



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

June 26, 2020

To: Hamilton County Drainage Board

Re: Little Eagle Creek Drain; Bear Creek South Section 1A Arm

Attached is a petition filed by Homes by Pulte Homes, Inc., along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for Bear Creek South Section 1A and 1B arm, Little Eagle Creek Drain to be located in Clay Township. I have reviewed the submittals and petition and have found each to be in proper form.

Upon reviewing these plans, 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	230 ft.	24" RCP	1473 ft.
15" RCP	346 ft.	27" RCP	122 ft.
18" RCP	393 ft.	30" RCP	440 ft.
21" RCP	347 ft.	SSD	629 ft.

The total length of the drain will be 3351 feet.

The subsurface drains (SSD) to be part of the regulated drain are those located 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 portion of the SSD which will be regulated are as follows:

Rear yard lots 109 to 112 from Str. 634 to 662

Rear yard lots 113 to Common Area "B" from Str. 659 to north corner of lot 116.

I have reviewed the plans and believe the drain will benefit each lot equally. Therefore, I recommend each lot to be assessed equally. I also believe that no damages will result to landowners by the constructor of this drain. I recommend a maintenance assessment of \$65.00 per lot, \$10.00 per acre for common areas, with \$65.00 minimum, and \$10.00 per acre for roadways. With this assessment the total annual assessment for this drain will be \$599.70.

The petitioner has provided the performance bond as follows:

Bonding Company: RLI Insurance Company
Bond Number: CMS335543
Bond Date: May 22nd, 2020
Bond Amount: \$591,062

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 designed as an urban drain.

I recommend that upon approval of the above proposed drain that the board also approve the attached non-enforcement requests for section 1A. The request will be for the reduction of the regulated drain easements to those easement widths as shown on the secondary plat for Bear Creek South Section 1A.

I recommend the Board set a hearing for this proposed drain for July 27, 2020.

Kenton C. Ward, CFM

Hamilton County Surveyor

KCW/pll

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

FILED

JUL 10 2017

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 _____ Bear Creek South Sec. 1A _____ Subdivision, Section
_____ 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 _____ Bear Creek South _____, 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

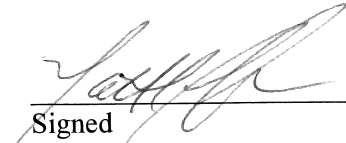
Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

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

Matthew Lohmeyer, Pulte Homes

Printed Name

6/28/17

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

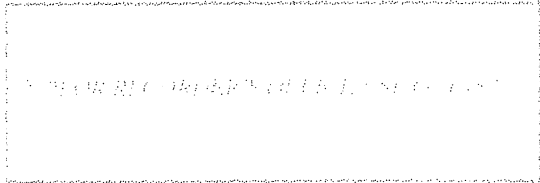
Signed

Printed Name

Date



NON-ENFORCEMENT OF DRAINAGE EASEMENT IN SUBDIVISIONS



STATE OF INDIANA)
)
COUNTY OF HAMILTON)

BEFORE THE HAMILTON
COUNTY DRAINAGE BOARD

At the request of Pulte Homes of Indiana, LLC The Hamilton County Drainage Board considered the extent of the drainage easement on the Little Eagle Creek Drain in the Bear Creek South Section 1A 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. _____ and in Plat Cabinet _____ Slide _____ in the Hamilton County Recorders Office.
2. It will not object to the improvement of said real estate beyond such distance, and
3. Other Conditions: _____

SIGNED:

APPLICANT

Joseph Marx

PRINTED NAME

Pulte Homes of Indiana, LLC

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

Adobe PDF Fillable Form

SUBNE-2017-00026

Little Eagle Creek #350

Bear Creek South Sec. 1A

SUBNE-2017-00026 = Sec. 1A

This subdivision has 3,351' of drain.

To be platted from part of 17-09-19-00-00-049.002

Hearing: 07/27/2020

Maintenance
Regulated Subd.
Roads

Rate
\$10.00
\$10.00

Minimum
\$65.00

Parcel	Owner	Description1	Description 2	Acres	Benefited	MntAsmt	MntPer	
Not assigned yet	Pulte Homes of Indiana LLC	S19 T18 R3 Bear Creek South Sec. 1A Lot 109	Regulated Subd.	One Lot	One Lot	\$65.00	10.84%	
Not assigned yet	Pulte Homes of Indiana LLC	S19 T18 R3 Bear Creek South Sec. 1A Lot 110	Regulated Subd.	One Lot	One Lot	\$65.00	10.84%	
Not assigned yet	Pulte Homes of Indiana LLC	S19 T18 R3 Bear Creek South Sec. 1A Lot 111	Regulated Subd.	One Lot	One Lot	\$65.00	10.84%	
Not assigned yet	Pulte Homes of Indiana LLC	S19 T18 R3 Bear Creek South Sec. 1A Lot 112	Regulated Subd.	One Lot	One Lot	\$65.00	10.84%	
Not assigned yet	Pulte Homes of Indiana LLC	S19 T18 R3 Bear Creek South Sec. 1A Lot 113	Regulated Subd.	One Lot	One Lot	\$65.00	10.84%	
Not assigned yet	Pulte Homes of Indiana LLC	S19 T18 R3 Bear Creek South Sec. 1A Lot 114	Regulated Subd.	One Lot	One Lot	\$65.00	10.84%	
Not assigned yet	Pulte Homes of Indiana LLC	S19 T18 R3 Bear Creek South Sec. 1A Lot 115	Regulated Subd.	One Lot	One Lot	\$65.00	10.84%	
Not assigned yet	Pulte Homes of Indiana LLC	S19 T18 R3 Bear Creek South Sec. 1A CA G, 0.36 Ac	Regulated Subd.	0.36	0.36	\$65.00	10.84%	
Not assigned yet	Pulte Homes of Indiana LLC	S19 T18 R3 Bear Creek South Sec. 1A CA H, 0.04 Ac	Regulated Subd.	0.04	0.04	\$65.00	10.84%	
99-99-99-99-99-999.005	City Of Carmel	S19 T18 R3 Bear Creek South Sec. 1A Roads	Road	1.47	1.47	\$14.70	2.45%	
Sec. 1A Total: 7 Lots & 1.87							\$599.70	100.00%