





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

November 7, 2012

TO: Hamilton County Drainage Board

RE: Mud Creek/Sand Creek, Spring Dale Estates Drain Reconstruction

Attached is a petition, plans, drain map and schedule of assessments for the reconstruction of the Spring Dale Estates Arm of the Mud Creek/Sand Creek Drain. This arm is located in Delaware Township.

The Spring Dale Estates Drain was established by the Hamilton County Drainage Board through a petition by the developer. The drain is described in my report to the Board dated February 26, 1982 and approved by the Board at hearing on April 5, 1982. (See Hamilton County Drainage Board Minutes Book 1, pages 467-468). The Spring Dale Estates Drain was made an arm to the Mud Creek/Sand Creek Drain per my report dated March 19, 2007 and approved at hearing by the Board on April 23, 2007. (See Hamilton County Drainage Board Minutes Book 10, pages 220-222).

The petition for this reconstruction was filed on February 3, 2012 by 67% of the landowners involved. The reconstruction is to replace the existing 6" SSD with a 12" RCP. This reconstruction is needed in order to adequately drain the rear yard areas between Spring Dale Drive and Fall View Drive.

The reconstruction shall begin at the existing manhole structure at original Str. 106 of the Spring Dale Estates Drain, Sta. 2+36 on the reconstruction plan, and run west in the location of the existing 6" SSD. The reconstruction shall end approximately 10 feet west of the east property line for Lot 24 of Spring Dale Estates also known as tax parcel 14-15-06-02-03-001.000. The cost estimate for the work is as follows:

12" RCP 2x2 Box R-4342 Castings Seeding	900 ft. at \$65.00/ft. 2 at \$3,500.00 each 2 at \$700.00 each 0.69 Ac at 1,200 acre	\$58,500.00 7,000.00 1,400.00 828.00
	Subtotal 15% Contingency	67,728.00 10,159.20
	Total	\$ 77,887.20

Since becoming an arm to Mud Creek/Sand Creek Drain, the balance in the Spring Dales Estates Drain in 2007 has been expended on maintenance on that drain. As set out in IC 36-9-27-45.5, it is my opinion that the maintenance fund for the Mud Creek/Sand Creek Drain has a balance in excess of the amount reasonably needed in that fund for maintenance work in the foreseeable future. Therefore, I recommend the cost of the proposed arm shall be paid through the maintenance fund for Mud Creek/Sand Creek by transferring the cost of the reconstruction from that fund. The reconstruction shall not cause changes to the current maintenance assessment for the Mud Creek/Sand Creek Drain.

The drain will be reconstructed in the current easement for the Spring Dale Estates Drain as shown on the secondary plat for Spring Dale Estates Section 1 and Spring Dale Estates Section 2. These are recorded in the office of the Hamilton County Recorder in Book 2, page 166 and in Book 9, page 40 respectively.

I recommend the Board set a hearing for this proposed arm for December 10, 2012.

Sincerely,

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/pll

FILED

FEB 0 3 2012

To: Hamilton County Drai	inage Board	OFFICE OF HAMILTON COUNTY SURVEYOR
Re: In the matter of the	Spring Dale Estates #347	
Comes now the undersity 9-27, for the reconstruction	igned individuals, who petition the nof the above referenced regulate	e Hamilton County Drainage Board, per IC 36- ed drain. The undersigned believe the following:
1. They are owners affected by the d		or more of land area alleged by the petition to be
2. That as property	owners within the drainage shed,	they are qualified petitioners.
3. That they now d	esire that a regulated drain be reco	onstructed inDelawareTownship.
made a part here	of, and marked Exhibit "A", which	he proposed public drainage are attached hereto, h area of land involved in the proposed drainage north, range 5 east, Hamilton County,
5. That the propose	ed reconstruction consists of replace	ce existing tile with larger tile
		·
6. That in the opini improvement will benefited thereby	ll be less than the benefits which v	nages, and expenses of the proposed will result to the owners of the land to be
	on of the Petitioner, the proposed nighway; and be of public utility.	improvement will improve the public health;
8. That Petitioners spetition is dismis		legal costs including engineering expense if the
9. Petitioners shall jimprovement is r		e cost of notice and all legal costs in the case the
Signature	Printed Name	Printed Address
George I water	GEORGE L. WATTS	9700 FAIL VIEW DR. FISHERS, INH6037
hat Duis	Kori Giese	9704 FALL VIEW DR. FISHERS, IN-
Stephn E. Duymen	Stephen E. Guernsey	9706 Fall View Dr Fishers IN-
Poto Sperry	PETE SPERRY	9710 Fall VIEW DR FISHERS IN
Carole Ma Bride	- CAROLE MCBRIDE	9710 SPRINGDALE DR. FISHERAN
J. Shriul	TIMA TIMELT	9700 Springdale Dr. Fishers
thomas Juntala	a Thomas limberlike	9704 Springfale Dr.
De for	Sean Johnson	9702 Fallview Dr.
This copy is from the D	Digital Archive of the Hamilton County	Surveyor's Office; Noblesville, In 46060

