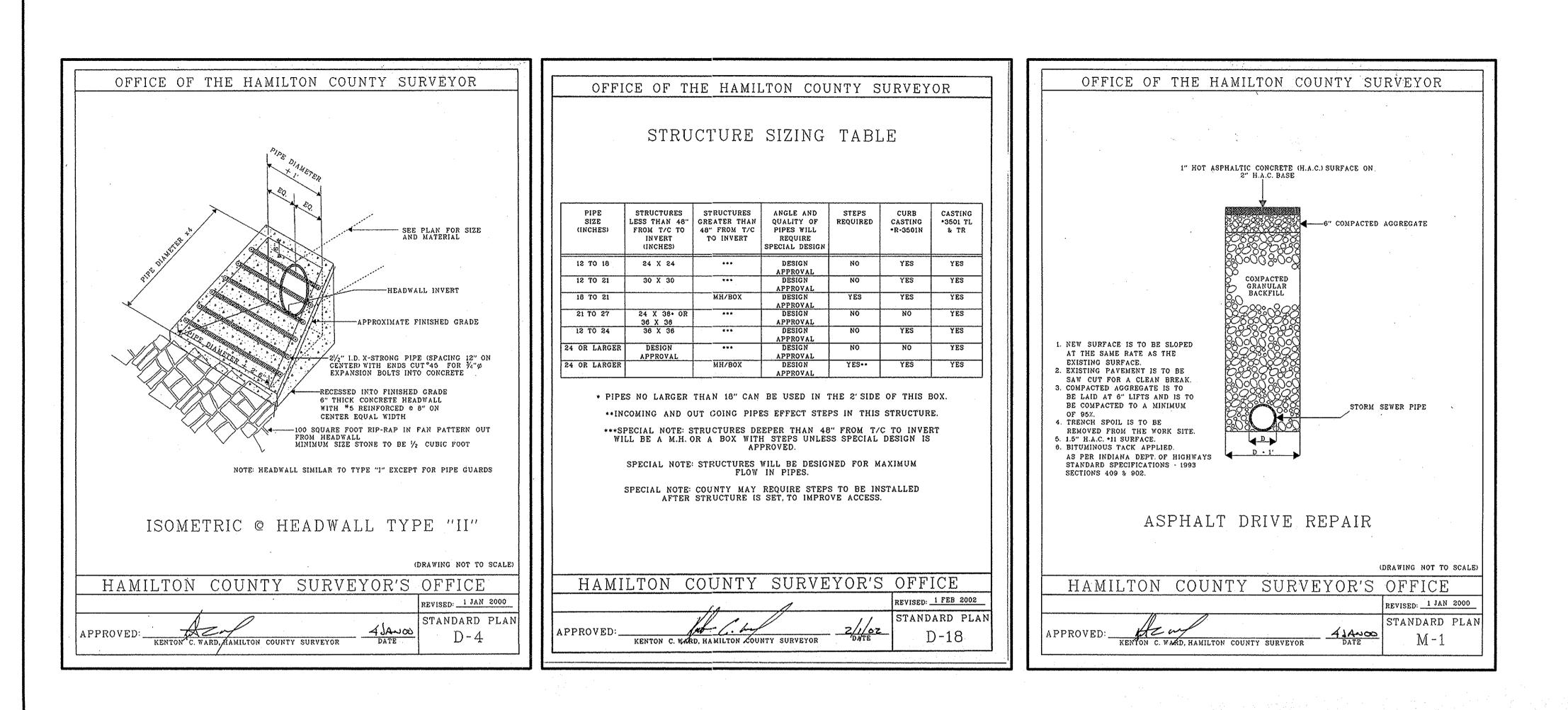
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