



SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor

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Suite 188

One Hamilton County Square

Noblesville, Indiana 46060-2230

April 5, 2006

To: Hamilton County Drainage Board

Re: Hunters Knoll Drain, Townhomes at Hunter's Creek Arm

Attached is a petition filed by Estridge Development Company along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the outlet arm, Hunters Creek Knoll 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:

6" SSD	370 ft.	24" RCP	935 ft.	Open Swale	210 ft.
15" RCP	63 ft.	45"x29" CMP	265 ft.	Open Ditch	80 ft.
		49"x34" CMP	79 ft.		

The total length of the drain will be 2,002 feet.

The 24" RCP and 53 feet of the 15" RCP listed above was installed with the development of the Meridian Village Plaza in 1990 by Flynn and Zinkan Realty Company as shown on construction plans prepared by Schneider Engineering, Job Number 747, last revision date April 17, 1990, pages 5 and 6. This is also referenced in the plans for the Townhomes at Hunter's Creek by Schneider Engineering, Job Number 4409.001 and dated August 9, 2003.

This new drainage system altered the outlet of the Hunters Knoll Drain at that time. During the development of Townhomes at Hunters Creek, it was determined that this system should become part of the regulated drain. The 6" SSD is an extension of the original 430 feet of SSD installed with the Hunters Knoll Subdivision. The SSD was connected to and redirected to a downstream manhole that provides a positive outlet for the SSD.

The open swale and 10 feet of 15" RCP is that shown in the construction plans of Townhomes at Hunters Creek and serves as an outlet for the Hunters Creek South Drain along the west side of Rohrer Road south of Marana Drive. The 45"x29" CMP is the culvert located under U. S. 31. The open ditch is 35 feet between the west right of way line for U. S. 31 and the culvert under U. S. 31 and 45 feet between the east U. S. 31 right of way and the culvert.

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The 49"x34" CMP pipe is that pipe located under Rohrer Road on the east side of U. S. 31. The regulated drain will end at the north property line of tract 17-09-24-00-00-033.000.

The dry detention basins located on the Meridian Village Plaza property are not to be considered part of the regulated drain. Only the outlet and SSD will be maintained as part of the regulated drain. The maintenance of the basins, such as mowing, shall be the responsibility of the property owner. The Board will, however, retain jurisdiction for ensuring the storage volume for which the basins were designed will be retained, thereby, allowing no fill or easement encroachments.

The assessment for the Hunters Knoll Subdivision shall not be changed but the Townhomes at Hunters Creek and parcels 17-09-24-00-00-044.004 and 17-09-24-00-00-044.101, owned by Heritage Property Investments, LP, shall be assessed for the Hunters Knoll Drain at this time.

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 for common areas, \$25.00 per platted lot, \$5.00 per acre for roadways with a \$25.00 minimum, and \$10.00 per acre with a \$75.00 minimum for commercial lots. With this assessment the total annual assessment for this drain/this section will be \$975.00.

Parcels assessed for this drain may be assessed for the Little Cool Creek or Cool Creek Drain at sometime in the future.

I believe that this 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.

This new drain will place an easement on parcel 17-09-24-00-00-044.004 and 17-09-24-00-00-044.101 owned by Heritage Property Investments, LP. I recommend these easement widths on these parcels be reduced to 15 feet on both sides of the centerline of the drain. The easement on parcel 17-09-24-04-09-002.000 owned by Breakfast Club LLC was previously purchased by Flynn & Zinkan Realty, under instrument #8929321 dated November 4, 1989 and recorded in the office of the Hamilton County Recorder.

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 Townhomes at Hunters Creek as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for September 25, 2006.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/llm

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 Townhomes at Hunters Creek Subdivision 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 Townhomes at Hunters Creek, 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

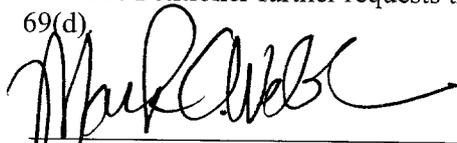
Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

The Petitioner also agrees to the following:

1. To provide the Drainage Board a Performance Bond for the portion of the drainage system which will be made a regulated drain. The bond will be in the amount of 100% 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 Petitioner's 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)



Signed

Signed

MARK A. WEDDER - DIRECTOR OF

Printed Name

Printed Name

TOWN HOMES
THE ESTRISES GROUP
RECORDED OWNER(S) OF LAND INVOLVED

Date

1/29/04



February 5, 2004

Mr. Mark Webber
Estridge Development Company, Inc.
1041 West Main Street
Carmel, IN 46032

RE: Townhomes at Hunters Creek Performance Bonding

Dear Mr. Webber:

We have received a Certified Engineer's Cost Estimate for this development from J. Cort Crosby of the Schneider Corporation. Based upon the Engineer's Estimate, the following individual Performance Guarantees will be required:

1. Right of Way Improvements - \$7,406.00
2. Water Mains - \$34,920.00
3. Sanitary Sewers - \$41,464.00
4. Storm Sewers/Storm Drainage - Hamilton County Surveyor jurisdiction.
5. Monuments - \$1,350.00*

*Monuments are also a bonding requirement of the Hamilton County Surveyor. If the Surveyor's Office requires you to bond Monuments, we will not require dual bonding.

Performance Guarantees must be posted prior to Board of Public Works and Safety approval of the secondary plat for this development.

If you have questions, please call.

Sincerely,

Dick Hill, Assistant Director
Department of Engineering

Cc: Greg Hoyes, Hamilton County Surveyor's Office
J. Cort Crosby, The Schneider Corporation

SADHILL\LETTERS\04\HUNTCR\KTWHMSBONDS

FINDINGS AND ORDER

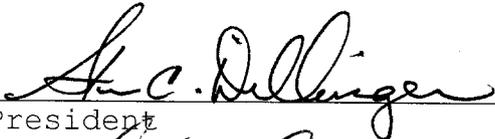
CONCERNING THE MAINTENANCE OF THE

Hunters Knoll Drain, Townhomes at Hunters Creek Arm

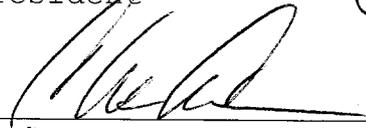
On this **25th day of September 2006**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Hunters Knoll Drain, Townhomes at Hunters Creek Arm**.

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: 