STATE OF INDIANA) BEFORE THE HAMILTON COUNTY

ORAINAGE BOARD

NOBLESVILLE, INDIANA

IN THE MATTER OF THE RECONSTRUCTION OF THE

Mud Creek/Sand Creek, Springdale Estates Drain Reconstruction

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Mud Creek/Sand Creek, Springdale Estates Drain Reconstruction* came before the Hamilton County Drainage Board for hearing *on December 10, 2012,* 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 *Mud Creek/Sand Creek, Springdale Estates Drain Reconstruction* 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:

hearing as follows:

HAMILTON COUNTY DRAINAGE BOARD

PRESIDENT

Member

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD IN THE MATTER OF

Mud Creek/Sand Creek Drain, Springdale Estates Reconstruction

NOTICE

То	Whom	Ιt	May	Concern	and:	

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the Mud Creek/Sand Creek Drain, Springdale Estates Reconstruction on December 10, 2012 at 12:05 P.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

Attest:Lynette Mosbaugh

ONE TIME ONLY

STATE	OF	INDIANA)	SS	BEFORE THE HAMILTON
)		
COUNTY	OE	HAMILTON)		DRAINAGE BOARD

IN THE MATTER OF Mud Creek/Sand Creek, Springdale Estates
Drain Reconstruction

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **December 10, 2012** 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: Christine Altman
VICE PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY

This Grant of Right of Entry is granted on the date set out herein, by Kunkler, Sharon A. & Kori M. Giese, (hereafter referred to as "Grantor") as owner of County Tax Parcel 14-15-06-02-03-003.000, to the Hamilton County Drainage Board, (here-after referred to as "Grantee"). This Grant of Right of Entry shall be for the parcel of real estate located in Delaware Township, Hamilton County, Indiana, (hereafter referred to as "the Real Estate"), to wit:

See Exhibit "A"

This Grant of Right of Entry is granted to the Grantee for the following purpose:

Project: Spring Dale Estates Drain, Section 2 Arm Reconstruction

- Additional Fifteen (15) feet of temporary construction easement parallel to platted 20' D & U easement on Lot 22 in Spring Dale Estates Section 2.
- The Grantee hereby agrees to restore the temporary easement to its original condition, as close as is practical to do so, upon completion of the drain reconstruction.
- This temporary construction easement shall expire upon completion of the Spring Dale Estates Drain, Section 2 Arm Reconstruction or on August 1, 2013 whichever comes first.

This Grant of Right of Entry shall permit Hamilton County Drainage Board though its employees, agents, contractors, and any utility companies, or contractors acting through them, to proceed with the construction of the project through and across the Real Estate and to do such acts thereon as would be permitted if title to the Real Estate had actually been obtained by the Grantee.

IN WITNESS THEREOF the Grantor has executed this Grant of Right of Entry on the date set out herein.

Sharon A. Kunkler Date

w M Diese 3-20-13

This Grant of Right of Entry is granted on the date set out herein, by Sperry, Peter B. & Linda I., (hereafter referred to as "Grantor") as owner of County Tax Parcel 14-15-06-02-03-006.000, to the Hamilton County Drainage Board, (here-after referred to as "Grantee"). This Grant of Right of Entry shall be for the parcel of real estate located in Delaware Township, Hamilton County, Indiana, (hereafter referred to as "the Real Estate"), to wit:

See Exhibit "A"

This Grant of Right of Entry is granted to the Grantee for the following purpose:

Project: Spring Dale Estates Drain, Section 2 Arm Reconstruction

- Additional Fifteen (15) feet of temporary construction easement parallel to platted 20' D&U Easement on Lot 19 in Spring Dale Estates Section 2.
- The Grantee hereby agrees to restore the temporary easement to its original condition, as close as is practical to do so, upon completion of the drain reconstruction.
- This temporary construction easement shall expire upon completion of the Spring Dale Estates Drain, Section 2 Arm Reconstruction or on August 1, 2013 whichever comes first.