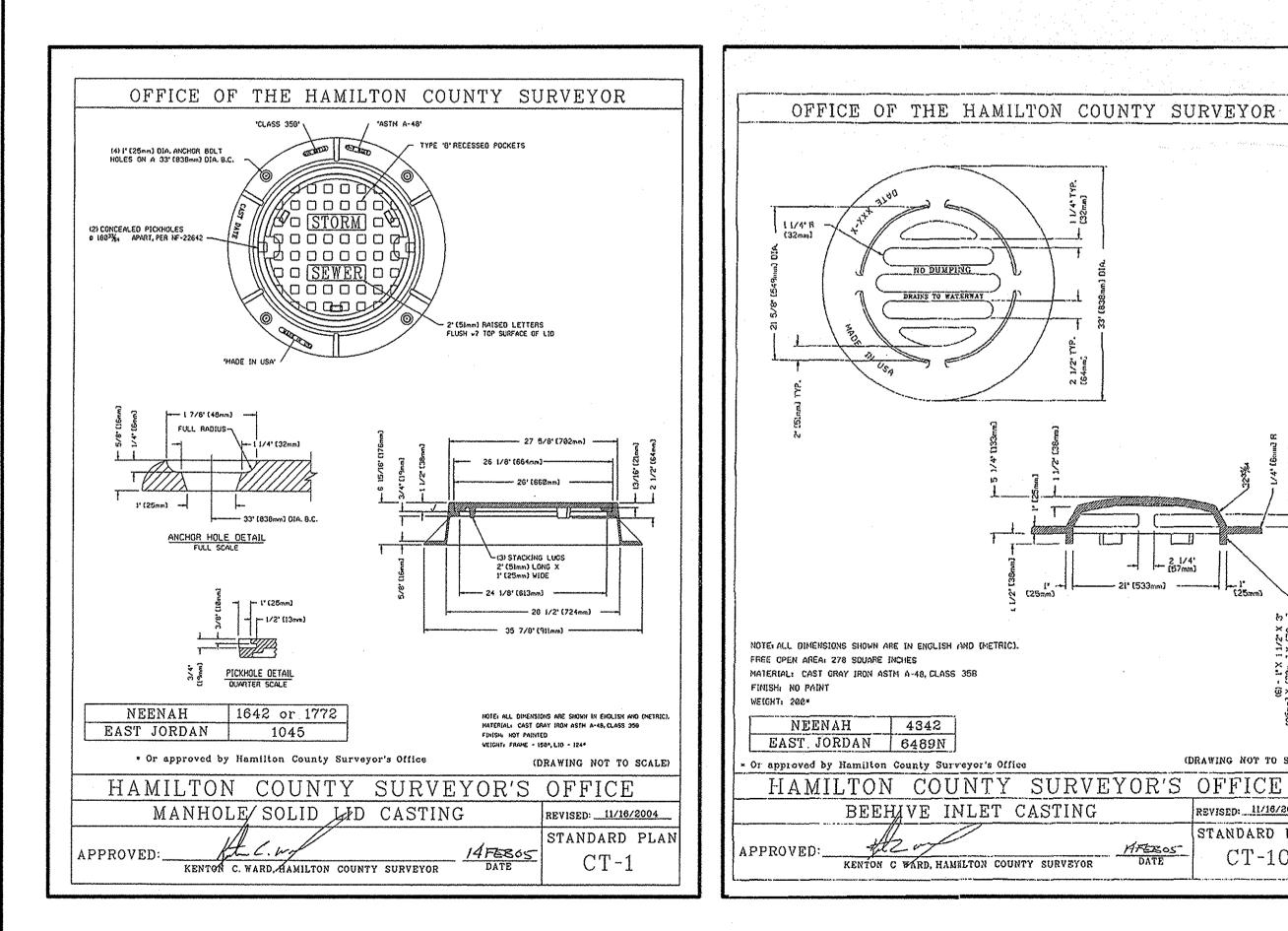
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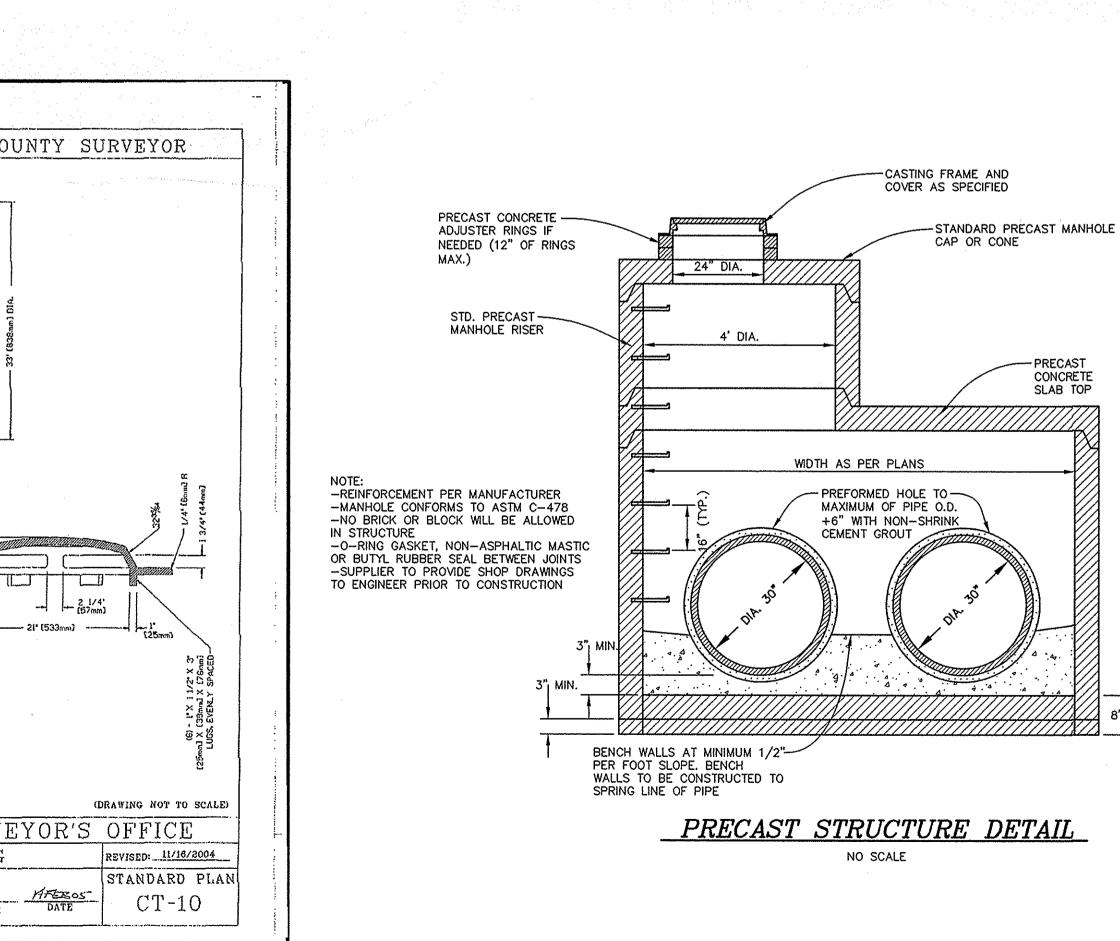


