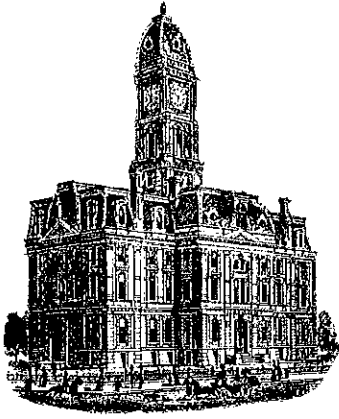


Kent



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

July 13, 2017

TO: Hamilton County Drainage Board

RE: Village of West Clay Drain, Uptown Arm.

Attached is a petition filed by Onyx & East, LLC., along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Uptown Arm, Village of West Clay 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:

| | | | |
|---------|---------|---------|---------|
| 12" RCP | 702 ft. | 15" RCP | 301 ft. |
| 18" RCP | 101 ft. | 21" RCP | 28 ft. |
| 24" RCP | 97 ft. | | |

This proposal will add an additional 1,281 feet to the drains total length.

As part of this project, improvements will be made to the open ditch of the Village of West Clay Section 6001 Relocation Arm of the J.W. Brendle Arm of the Long Branch Drain. The improvement will include better defining the open channel through the dry shelf of the detention pond, as shown on page C1.8 of the Village of West Clay Uptown plans by HWC Engineering, dated November 14, 2016, and having job number 2016-135. These improvements will not affect the footage of the existing drain. This work will be done on parcel 17-09-29-00 20 003.000, owned by Brenwick TND Communities, LLC.

The retention pond (existing lake) which is located in Block C of VOWC Section 6003-B is not to be considered part of the regulated drain for maintenance purposes. Only the inlets and outlets will be

maintained as part of the Long Branch Regulated Drain. The maintenance of the ponds (existing lake) shall be the responsibility of the Homeowners Association as per the subdivision covenants on pages 11 and 12, sections 4 and 5, as recorded in the Office of the Hamilton County Recorder as instrument number 199909946964. The Board will however, retain jurisdiction for ensuring the storage volume for which the lake 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 \$5.00 per acre, \$5.00 per acre for roadways, with a \$120.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$6,886.80.

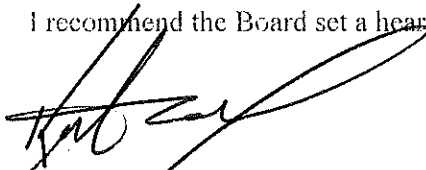
In accordance with IC 36-7-4-709, the petitioner did not submit surety for the proposed drain prior to construction commencing. If the petitioner/developer wants to submit final secondary plat for recording prior to the final inspection and approved as-built drawings, a bond will be required at that time.

Parcels assessed for this drain will also be assessed for the Long Branch Drain.

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC36-9-27-57 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 non-enforcements are for the reduction of the Village of West Clay Drain and the Long Branch Drain easements. The request is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Village of West Clay Uptown (Replat of Village of West Clay, Section 6003-B, Part of Block C) as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for August 28, 2017.



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/plf

FILED
JAN 24 2017

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

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

OFFICE OF HAMILTON COUNTY SURVEYOR

In the matter of Village of West Clay - Uptown Subdivision, Section
replat of section 6003-B 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 Village of West Clay - Uptown, 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.

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

Bryan Lacey Vt coast.

Signed

BRYAN LACEY

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

FINDINGS AND ORDER


CONCERNING THE MAINTENANCE OF THE

Village of West Clay Drain, Uptown Arm

On this 28th day of August, 2017, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Village of West Clay Drain, Uptown 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.

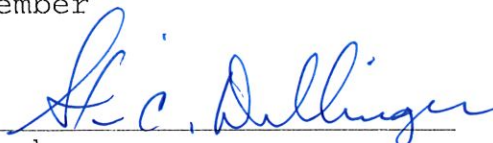
HAMILTON COUNTY DRAINAGE BOARD



President



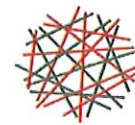
Member



Member

Attest: 
Executive Secretary

Onyx and East
 Project: Uptown
 HWC Project No. 2016-135
 Date: 06/23/17



HWC
 ENGINEERING

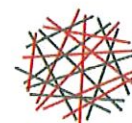
| PERFORMANCE BOND - ENGINEERS ESTIMATE | | | | | |
|---------------------------------------|-------------|------|----------|-------------|---------------------|
| | ITEM NAME: | UNIT | QUANTITY | UNIT COST | AMOUNT |
| Storm Sewer | 12" RCP | LF | 702 | \$ 20.00 | \$ 14,040.00 |
| | 15" RCP | LF | 301 | \$ 23.50 | \$ 7,073.50 |
| | 18" RCP | LF | 101 | \$ 27.50 | \$ 2,777.50 |
| | 21" RCP | LF | 80 | \$ 31.50 | \$ 2,520.00 |
| | 24" RCP | LF | 97 | \$ 36.00 | \$ 3,492.00 |
| | 2x2 Inlet | EA | 6 | \$ 1,700.00 | \$ 10,200.00 |
| | 48" Manhole | EA | 12 | \$ 2,300.00 | \$ 27,600.00 |
| | 60" Manhole | EA | 1 | \$ 3,300.00 | \$ 3,300.00 |
| Storm Sewer SUBTOTAL: | | | | | \$ 71,003.00 |

This Engineer's Estimate is an opinion of probable construction cost made on the basis of Engineer's experience and represent Engineer's judgement as a qualified professional generally familiar with the industry. However, since Engineer has no control over the cost of materials, equipment, labor or market conditions, Engineer cannot guarantee that actual construction cost will not vary from this Engineer's Estimate.