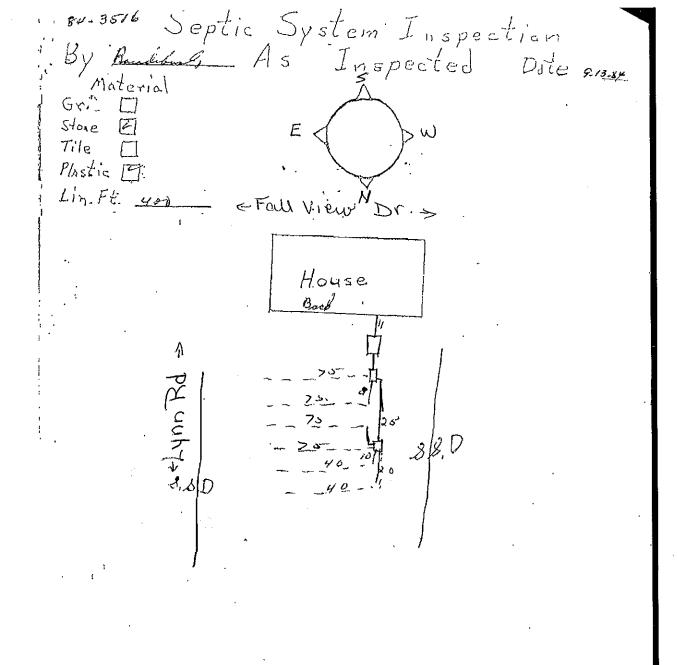
This Grant of Right of Entry shall permit Hamilton County Drainage Board though its employees, agents, contractors, and any utility companies, or contractors acting through them, to proceed with the construction of the project through and across the Real Estate and to do such acts thereon as would be permitted if title to the Real Estate had actually been obtained by the Grantee.

IN WITNESS THEREOF the Grantor has executed this Grant of Right of Entry on the date set out herein.

STATE OF INDIANA)	
) SS: COUNTY OF HAMILTON)	
Subscribed and sworn to before me, a Notar	
this day of Morch	2013, personally appeared
this day of Mosch the within named Peter and Undo	Sperry and acknowledged the
execution of the foregoing document.	_
WITNESS my hand and offical seal.	
ERIKA BARRY NOTARY PUBLIC SEAL STATE OF INDIANA MY COMMISSION EXPIRES	(Signature-Notary Public) Erika Barry (Name-Printed)
MY COMMISSION EXPIRES:	COUNTY OF RESIDENCE
1/2016	Manon
I affirm, under the penalities of perjury, that I have taken re document, unless required by law. <u>Kenton C. Ward</u>	esonable care to redact each Social Security Number in the

Document Prepared By: Jerry L. Liston

New Construction Inspector Hamilton County Surveyor's Office One Hamilton County Square, Suite 188 Noblesville, IN 46060-2230



LOT 19 9710 Fall View DR.

Т

This Grant of Right of Entry is granted on the date set out herein, by Watts, George L. & Linda K. CoTrustees of George L & Linda K Watts Jt Trust, (hereafter referred to as "Grantor") as owner of County Tax Parcel 14-15-06-02-03-001.000, to the Hamilton County Drainage Board, (here-after referred to as "Grantee"). This Grant of Right of Entry shall be for the parcel of real estate located in Delaware Township, Hamilton County, Indiana, (hereafter referred to as "the Real Estate"), to wit:

See Exhibit "A"

This Grant of Right of Entry is granted to the Grantee for the following purpose:

Project: Spring Dale Estates Drain, Section 2 Arm Reconstruction

- Additional Fifteen (15) feet of temporary construction easement parallel to platted 20' D&U Easement on Lot 24 in Spring Dale Estates Section 2.
- The Grantee hereby agrees to restore the temporary easement to its original condition, as close as is practical to do so, upon completion of the drain reconstruction.
- This temporary construction easement shall expire upon completion of the Spring Dale Estates Drain, Section 2 Arm Reconstruction or on August 1, 2013 whichever comes first.

