

SURVEYOR'S OFFICE

Hamilton County

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

November 5, 2014

To: Hamilton County Drainage Board

Re: Vermillion Drain, The Village at Flat Fork, Sec. 1 Arm

Attached is a petition filed by North Connecticut Development Corp., along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Vermillion Drain, The Village at Flat Fork, Sec. 1 Arm to be located in Fall Creek 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:

12" RCP	442 ft.	24" RCP	1,052 ft.
15" RCP	265 ft.	6" SSD	2,949 ft.
18" RCP	764 ft.	Open (ponds)	695 ft.
21" RCP	421 ft.	Open Ditch	225 ft.

The total length of the drain will be 6,813 feet.

The portion of drain listed as open ditch above is that portion within Common Area "B" on the secondary plat and C.A. (Park) on the development plan. This length is from Structure 219 and runs northerly to the north line of the common area.

The subsurface drains (SSD) to be part of the regulated drain are those located under the curbs and those main lines in rear yards. Only the main SSD lines as described below which are located within the easement or 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 and maintained other than those under curbs are as follows:

SSD under the curbs and rear yard lots 19 – 22. (Note: This SSD line was previously referenced in the report for The Ridge at Flat Fork, Sec. 1 for lots 142, 143, 144 and is called out on the plans as existing. These lots are adjoining and share a rear swale with SSD. The length for this drain was included in the previous report and is not included in this report).

The detention ponds (Dry Pond #3 located in Common Area A, Dry Pond #2 and Wet Pond #1 located in future section common area) are to be considered part of the regulated drain. The maintenance of the ponds assumed by the Drainage Board shall include the inlet and outlet as part of the regulated drain. The maintenance of the ponds such as sediment removal, and erosion control along the banks, 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.

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 \$65.00 per platted lot, \$10.00 per acre for common areas, with a \$65.00 minimum, and \$10.00 per acre for roadways. With this assessment the total annual assessment for this drain for Section 1 will be \$1,886.00.

The petitioner has submitted surety for the proposed drain at this time. The sureties which are in the form of Letters of Credit from the developer are as follows:

Agent: Standard Financial Corporation
Date: September 3, 2014
Number: 1129NCD-VFF1
For: Storm Sewers
Amount: \$278,040.00

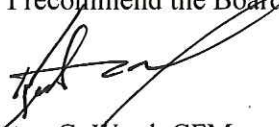
Agent: Standard Financial Corporation
Date: September 3, 2014
Number: 1130NCD-VFF1
For: Erosion Control
Amount: \$63,270.20

Agent: Standard Financial Corporation
Date: September 3, 2014
Number: 1131NCD-VFF1
For: Monumentation
Amount: \$3,918.00

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 above proposed drain that the Board also approve the attached non-enforcement request. The request will be for the reduction of the regulated drain easement to those easement widths as shown on the secondary plats for The Village at Flat Fork, Sec. 1 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for January 26, 2015.


Kenton C. Ward, CFM
Hamilton County Surveyor
KCW/pll

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

FILED

AUG 20 2014

OFFICE OF HAMILTON COUNTY SURVEYOR

TO: HAMILTON COUNTY DRAINAGE BOARD
% Hamilton County Surveyor
One Hamilton County Square, Suite 188
Noblesville, IN. 46060-2230

In the matter of The Village At Flat Fork Subdivision, Section
 The Village At Flat Fork 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 The Village At Flat Fork - Section 1 , 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.
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 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.

Adobe PDF Fillable Form

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

NORTH CONNECTICUT DEV. CORP.

Douglas B. Wagner
Signed

Signed

DOUGLAS B. WAGNER
Printed Name

Printed Name

July 28, 2014
Date

Date

Signed

Signed

Printed Name

Printed Name

Date

Date

FINDINGS AND ORDER

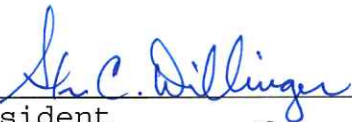
CONCERNING THE MAINTENANCE OF THE

Vermillion Drain, The Village at Flat Fork Section 1 Arm

On this 26th day of January, 2015, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Vermillion Drain, The Village at Flat Fork Section 1 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




