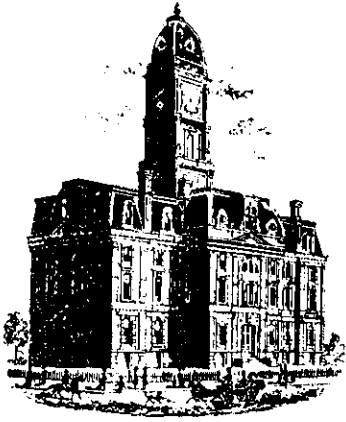


Drain: RUSSELL SNUGART Drain #: 320
Improvement/Arm: NAZEL DELL WOODS OFFSITE
Operator: J. LIVINGSTON Date: 6-17-04
Drain Classification: Urban Rural Year Installed: 2000

GIS Drain Input Checklist

- Pull Source Documents for Scanning JL
- Digitize & Attribute Tile Drains JL
- Digitize & Attribute Storm Drains JL
- Digitize & Attribute SSD JL
- Digitize & Attribute Open Ditch JL
- Stamp Plans JL
- Sum drain lengths & Validate JL
- Enter Improvements into Posse JL
- Enter Drain Age into Posse JL
- Sum drain length for Watershed in Posse JL
- Check Database entries for errors JL



SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor

Phone (317) 776-8495

Fax (317) 776-9628

Suite 146

One Hamilton County Square

Noblesville, Indiana 46060-2230

To: Hamilton County Drainage Board

June 12, 2000

Re: Russell Shugart Drain

Attached is a petition and plans for the proposed reconstruction of the Russell Shugart Drain along with a proposed arm to the drain. The proposed reconstruction and arm is petitioned by Bay Development Corporation. The proposal is to reconstruct the drain as an open ditch across tract 10-10-03-00-00-039.001 and construct an arm from the existing Shugart Drain to the new Hazel Dell Woods Subdivision.

The Russell Shugart is a regulated drain which was constructed in 1914 through the Hamilton County Circuit Court. The drain consisted of a main ditch and arms 1, 2 and 3 consisting of a total of 3,600 feet, 1,310 feet, 810 feet and 493 feet respectively for a grand total of 6,213 feet of tile drain. Maintenance was assessed on the drain by assessment dated January 10, 1959. The drain was requested for classification and repair in 1976 and 1977 by Eugene and Kay Thompson. Presently the drain is classified for reconstruction with the Emily Vestal Drain. The Vestal is number 1 on the 2000 classification list.

I have reviewed the submittals and petition for the proposed arm 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 section of drain to be reconstructed is that section which lies across tract 10-10-03-00-00-039.001, which is owned by Kay Thompson. This is the section between stations 26+50 and 36 of the original 1914 drain description. This section shall be replaced with an open ditch 770 feet in length beginning at the West side of the culverts under Mill Creek Road and run to the North line of the Thompson Property. This is shown on sheets 7 and 13A of the plans for Hazel Dell Woods, Section 1 as prepared by Weihe Engineers, Inc. (Project No. 99-0089, dated 2/21/00)

The Hazel Dell Woods Arm is to begin at the North line of the Thompson Property and run to the West Side of Hazel Dell Road. This portion will run across tracts 10-10-03-00-00-041.000 and 10-10-03-00-00-042.000, which are owned by Charles and Linda Holland and Robert and Norma Anderson Respectively. The arm shall begin at the head of the above described open ditch and run 2,664 feet to structure #763 in the Hazel Dell Woods Subdivision. This is shown on sheets 5, 12, 12 and 13 on the above referenced plans.

The cost of the Hazel Dell Woods Arm and the reconstruction is being borne by Bay Development Corporation.

Easements for the new arm across the Holland and Anderson Tracts shall be set at 15 feet per half. The easement across the Thompson Property shall be set at 100 feet total width. Easement grants for each tract are attached.

The petitioner has provided a bond for this work which is attached.

Bonding Agent: Fifth Third Bank
Bond Number: SB 12161
Date: May 31, 2000
Amount: \$124,000.00
Bond Expiration: May 31, 2001

I believe that the proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, the Shuggart Drain shall be designated as an Urban Drain.