This Grant of Right of Entry shall permit Hamilton County Drainage Board though its employees, agents, contractors, and any utility companies, or contractors acting through them, to proceed with the construction of the project through and across the Real Estate and to do such acts thereon as would be permitted if title to the Real Estate had actually been obtained by the Grantee.

IN WITNESS THEREOF the Grantor has executed this Grant of Right of Entry on the date set out herein.

Date

This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

STATE OF INDIANA)) SS:	
COUNTY OF HAMILT	•	•
Subscribed and swor	n to before me, a Nota	ary Public in and for said County and State,
this	_ day of	2013, personally appeared
the within named		and acknowledged the
execution of the fore	egoing document.	
WITNESS my hand ar	nd offical seal.	
		(Signature-Notary Public)
		(Name-Printed)
MY COMMISSION EX	PIRES:	COUNTY OF RESIDENCE
I affirm, under the penalitie document, unless required	s of perjury, that I have taken	resonable care to redact each Social Security Number in the
Document Prepared By: Jer		
Ne	w Construction Inspector	

This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

Hamilton County Surveyor's Office One Hamilton County Square, Suite 188

Noblesville, IN 46060-2230

This Grant of Right of Entry is granted on the date set out herein, by Johnson, Sean M. & Rebecca S., (hereafter referred to as "Grantor") as owner of County Tax Parcel 14-15-06-02-03-002.000, to the Hamilton County Drainage Board, (here-after referred to as "Grantee"). This Grant of Right of Entry shall be for the parcel of real estate located in Delaware Township, Hamilton County, Indiana, (hereafter referred to as "the Real Estate"), to wit:

See Exhibit "A"

This Grant of Right of Entry is granted to the Grantee for the following purpose:

Project: Spring Dale Estates Drain, Section 2 Arm Reconstruction

- Additional Fifteen (15) feet of temporary construction easement parallel to platted 20' D&U Easement on Lot 23 in Spring Dale Estates Section 2.
- The Grantee hereby agrees to restore the temporary easement to its original condition, as close as is practical to do so, upon completion of the drain reconstruction.
- This temporary construction easement shall expire upon completion of the Spring Dale Estates Drain, Section 2 Arm Reconstruction or on August 1, 2013 whichever comes first.

This Grant of Right of Entry shall permit Hamilton County Drainage Board though its employees, agents, contractors, and any utility companies, or contractors acting through them, to proceed with the construction of the project through and across the Real Estate and to do such acts thereon as would be permitted if title to the Real Estate had actually been obtained by the Grantee.

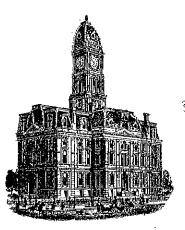
IN WITNESS THEREOF the Grantor has executed this Grant of Right of Entry on the date set out herein.

Sean M. Johnsø

Rebecca S. Johnson

3-27-13

PERIOR OF HAMILTON COUNTY SURVEYOR





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

May 21, 2014

TO: Hamilton County Drainage Board

RE: Mud Creek Sand Creek Drain, Springdale Estates Sec. 2 Arm Reconstruction Final Inspection Report

Final Inspection Report

Please regard this as the Inspector's Final Report on the Springdale Estates Sec. 2 Drain reconstruction, located in Section 06, Township 17 North, Range 5 East in Delaware Township, Hamilton County, Indiana.

At the December 10, 2012 meeting of the Hamilton County Drainage Board the hearing for the Springdale Estates Drain Reconstruction was held, the Surveyor's Report dated November 7, 2012 was approved and the Finding and Order signed. (HCDB Minutes Book 14, Pages 434 – 436).

At the meeting the County Surveyor was directed by the Board to obtain quotes from the Board's Urban Maintenance Contractors for the proposed reconstruction. Quotes were received from John Ward Construction, Agricon Inc., and Elevation Excavation, Inc. The low quote was from Elevation Excavation in the amount of \$37,358.33. The quote from Elevation Excavation, Inc. reflected the use and cost of HDPE Pipe for the reconstruction.

