November 16, 2005

TO: Hamilton County Drainage Board

RE: Canal Place Drain, Reserve at Geist, Phase 2 Arm

Attached is a petition filed by Mac's Landing, LLC along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Canal Place Drain, Reserve at Geist Phase 2 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:

<table>
<thead>
<tr>
<th>Size</th>
<th>Length</th>
</tr>
</thead>
<tbody>
<tr>
<td>6&quot; SSD</td>
<td>6,184 LF</td>
</tr>
<tr>
<td>12&quot; RCP</td>
<td>1,349 LF</td>
</tr>
<tr>
<td>15&quot; RCP</td>
<td>333 LF</td>
</tr>
<tr>
<td>18&quot; RCP</td>
<td>448 LF</td>
</tr>
<tr>
<td>24&quot; RCP</td>
<td>1,550 LF</td>
</tr>
</tbody>
</table>

The total length of the drain will be 9,864 feet.

The subsurface drains (SSD) to be part of the regulated drain are those located under the curbs. Only the main SSD lines which are located within the easement (right of way) are to be maintained as regulated drain. Laterals for individual lots will not be considered part of the regulated drain.

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 $10.00 per acre for common areas and platted lots, $10.00 per acre for roadways, with a $60.00 minimum. With this assessment the total annual assessment for this drain/this section will be $2,866.20.

The petitioner has submitted surety for the proposed drain at this time. Surety shall be submitted prior to the approval of the Hamilton County Board of Commissioners/commencement of construction. The sureties which are in the form of a Performance Bond/Letter of Credit are as follows:
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 is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Reserve at Geist Phase 2 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for January 23, 2006.

Kenton C. Ward  
Hamilton County Surveyor

KCW/pll
(Revised 06/08/04)

STATE OF INDIANA )
) COUNTY OF HAMILTON )

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

In the matter of The Reserve at Geist Subdivision, Section Phase Two 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 Reserve at Geist, Phase Two, 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

Signed
Roger Tucker
Printed Name
Date
Signed
Printed Name
Date
FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Canal Place Drain, Reserve at Geist Phase 2 Arm

On this 23rd day of January 2006, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Canal Place Drain, Reserve at Geist Phase 2 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

[Signatures]

President

Member

Member

Attest: [Signature]

This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In
To: Hamilton County Drainage Board

Re: Canal Place Drain: Reserve at Geist, Phase 2 Arm

Attached are plans and other information for Reserve at Geist Phase 2 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 November 16, 2005. The report was approved by the Board at the hearing January 23, 2006. (See Drainage Board Minutes Book 9, Pages 52-53). The changes are as follows:
- The 6” SSD was shortened from 6184 feet to 6120 feet.
- The 12” RCP was shortened from 1349 feet to 1348 feet.
- The 15” RCP was lengthened from 333 feet to 359 feet.
- Structure 734 to Structure 721 was installed with Section 1 but was never reported. This resulted in an addition of 326 feet of 30” RCP. The length of the drain due to the changes described above is now 10,151 feet.

The non-enforcement was approved by the Board at its meeting on January 23, 2006 and recorded under instrument #200600004926.

The following sureties were guaranteed by First Merchants Bank and expired on March 1, 2006.

- Bond-LC No: FMB-1412
- Insured For: Storm Sewers, SSD, Erosion Control
- Amount: $222,000
- Issue Date: March 1, 2005
I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

[Signature]

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/slm