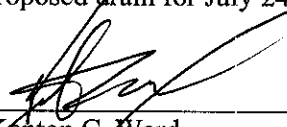
I have reviewed the plans and drain map and believe, as set out in IC 36-9-27-69, that all tracts within the drainage shed of the Russell Shuggart Drain will benefit. I recommend the following maintenance assessment to be adopted by the Board:

1. Maintenance assessment for roads and streets be set at \$10.00 per acre.
2. Maintenance assessment for agricultural tracts be set at \$2.00 per acre - \$10.00 minimum.
3. Maintenance assessment for non-platted residential tracts be set at #3.00 per acre with a \$15.00 minimum.
4. Maintenance assessment for commercial tracts be set at \$5.00 per acre with a \$25.00 minimum.
5. Maintenance assessment for platted lots in subdivisions whose drainage systems will not be part of the regulated drain (those systems maintained by the City of Noblesville) shall be set at \$25.00 per lot/minimum. Common areas within non-regulated drain subdivisions shall be assessed at \$5.00 per acre with a \$25.00 minimum.
6. Maintenance assessment for platted lots within a subdivision whose drainage system will be part of the regulated drain shall be set at \$65.00 per lot/minimum. Common areas within regulated drain subdivisions shall be set at \$10.00 per acre with a \$65.00 minimum.

7.50 —
12.50 For
EXISTING
SUBDIVISIONS

Parcels assessed for this drain will also be assessed for the Emily Vestal Drain at sometime in the future.

I recommend the Board set a hearing for this proposed drain for July 24, 2000.



Kenton C. Ward
Hamilton County Surveyor

KCW/llm
Revised July 21, 2000 KCW/kkw

FB Fifth Third Bank

INTERNATIONAL DEPARTMENT

38 Fountain Square Plaza / Cincinnati, Ohio 45263

Phone (513) 579-5220

Telex number: 21-4567

Cable address: FIFTH THIRD

Except so far as otherwise expressly stated this credit is subject to the "Uniform Customs and Practice for Documentary Credits of the International Chamber of Commerce, Presently in Effect".

ISSUING BANK:
Fifth Third Bank
International Division
38 Fountain Square Plaza
Cincinnati, Ohio 45263

IRREVOCABLE STANDBY CREDIT
NUMBER: SB12161

PAGE 1 of 2

PLACE AND DATE OF ISSUE
Cincinnati, Ohio 45263
31 May.2000

EXPIRY DATE AND PLACE FOR PRESENTATION
OF DOCUMENTS: 31 May.2001
Our counters

APPLICANT:
BAY COMMUNITIES LLC
10415 NORTH COLLEGE AVENUE
INDIANAPOLIS, IN 46280

BENEFICIARY:
HAMILTON COUNTY BOARD OF
COMMISSIONERS
1 HAMILTON COUNTY SQUARE, -STE. 146
NOBLESVILLE, IN 46060

AMOUNT: USD124,000.00
One hundred twenty four thousand
and 00/100
United States Dollars

WE HEREBY ISSUE IN YOUR FAVOR THIS STANDBY LETTER OF CREDIT WHICH IS AVAILABLE BY PAYMENT OF YOUR DRAFT(S) AT SIGHT ON THE FIFTH THIRD BANK, CINCINNATI, OHIO, U.S.A., ACCOMPANIED BY THE FOLLOWING DOCUMENTS AND THIS ORIGINAL LETTER OF CREDIT:

BENEFICIARY'S SIGNED STATEMENT CERTIFYING THAT BAY COMMUNITIES LLC HAS FAILED TO COMPLETE THE FOLLOWING DRAINAGE IMPROVEMENT COMPONENTS, AS REQUIRED FOR STORM DRAINS (\$88,000), EARTHWORK WITHIN LEGAL DRAIN \$22,000, EROSION CONTROL (\$14,000), FOR PROPERTY KNOWN AS HAZEL DELL WOODS, SECTION ONE, OFF-SITE STORM DRAINAGE.

THIS CERTIFICATE SHOULD ALSO SPECIFY THE ESTIMATED COST OF COMPLETING EACH IMPROVEMENT.