At the February 11, 2013 meeting of the Hamilton County Drainage Board the contract for the Springdale Estates Drain Reconstruction was awarded to Elevation Excavation, Inc. (HCDB Minute Book 14, Pages 508 – 509).

During the project there were two (2) change orders:

Change Order # 1 dated August 5, 2013 was approved by the Hamilton County Drainage Board at the August 12, 2013 meeting (HCDB Minutes Book 15, Page 117) for Extra Cost — Use RCP Pipe instead of HDPE Pipe and Tree Clearing.

Change Order # 2 dated August 30, 2013 was approved by the Hamilton County Drainage Board at the September 9, 2013 meeting (HCDB Minutes Book 15, Page 162) for Extra Cost – Eleven (11) Outlets/Tie-ins and Stone Bedding.

The cost estimate for the Springdale Estates Drain reconstruction was \$77,887.20.

Elevation Excavation, Inc. Contract Amount (Awarded February 11, 2013) ---- \$37,358.33

Change Order # 1 (Approved August 12, 2013)

Extra Cost – RCP Pipe and Tree Clearing

\$11,708.12

Change Order # 2 (Approved September 9, 2013)

Extra Cost – Eleven (11) Outlets/Tie-ins (\$300.00 ea.)

Stone Bedding (#8 Stone – 53.55 Tons @ \$21.22 per ton \$ 4,436.33

Contract Amount	\$37,358.33
Change Order 1 & 2	\$16,144.45
Total Construction Cost	\$53,502.78
Pay Application # 1 Total (Tree Clearing)	
Retainage	
Amount Paid to Elevation Excavation, Inc. (08/27/2013)	\$ 7,706.00
Pay Application # 2 Total (Includes Change Orders # 1 and # 2)	\$45,796.78
Retainage	\$(6,869.52)
Amount Paid to Elevation Excavation, Inc. (09/24/2013)	\$38,927.26
Pay Application # 3 Total (Retainage)	\$ 6,859.52
Amount Paid to Elevation Excavation, Inc. (03/25/2014)	
Total Paid to Elevation Excavation, Inc	\$ 53.502.7 8

According to the Surveyor's report to the Board at the Public Hearing on December 10, 2012 the cost of the reconstruction was to be paid for out of the Mud Creek Sand Creek Drainage Fund. Therefore, the \$24,384.42 difference between the cost estimate and the actual cost will remain in the maintenance fund.

On May 21, 2014 the Office received from Elevation Excavation Inc. Form E-1 stating that all expenses incurred for labor and material have been paid in full as per IC 36-9-27-82(b).

As of the date of this report, I hereby attest to and agree that the reconstruction was completed according to specified plans and change orders. All inspections have been completed and as-built drawings were completed in-house by Brian Rayl, LS.

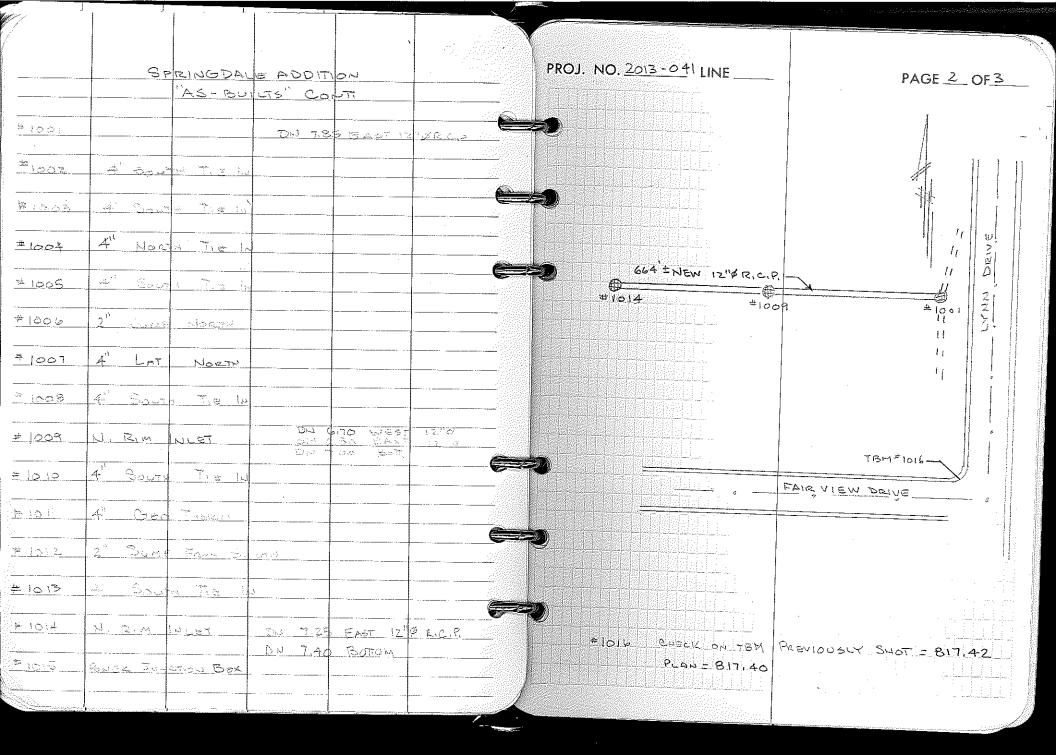
I recommend the Board approve the drain's reconstruction as complete and acceptable.

