

Fax (317) 776-9628

One Hamilton County Square Noblesville, Indiana 46060-2230

May 19, 2006

TO: Hamilton County Drainage Board

RE: Vestal-Kirkendall Drainage Area, Oak Manor Section 3 Outlet Arm

Attached is a petition filed by Langston Development Co., Inc. along with plans, calculations, quantity summary and assessment roll for the Oak Manor Section 3 Outlet Arm, Vestal-Kirkendall Drainage Area to be located in Washington 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:

18" RCP	471 ft.	30" RCP	846 ft.
30" SDR-26	154 ft.	Open Ditch	1,329 ft.

The total length of the drain will be 2,800 feet.

The open ditch listed above begins at Structure 167 of the Oak Manor Section 3 plans, prepared by Schneider Engineering and having job number 4134.007, and follows the existing open channel in an easterly direction across the northern lots of Carey Glen and across tract 08-10-08-00-001.000, owned by Robert & Richard Taylor, then to the eastern boundary of Carey Glen. The end point of the open ditch is the same as Sta. 0+00 of Brookside Arm 2 of the Kirkendall Drain.

The retention pond (Lake #3) located in Common Area "J" is not be considered part of the regulated drain. Only the outlet will be maintained as part of the regulated drain. The maintenance of the pond (lake) will be the responsibility of the Homeowners Association. The Board however will retain jurisdiction for ensuring the storage volume for which the pond (lake) was designed will be retained, thereby, allowing no fill or easement encroachments.

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

Agent: Bond Safeguard Insurance Company Date: December 9, 2005 Number 5020345 For: Off-site Storm Sewer Amount: \$98,300.00

Parcels assessed for this drain may be assessed for the Emily Vestal 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.

The easement width for the enclosed portion of the Oak Manor Section 3 Outlet Arm, Kirkendall Drain, which is located with Oak Manor Section 3, shall be as shown on the secondary plat for Oak Manor Section 3 (PC 4, Slide 85) as recorded in the office of the Hamilton County Recorder. The first portion of the offsite easement on parcel 09-10-06-00-00-019.201, owned by Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter Day Saints, shall be per the Drainage Easement agreement recorded as instrument 200600026501 in the office of the Hamilton County Recorder. The offsite easement continues on parcel 08-10-07-00-00-008.000, owned by John R. Randall, and shall be per the Easement Grant recorded as instrument 200500056498 in the office of the Hamilton County Recorder. The pipe then crosses Carey Road and into Carey Glen Subdivision, where it then discharges into an open ditch. The easement for this section of this enclosed portion of the arm across Common Area B and Lot 1 of Carey Glen shall be as shown on the secondary plat for Carey Glen (PC 3, Slide 294) as recorded in the office of the Hamilton County Recorder.

The easement on the open ditch portion of this arm shall be the existing 30 foot Drainage Easement as shown of the plat for the following lots in Carey Glen:

Parcel	Owner
08-10-08-00-08.001.000	Avery Bey
08-10-08-00-08-002.000	Anthony Laford Carter
08-10-08-00-08.003.000	Patrick & Jody Peterson
08-10-08-00-08.004.000	Wells Fargo Bank NA
08-10-08-00-08-005.000	Speculation Corporation
08-10-08-00-08-006.000	Kensington Carriage Homes LLC
08-10-08-00-08-007.000	Kensington Carriage Homes LLC
08-10-08-00-08-010.000	Kensington Carriage Homes LLC

The easement for the open ditch across tract 08-10-08-00-001.000, owned by Robert & Richard Taylor, shall be 25 feet from the top of bank of both sides of the open ditch.

. I recommend the Board set a hearing for this proposed drain for November 27, 2006.

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/pll

To: Hamilton County Drainage Board

Date: 12/20/05

Re: <u>Kirkendall</u> Drain

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Langston Development Co Inc (Here-in-after "Petitioner"),

hereby petitions the Hamilton County Drainage Board under IC 36-9-27-66 for an arm to be

installed to the <u>Kirkendall</u> Drain in order to serve the property of the

petitioner. The petitioner, in support of said petition, advises the Board that:

- 1. The <u>Kirkendall</u> Drain is presently on a maintenance program and that land of the petitioner is assessed as benefited by the maintenance of the regulated drain
- 2. There is no known adequate open or tiled drain connecting the land of the petitioner with the regulated drain;
- 3. The waters from the petitioners land flow over or through land owned by others to reach the regulated drain;
- 4. The legal description of lands through which the new regulated drain will run along with the parcel numbers, name and address of each owner of that land is shown on Exhibit "A" which is attached;
- 5. The general route of the proposed new regulated drain and method of construction is shown on Exhibit "B" which is attached.
- 6. Petitioner agrees to pay all legal and construction costs involved with the construction of the proposed new regulated drain.