THE BANK SHALL NOT BE CALLED UPON TO DETERMINE QUESTIONS OF FACT OR LAW AT ISSUE BETWEEN THE BANK'S CUSTOMER AND THE BENEFICIARY OF THIS LETTER OF CREDIT.

FB Fifth Third Bank

INTERNATIONAL DEPARTMENT

38 Fountain Square Plaza / Cincinnati, Ohio 45263

Phone (513) 579-5220

Telex number: 21-4567

Cable address: FIFTH THIRD

Except so far as otherwise expressly stated this credit is subject to the "Uniform Customs and Practice for Documentary Credits of the International Chamber of Commerce, Presently in Effect".

NUMBER SB12161

PAGE 2 of 2

WE HEREBY ENGAGE WITH THE DRAWERS, ENDORSERS AND BONA FIDE HOLDERS OF DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS CREDIT THAT THE SAME SHALL BE DULY HONORED ON DUE PRESENTATION TO THE DRAWEE.

DRAFT MUST BEAR THE CLAUSE: "DRAWN UNDER LETTER OF CREDIT NO. SB12161 OF THE FIFTH THIRD BANK, CINCINNATI, OHIO."

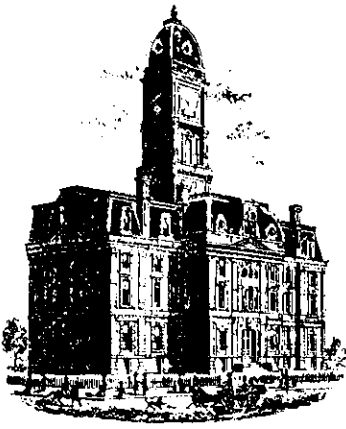
WE HEREBY ENGAGE WITH YOU THAT DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS CREDIT WILL BE DULY HONORED ON PRESENTATION TO THE DRAWEE IF NEGOTIATED OR PRESENTED ON OR BEFORE EXPIRY DATE.

THIS CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS 1993 REVISION INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 500.

REGARDS
THE FIFTH THIRD BANK
INTERNATIONAL DEPT.
CINCINNATI, OHIO USA
TLX 214567

Authorized Signature

Authorized Signature



SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor
 Phone (317) 776-8495
 Fax (317) 776-9628

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

To: Hamilton County Drainage Board

April 6, 2004

Re: Russell Shugart Reconstruction

Attached are as-builts, certificate of completion & compliance, and other information for the Russell Shugart Reconstruction. This project was asbuilted and certified by the engineer as a part of Hazeldell Woods Sec. 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 June 12, 2000. The report was approved by the Board at the hearing held July 24, 2000. (See Drainage Board Minutes Book 5, Pages 402-406)
 The changes are as follows:

Structure:	T.C.:	I.E.:	Pipe:	Length:	Original Plans:	Difference:
756		789.22				
757	794.06	789.77	30	157		
757	794.06	789.77				
758	799.03	791.44	30	340		
758	799.03	791.44				
759	813.06	802.26	30	481		
759	813.06	802.26				
760	813.05	802.74	30	60		
760	813.05	802.74				
761	822.86	805.32	30	506	610	104
761	822.86	805.32				
762	822.12	808.91	30	715	611	104
762	822.12	808.91				
762A	824.35	810.79	30	306		
762A	824.35	810.79				
763	813.72	811.06	30	110		

RCP Pipe Totals:

30	2675
----	------

Other Drain:

Open ditch	775
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The length of the drain due to the changes described above is now **3450 feet**.

Easements for this reconstruction were set and approved by the Board at its meeting on July 24, 2000 and recorded under instrument #2000_00031796, #2000_00031797, #2000_00031798.

The following surety was guaranteed by Fifth Third Bank and released by the Board on its October 22, 2001 meeting.

Bond-LC No: SB12161

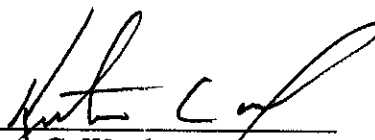
Insured For: Storm Sewers, Earthwork, Erosion Control

Amount: \$124,000.00

Issue Date: May 31, 2000

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

Sincerely,



Kenton C. Ward,
Hamilton County Surveyor

KCW/slm