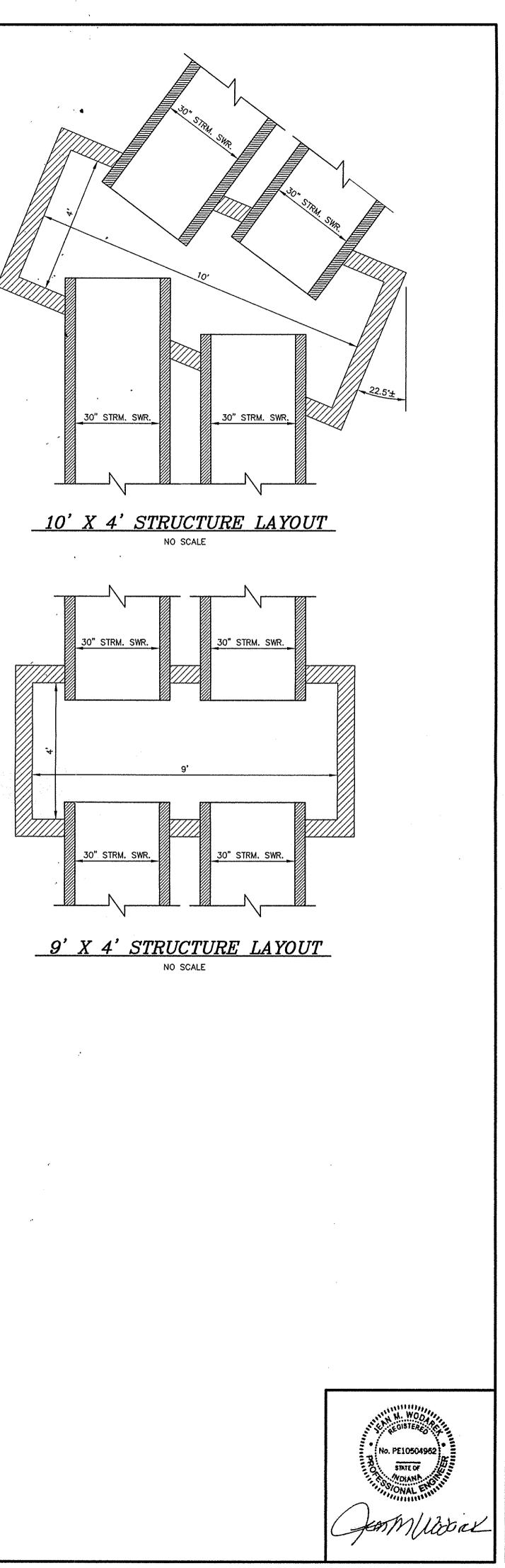




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