President



Member



Member

Attest: 
Executive Secretary



August 27, 2014

Hamilton County Surveyor's Office
1 N 8th Street
Noblesville, IN 46060
Phone: (317) 776-8495

FILED
AUG 28 2014
OFFICE OF HAMILTON COUNTY SURVEYOR

Attention: Steve Cash

RE: The Village at Flat Fork Section One

Dear Mr. Cash:

On behalf of the developer, Republic Development, I wish to submit the following Engineer's Estimate for The Village at Flat Fork Section One. The estimate is as follows:

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Contract Amount</u>	<u>Performance Bond 120%</u>
Storm Sewer				\$ 231,700.00	\$ 278,040.00
6" SSD Swales	760.00	LF	\$ 8.00	\$ 6,080.00	
6" SSD Curbs	2910.00	LF	\$ 7.60	\$ 22,116.00	
12" RCP	391.00	LF	\$ 27.55	\$ 10,772.05	
15" RCP	708.00	LF	\$ 27.20	\$ 19,257.60	
18" RCP	1015.00	LF	\$ 31.90	\$ 32,378.50	
24" RCP	877.00	LF	\$ 45.70	\$ 40,078.90	
Inlet Type A Neenah R3501-TR/TL	2.00	Each	\$ 1,235.00	\$ 2,470.00	
Curb Inlet Double Castings	2.00	Each	\$ 2,190.00	\$ 4,380.00	
MH w/Solid Lid (12" to 24" Pipe) 48"d	21.00	Each	\$ 2,090.00	\$ 43,890.00	
Inlet Type A w/ Beehive Inlet	3.00	Each	\$ 1,010.00	\$ 3,030.00	
MH w/Beehive Inlet (12" to 24" Pipe) 48"d	1.00	Each	\$ 1,710.00	\$ 1,710.00	
Curb Inlet, 48"d	3.00	Each	\$ 1,890.00	\$ 5,670.00	
MH w/Beehive Inlet SS Wier, 48"d	1.00		\$ 2,810.00	\$ 2,810.00	
Rip Rap Outlet Protection	8.00	Each	\$ 433.00	\$ 3,464.00	
12" Flared End Section w/ Debris Guard	4.00	Each	\$ 1,595.00	\$ 6,380.00	
15" Flared End Section w/ Debris Guard	1.00	Each	\$ 1,650.00	\$ 1,650.00	
18" Flared End Section w/ Debris Guard	1.00	Each	\$ 1,749.70	\$ 1,749.70	
24" Flared End Section w/ Debris Guard	2.00	Each	\$ 1,920.00	\$ 3,840.00	
No. 8 Stone Backfill	195.00	Ton	\$ 19.35	\$ 3,773.25	
Dry Pond 3 Infiltration Trench Modified Soil	600	CY	\$ 27.00	\$ 16,200.00	

The Village at Flat Fork Section One

W130129

August 27, 2014

Page 2 of 2

Erosion Control						\$ 52,725.00	\$	63,270.00
Silt Fence	9,000.00	LF	\$	1.30	\$	5,795.00		
Tree Protection Fence	3,400.00	LF	\$	2.35	\$	7,990.00		
Temporary Construction Entrance	1.00	Each	\$	2,000.00	\$	2,000.00		
Curb Inlet Mats	8.00	Each	\$	40.00	\$	320.00		
Beehive Inlet Protection	7.00	Each	\$	45.00	\$	270.00		
Temporary Seeding	24,000.00	SY	\$	0.30	\$	7,200.00		
Permanent Seeding	26,000.00	SY	\$	0.40	\$	10,400.00		
Erosion Control Blanket	12,500.00	SY	\$	1.30	\$	16,250.00		
Concrete Washout Area	1.00	Each	\$	2,500.00	\$	2,500.00		
Monumentation						\$ 3,265.00	\$	3,918.00
5/8" rebar w/ aluminum caps, street control	9.00	Each	\$	35.00	\$	315.00		
5/8" rebar w/ caps, lot property corners	80.00	Each	\$	35.00	\$	2,800.00		
4x4 concrete monuments, subdivision property corners	3.00	Each	\$	50.00	\$	150.00		

Should you have any questions or comments, please feel free to contact me at 317-846-6611.