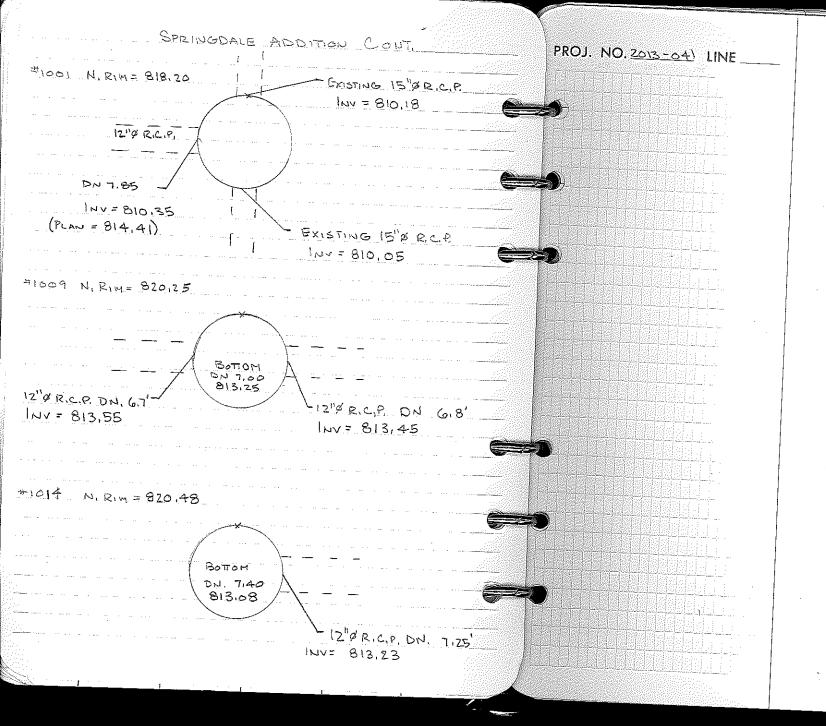
Respectfully

New Construction Inspector

Hamilton County Surveyor's Office

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POINT #	NORTHING	EASTING	ELEV.	DESCRIPTION
999	1747678.231	230504.952	837.389	IN_HAMC
1001	1714645.527	234728.51	818.201	mh_north
1002	1714644.407	234718.353	0	4"south
1003	1714642.748	234600.295	0	4"south
1004	1714637.867	234427.133	0	4"north
1005	1714638.34	234302.523	0	4"south
1006	1714636.38	234265.898	0	2"north
1007	1714635.54	234238.046	0	4"lat_north
1008	1714635.342	234210.073	0	4"south
1009	1714636.536	234207.555	820.254	mh_north
1010	1714635.151	234197.096	0	4"south
1011	1714630.622	234097.499	0	4"geotherm
1012	1714629.116	234090.829	0	2"south
1013	1714628.695	234070.755	0	4'south
1014	1714629.187	234063.372	821.334	mh_north
1015	1714639.578	234332.266	0	elec box
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