Signed	Printed				
Jerre	Jomes R. Longston U.P.				
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STATE OF INDIANA ) ) ss: COUNTY OF HAMILTON ) BEFORE THE HAMILTON COUNTY DRAINAGE BOARD NOBLESVILLE, INDIANA

IN THE MATTER OF THE RECONSTRUCTION OF THE Vestal/Kirkendall Drainage Area, Oak Manor Section 3 Outlet Arm

#### FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the Vestal/Kirkendall Drainage Area, Oak Manor Section 3 Outlet Arm came before the Hamilton County Drainage Board for hearing on November 27, 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 **Vestal/Kirkendall Drainage Area**, **Oak Manor Section 3 Outlet Arm** 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:

DRAINAGE BOARD

ATTEST

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD IN THE MATTER OF

# Vestal/Kirkendall Drainage Area, Oak Manor Section 3 Outlet Arm

NOTICE

To Whom It May Concern and:\_\_\_\_\_

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the Vestal/Kirkendall Drainage Area, Oak Manor Section 3 Outlet Arm on November 27, 2006, at 9:30 A.M. in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed 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

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Attest: Lynette Mosbaugh

ONE TIME ONLY

STATE (	ΟF	INDIANA	)				
			)	SS	BEFORE	THE	HAMILTON
			)				
COUNTY	OF	HAMILTON	)		DRAINAG	GE BO	DARD

## IN THE MATTER OF Vestal/Kirkendall Drainage Area, Oak Manor Section 3 Outlet Arm

### NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting November 27, 2006 adopted the reconstruction report of the Surveyor and the Amended Schedule of damages and assessments including annual assessment for periodic maintenance, finding that the costs, damages and expense of the proposed improvement would be less than the benefits which will result to the owner of lands benefited thereby.

The Board issued an order declaring the proposed improvement established. Such findings and order were marked filed and are available for inspection in the Office of the Hamilton County Surveyor.

If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

## HAMILTON COUNTY DRAINAGE BOARD

BY: Steven C. Dillinger PRESIDENT

ATTEST: Lynette Mosbaugh EXECUTIVE SECRETARY

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Vestal/Kirkendall #292 Dutlet Arm for Oak Manor S No change in current asses Will add 25' easement. To To					<b>Maintenance</b> Residential/Ag Un-Reg Sub Reg Sub Commercial Roads	2.00 5.00 10.00 10.00	Minimum 15.00 15.00 30.00 75.00
Parcel	Owner	Address	City	Description	Rate	Benefit	MntAsmt
<b>क्रि</b> -10-08-00-08-001.000	Bey, Avery	824 Mayburn Ln	Chicago Heights, IL 60411	Carey Glen Lot 1	Un-Reg Sub	One Lot	*
မိုနို-10-08-00-08-002.000	Carter, Anthony Laford	814 Delaware N	Indianapolis, IN 46203	Carey Glen Lot 2	Un-Reg Sub	One Lot	*
æ	Petersohn, Patrick A & Jody L TR	3404 Carey Glen Ct	Westfield, IN 46074	Carey Glen Lot 3	Un-Reg Sub	One Lot	*
<b>@2</b> -10-08-00-08-004.000	Wells Fargo Bank NA	7105 Corporate Dr MS PTX C35	Plano, TX 75024	Carey Glen Lot 4	Un-Reg Sub	One Lot	*
<b>08</b> -10-08-00-08-005.000	Speculation Corporation	3220 Providence Hills Dr	Matthews, NC 28105	Carey Glen Lot 5	Un-Reg Sub	One Lot	*
ൽ -10-08-00-08-006.000	Kensington Carriage Homes LLC	1016 Third Ave SW, Ste 206	Carmel, IN 46032	Carey Glen Lot 6	Un-Reg Sub	One Lot	*
02.000-08-00-08-007.000	Kensington Carriage Homes LLC	1016 Third Ave SW, Ste 206	Carmel, IN 46032	Carey Glen Lot 7	Un-Reg Sub	One Lot	*
08-10-08-00-08-010.000	Kensington Carriage Homes LLC	1016 Third Ave SW, Ste 206	Carmel, IN 46032	Carey Glen Lot 10	Un-Reg Sub	One Lot	*
ርጅ-10-08-00-00-001.000 ቨ	Taylor, Robert D. & Richard D. JT/RS	16565 Carey Rd	Westfield, IN 46074	S8 T18 R4 8.57 Ac	Residential/Ag	8.57	*