Sincerely,



Colin Patterson
Professional Engineer

September 3, 2014

HCDB-2014-00045

Irrevocable Letter of Credit No.: 1131NCD-VFF1

TO: Hamilton County Commissioners
1 Hamilton County Square, Suite 157
Noblesville, IN 46060

To Whom It May Concern:

We hereby authorize you to value on us for the account of:

Developer Name: North Connecticut Development Corporation
Developer Address: 3150 Republic Blvd., N., #3
Toledo, OH 43615

For a sum or sums in United States of America Dollars not to exceed the aggregate total of **Three Thousand Nine Hundred Eighteen and no/100 Dollars (\$3,918.00)** by your draft(s) at sight.

The purpose of this Letter of Credit is for the performance of the installation of monumentation in The Village at Flat Fork, Section 1.

The condition for payment of any drafts drawn against the Letter of Credit requires that the draft be accompanied by beneficiary's signed statement on Hamilton County letterhead stating that North Connecticut Development Corporation has not performed or complied with the terms of the construction plan requirements of said project. The statement must also outline the specific deficiencies in construction.

All drafts must be marked, "Drawn under Standard Financial Corporation Letter of Credit No. 1131NCD-VFF1."

This credit is subject, so far as applicable, to "The Uniform Customs and Practice for Documentary Credits (2007 Revision), International Chamber of Commerce Publication No. 600.

This Letter of Credit is effective as of September 3, 2014, and shall expire on September 3, 2015 but such expiration date shall be automatically extended for a period of one year on September 3, 2015, and on each successive expiration date, unless a release is received from the Hamilton County Commissioners, or we notify both the Hamilton County Commissioners and North Connecticut Development Corporation by certified mail, at least ninety (90) days before the current expiration date, that we have decided not to extend this Letter of Credit beyond the

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SEP 05 2014



current expiration date. In the event of such notification by us, the credit established by this Letter shall be available to the Hamilton County Commissioners upon its sight draft or demand for payment for ninety (90) days after receipt of such notice by the Hamilton County Commissioners as shown on the signed return receipt.

We hereby agree with you that all drafts drawn under and in compliance with the terms of this credit shall be duly honored on due presentation to the main office of Standard Financial Corporation, 13578 E. 131st Street, Suite 200, Fishers, IN 46037.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Eric Roof', is written in a cursive style.

Eric Roof, Controller

ER/kh

This Letter of Credit is not valid unless the seal of Standard Financial Corporation is affixed hereto.

13578 E. 131st Street, Suite 200 • Fishers, Indiana 46037
Phone: 317-773-8353 • www.standardfincorp.com

September 3, 2014

HCDB-2014-00044

Irrevocable Letter of Credit No.: 1130NCD-VFF1

TO: Hamilton County Commissioners
1 Hamilton County Square, Suite 157
Noblesville, IN 46060

To Whom It May Concern:

We hereby authorize you to value on us for the account of:

Developer Name: North Connecticut Development Corporation
Developer Address: 3150 Republic Blvd., N., #3
Toledo, OH 43615

For a sum or sums in United States of America Dollars not to exceed the aggregate total of **Sixty-Three Thousand Two Hundred Seventy and no/100 Dollars (\$63,270.00)** by your draft(s) at sight.

The purpose of this Letter of Credit is for the performance of the installation of erosion control in The Village at Flat Fork, Section 1.

The condition for payment of any drafts drawn against the Letter of Credit requires that the draft be accompanied by beneficiary's signed statement on Hamilton County letterhead stating that North Connecticut Development Corporation has not performed or complied with the terms of the construction plan requirements of said project. The statement must also outline the specific deficiencies in construction.

All drafts must be marked, "Drawn under Standard Financial Corporation Letter of Credit No. 1130NCD-VFF1."

This credit is subject, so far as applicable, to "The Uniform Customs and Practice for Documentary Credits (2007 Revision), International Chamber of Commerce Publication No. 600.