Matt Maple, P.E.
 HWC Engineering

Onyx and East
 Project: Uptown
 HWC Project No. 2016-135
 Date: 06/23/17



HWC
 ENGINEERING

| PERFORMANCE BOND - ENGINEERS ESTIMATE | | | | | |
|---------------------------------------|------------|------|----------|-------------|--------------------|
| | ITEM NAME: | UNIT | QUANTITY | UNIT COST | AMOUNT |
| Site Monumentation | Monuments | LS | 1 | \$ 4,400.00 | \$ 4,400.00 |
| | | | | | \$ - |
| | | | | | \$ - |
| | | | | | \$ - |
| | | | | | \$ - |
| | | | | | \$ - |
| | | | | | \$ - |
| | | | | | \$ - |
| | | | | | \$ - |
| Monumentation SUBTOTAL: | | | | | \$ 4,400.00 |

This Engineer's Estimate is an opinion of probable construction cost made on the basis of Engineer's experience and represent Engineer's judgement as a qualified professional generally familiar with the industry. However, since Engineer has no control over the cost of materials, equipment, labor or market conditions, Engineer cannot guarantee that actual construction cost will not vary from this Engineer's Estimate.



[Handwritten Signature]

 Matt Maple, P.E.
 HWC Engineering

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Village of West Clay Drain, Uptown Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Village of West Clay Drain, Uptown Arm** on **August 28, 2017 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

Village of West Clay Drain, Uptown Arm

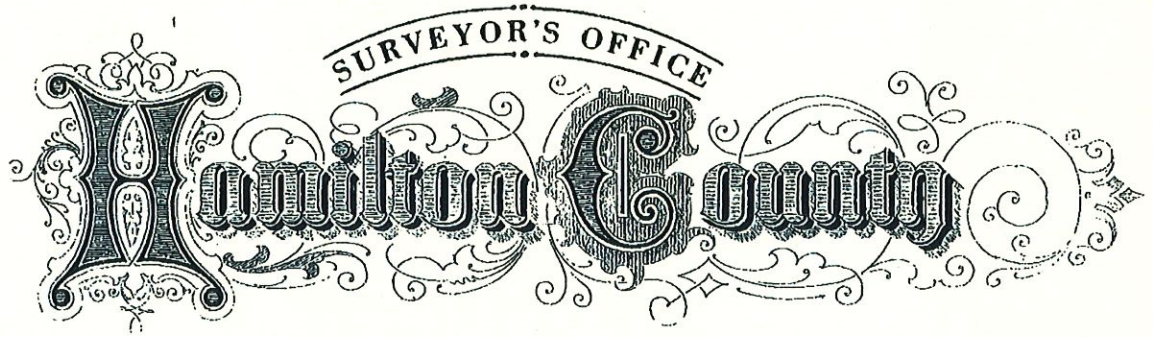
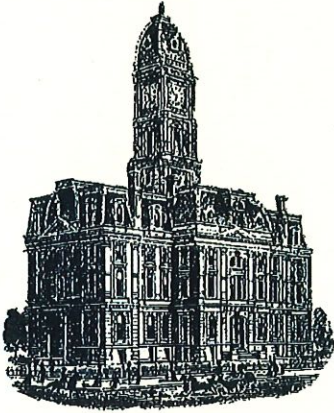
NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **August 28, 2017** 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



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

May 1, 2018

Re: Village of West Clay – Uptown Arm

Attached are as-built, certificate of completion & compliance, and other information for the Village of West Clay – Uptown Arm. 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 July 13, 2017. The report was approved by the Board at the hearing held August 28, 2017. (See Drainage Board Minutes Book 17, Pages 442-443) The changes are as follows: the 12" RCP was lengthened from 702 feet to 709 feet. The 24" RCP was shortened from 97 feet to 81 feet. The 15" RCP was shortened from 301 feet to 299 feet. The 21" RCP was lengthened from 28 feet to 78 feet. The length of the drain due to the changes described above is now **1268 feet**.

The non-enforcement was approved by the Board at its meeting on August 28, 2017 and recorded under instrument #2017049040. Sureties were not posted by the developer in accordance with IC 36-7-4-709.

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

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

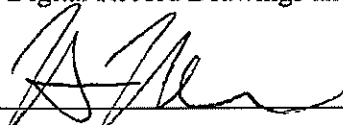
CERTIFICATE OF COMPLETION AND COMPLIANCE

To: Hamilton County Surveyor

Re: VOWC - Uptown

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.

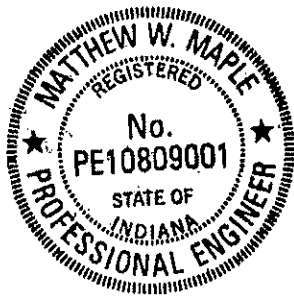
Signature:  Date: 2/27/18

Type or Print Name: MATTHEW MAPLE P.E.

Business Address: 135 N PENNSYLVANIA STREET, SUITE 2800
INDIANAPOLIS IN 46204

Telephone Number: 317-347-3663

SEAL



INDIANA REGISTRATION NUMBER

PE 10809001