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Hamilton County Surveyor's Office; Noblesville, In 46060

#### OFFICE OF

# HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the Vestal/Kirkendall Drain, outlet arm for Oak Manor Section 3.

Bey, Avery 824 Mayburn Ln Chicago Heights, IL 60411

The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as **Vestal/Kirkendall Drain, outlet arm for Oak Manor Section 3** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows:

Description of Land	Acres	Damages	Reconst.	% of	Maint.
08-10-08-00-08-001.000	Benefited	Ĭ	Assmt.	Total	Assmt.
Carey Glen Lot 1	One Lot	Zero	\$0	n/a	*
*No change in current assessment rate.			•	- <b>I</b>	<b>k</b>

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at 9:30 A.M. on November 27, 2006, in the Commissioner's Court. The law provides the objects must be written and filed not less than 5 days before the date of the hearing. Objections may be for causes as specified by law and which are available at the Surveyor's Office. Written evidence in support of objections may be filed. The failure to file objections constitutes a waiver of your right to thereafter object, either before the Board or in court on such causes, to any final action of the Board. On or before the day of the hearing before the Board, the Surveyor shall and any owner of affected lands may cause written evidence to be filed in support of or in rebuttal to any filed objections.

HAMILTON COUNTY DRAINAGE BOARD One Hamilton County Square, Ste. 188 Noblesville, IN 46060-2230

This drain shall be designated as an Urban Drain.

To: Hamilton County Surveyor

## Re: Oak Manor Sec. 3 OFFSITE

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.

Signature: <u>Mich</u>	1 Jan Date: 12/08/06
Type or Print Name:	Michael J. Diamente
Business Address:	8901 Ofis Avenue
	Indianapolis, IN 46216
Telephone Number:	(317) 826-7265

SEAL

INDIANA REGISTRATION NUMBER



PE 10100357



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

March 5, 2008

## Re: Vestal-Kirkendall: Oak Manor Sec. 3 Outlet

Attached are as-builts, certificate of completion & compliance, and other information for Oak Manor Sec. 3 Outlet. 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 May 19. The report was approved by the Board at the hearing held November 27, 2006. (See Drainage Board Minutes Book 9, Pages 560-562) The changes are as follows:

Structure:	Length:	Size	Material:	Up Invert:	Dn Invert	Grade:	Changes (ft):
175-174	85	18	RCP	851.36	851.1	0.31	-6
174-173	110	18	RCP	851.1	851	0.09	3
173-172	71	18	RCP	851	850.92	0.11	<u></u>
172-171	198	18	RCP	850.92	850.72	0.1	-4
171-170	160	30	SDR 26 PVC	850.72	850.52	0.13	6
170-169	145	30	RCP	843.14	841.95	0.82	-7
169-168	513	30	RCP	850.54	850.08	0.09	13
168-167	164	30	RCP	850.08	849.9	0.11	-30
<b>RCP Pipe T</b>	otals:		·				
18	464					Other Drain:	
		1					

18 464	Other Drain:	
30 822	Open Ditch 13	329
Total: <u>1286</u>	SDR-26 PVC	160
	<b>Total:</b> 14	489

The length of the drain due to the changes described above is now 2775 feet.

The easements for this offsite storm sewer were recorded under instrument #200600026501 & 200500056498.

The following sureties were guaranteed by Bond Safeguard Insurance Company and released by the Board on its February 9, 2007 meeting.

