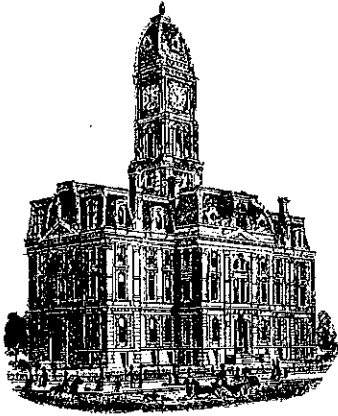


KCW



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

February 2, 2018

To: Hamilton County Drainage Board

Re: Sly Run Drain, Pebble Brook Villas Arm

Attached is a petition filed by Pebble Brook Villas Developer, LLC by Platinum Properties Management Company, LLC, along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Sly Run Drain, Pebble Brook Villas Arm to be located in Noblesville 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. As per the plans by Stoeppelwerth & Associates, Job No. 75875PLA-S1, the drain will consist of the following:

12" RCP	2,149 ft.	24" RCP	348 ft.
15" RCP	700 ft.	6" SSD	2,688 ft.
18" RCP	246 ft.	Open (ponds)	445 ft.
21" RCP	335 ft.		

The total length of the drain will be 6,911 feet.

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

The detention ponds (Lake #1 and #2) are to be considered part of the regulated drain. This is consistent with the ponds in other Pebble Brook sections. The maintenance of the ponds shall include the inlet and outlet as part of the regulated drain. The maintenance of the ponds such as sediment removal, and erosion control along the banks, mowing and aquatic vegetation control will be the responsibility of the Homeowners Association. The Board will also retain jurisdiction for ensuring the storage volume for which the pond was designed will be retained, thereby, allowing no fill or easement encroachments.

A part of the existing Andover Arm currently flows through the northern part of the site in Common Area #2 as an open drain. As an existing drain, that arm is not included in the drain lengths noted above. The Andover Arm was approved by the Board at hearing on November 26th, 2007. (See Drainage Board Minutes Book 11, Pages 511-513).

On July 25, 2011, the Pebble Brook Drain was made an arm of the Sly Run Drain. This was approved by the Drainage Board at hearing per my report dated June 6, 2011. (See Drainage Board Minutes Book 13, Pages 489-491).

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 \$65.00 per platted lot, \$10.00 per acre for common areas, with a \$65.00 minimum, and \$10.00 per acre for roadways. With this assessment the total annual assessment for this drain for Pebble Brook Villas will be \$6,200.10.

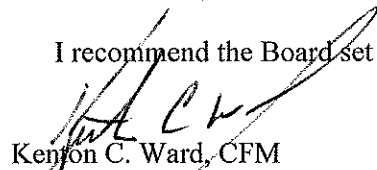
The petitioner submitted surety for erosion control. The surety which is in the form of a performance bond from the developer is as follows:

Agent: Aspen American Insurance Company
Date: April 27, 2017
Number: SU14934
For: Erosion Control
Amount: \$51,487.20
HCDB-2017-00030

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 will be for the reduction of the regulated drain easement to those easement widths as shown on the secondary plats for Pebble Brook Villas as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for March 26, 2018.



Kenyon C. Ward, CFM
Hamilton County Surveyor

KCW/stc

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

FILED

FEB 22 2017

OFFICE OF HAMILTON COUNTY SURVEYOR

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

In the matter of Pebble Brook Villas Subdivision, Section
1 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 Pebble Brook Villas, Section 1, 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

Timothy J. Walter
Printed Name

2/15/17
Date

Signed

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS

FILED

FEB 22 2017

STATE OF INDIANA)

BEFORE THE HAMILTON

COUNTY OF HAMILTON)

COUNTY DRAINAGE BOARD

OFFICE OF HAMILTON COUNTY SURVEYOR

Pebble Brook Villas Developer, LLC by Platinum Properties Management Company, LLC

At the request of

The Hamilton County Drainage

Andover Arm of Pebblebrook

Legal Drain

Board considered the extent of the drainage easement on the Pebble Brook Villas, Section 1 Subdivision. Upon the agreement in writing by the recorded

owner(s) of land involved that such owner(s) agree and covenants that neither the Hamilton County Drainage Board nor any Contractor nor Workman operating under the authority of said Board will be held liable for any damages resulting from construction, reconstruction, or maintenance of the above named drain at said location, whether to the real estate or improvements thereon the Board agreed:

- 1. That it will not enforce the easement beyond those shown on the Subdivision plat recorded as Instrument No. 2018-02861 and in Plat Cabinet 5 Slide 784 in the Hamilton County Recordors Office.
2. It will not object to the improvement of said real estate beyond such distance, and
3. Other Conditions:

SIGNED

[Signature]

Timothy J. Walter

APPLICANT

PRINTED NAME

PRINTED NAME (Owner of Land)

FOR BOARD USE ONLY

AGREEMENT WILL BECOME EFFECTIVE UPON RECORDING. SIGNED THIS DAY OF 20 BY THE HAMILTON COUNTY DRAINAGE BOARD.

PRESIDENT OF DRAINAGE BOARD

MEMBER OF DRAINAGE BOARD

MEMBER OF DRAINAGE BOARD

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law : Kenton C. Ward, Surveyor

Prepared by the Hamilton County Drainage Board: Michael A. Howard, Attorney

Revised May 2016

SUBNE-2017-00010