This Letter of Credit is effective as of September 3, 2014, and shall expire on September 3, 2015 but such expiration date shall be automatically extended for a period of one year on September 3, 2015, and on each successive expiration date, unless a release is received from the Hamilton County Commissioners, or we notify both the Hamilton County Commissioners and North Connecticut Development Corporation by certified mail, at least ninety (90) days before the current expiration date, that we have decided not to extend this Letter of Credit beyond the

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SEP 05 2014



current expiration date. In the event of such notification by us, the credit established by this Letter shall be available to the Hamilton County Commissioners upon its sight draft or demand for payment for ninety (90) days after receipt of such notice by the Hamilton County Commissioners as shown on the signed return receipt.

We hereby agree with you that all drafts drawn under and in compliance with the terms of this credit shall be duly honored on due presentation to the main office of Standard Financial Corporation, 13578 E. 131st Street, Suite 200, Fishers, IN 46037.

Sincerely,

A handwritten signature in blue ink that reads 'Eric Roof'.

Eric Roof, Controller

ER/kh

This Letter of Credit is not valid unless the seal of Standard Financial Corporation is affixed hereto.

13578 E. 131st Street, Suite 200 • Fishers, Indiana 46037
Phone: 317-773-8353 • www.standardfincorp.com

September 3, 2014

HCD B-2014-00043

Irrevocable Letter of Credit No.: 1129NCD-VFF1

TO: Hamilton County Commissioners
1 Hamilton County Square, Suite 157
Noblesville, IN 46060

To Whom It May Concern:

We hereby authorize you to value on us for the account of:

Developer Name: North Connecticut Development Corporation
Developer Address: 3150 Republic Blvd., N., #3
Toledo, OH 43615

For a sum or sums in United States of America Dollars not to exceed the aggregate total of **Two Hundred Seventy-Eight Thousand Forty and no/100 Dollars (\$278,040.00)** by your draft(s) at sight.

The purpose of this Letter of Credit is for the performance of the installation of storm sewers in The Village at Flat Fork, Section 1.

The condition for payment of any drafts drawn against the Letter of Credit requires that the draft be accompanied by beneficiary's signed statement on Hamilton County letterhead stating that North Connecticut Development Corporation has not performed or complied with the terms of the construction plan requirements of said project. The statement must also outline the specific deficiencies in construction.

All drafts must be marked, "Drawn under Standard Financial Corporation Letter of Credit No. 1129NCD-VFF1."

This credit is subject, so far as applicable, to "The Uniform Customs and Practice for Documentary Credits (2007 Revision), International Chamber of Commerce Publication No. 600.

This Letter of Credit is effective as of September 3, 2014, and shall expire on September 3, 2015 but such expiration date shall be automatically extended for a period of one year on September 3, 2015, and on each successive expiration date, unless a release is received from the Hamilton County Commissioners, or we notify both the Hamilton County Commissioners and North Connecticut Development Corporation by certified mail, at least ninety (90) days before the current expiration date, that we have decided not to extend this Letter of Credit beyond the

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SEP 05 2014

13578 E. 131st Street, Suite 200 • Fishers, Indiana 46037
Phone: 317-773-8353 • www.standardfincorp.com



current expiration date. In the event of such notification by us, the credit established by this Letter shall be available to the Hamilton County Commissioners upon its sight draft or demand for payment for ninety (90) days after receipt of such notice by the Hamilton County Commissioners as shown on the signed return receipt.

We hereby agree with you that all drafts drawn under and in compliance with the terms of this credit shall be duly honored on due presentation to the main office of Standard Financial Corporation, 13578 E. 131st Street, Suite 200, Fishers, IN 46037.

Sincerely,

A handwritten signature in blue ink that reads 'Eric Roof'. The signature is fluid and cursive, with the first name 'Eric' and last name 'Roof' clearly distinguishable.

Eric Roof, Controller

ER/kh

This Letter of Credit is not valid unless the seal of Standard Financial Corporation is affixed hereto.

13578 E. 131st Street, Suite 200 • Fishers, Indiana 46037
Phone: 317-773-8353 • www.standardfincorp.com

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Vermillion Drain, The Village at Flat Fork Section 1 Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Vermillion Drain, The Village at Flat Fork Section 1 Arm** on **January 26, 2015** 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

Vermillion Drain, The Village at Flat Fork Section 1 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 26, 2015** 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