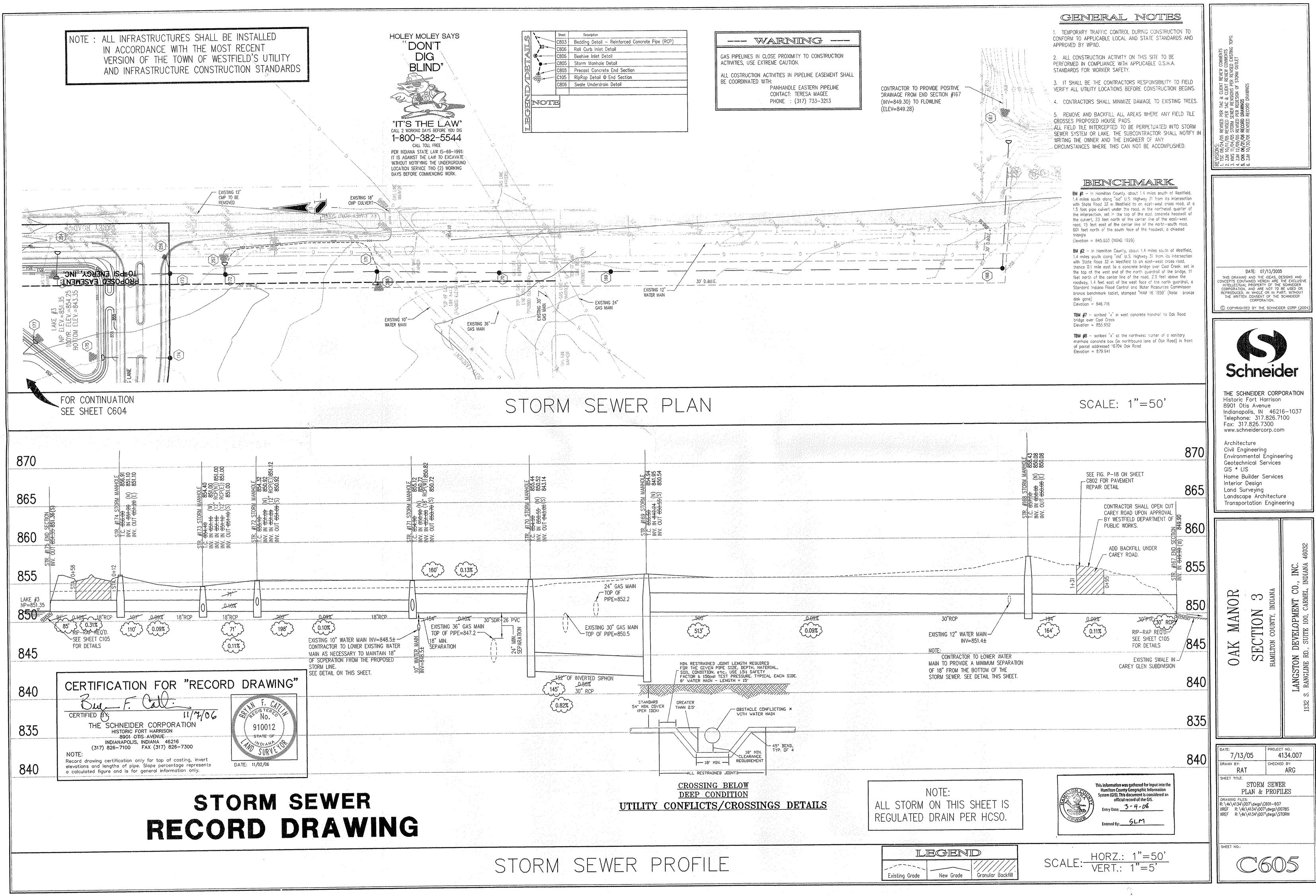
Bond-LC No: 5020345 Insured For: Storm Sewers Amount: \$98,300.00 Issue Date: December 9, 2005

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

Sincerely,

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/slm





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 ferd

September 12, 2011

To: Hamilton County Drainage Board

Re: Parcel 08-10-07-00-04-070.000

Upon review of the drainage shed boundary between the Vestal/Kirkendall and the Cool Creek Drainage Area, it has been discovered that parcel 08-10-07-00-04-070.000, owned by Oak Manor Property Owners Association, should have the acres benefited reduced on both drains. The parcel contains 5.14 acres and is currently assessed to the Cool Creek Drain for 5.14 acres at \$77.10 and to the Vestal/Kirkendall Drain for 5.50 acres at \$15.00. The revised assessments should be as follows:

	Current Benefit	Current Assessment	Revised Benefit	Revised Assessment
Cool Creek #345	5.14 Ac	\$77.10	1.10 Ac	\$65.00
Vestal/Kirkendall #292	5.05 Ac	\$15.00	4.04 Ac	\$15.00

The proposed revision will reduce the Cool Creek assessment by \$12.10 and will not make a difference in the Vestal/Kirkendall assessment. I recommend that the Board approve this revision at this time.

Kenton C. Ward, CFM Hamilton County Surveyor

# Parcel #'s - Have board reduce it, No treering



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Purcel# 08-10-07-00-04-070.000

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