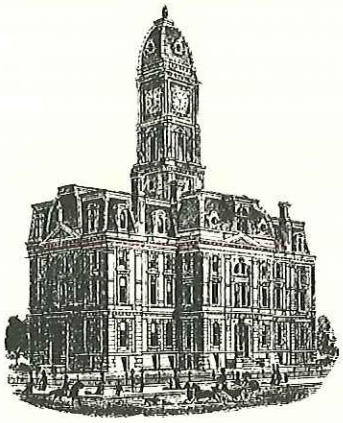
KCW



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 3, 2015

To: Hamilton County Drainage Board

Re: Cool Creek Drain, Clark & Inman Arm – Lakes of Westfield Reconstruction

Attached is a petition from Langston Development Company, Inc., along with non-enforcement request, plans, calculations, and quantity summary for the proposed reconstruction of the Clark & Inman Arm of the Cool Creek Drain. The proposal is to reconstruct and relocate the drain to allow for residential development.

The reconstructed drain shall consist of reconstruction and relocation of those lengths of pipes between the following structures and Stations as shown on sheet C600A of the plans by Stoeppelwerth & Associates, Inc., dated May 30, 2014, and having job number 45815LAN.

The reconstructed drain shall begin at Sta. 6+00 per the original description, which is where Str. new Str. 239 will be set, then 180 feet of 12" RCP to Str. 240, then 246 feet of 12" RCP to Str. 242, then 110 feet of 12" RCP to Str. 241, which in an end section inlet into a detention pond. The drain then continues as 692 feet of open ditch through Lake #6 to Str. 237, and then 130 feet of 12" RCP to Str. 238, which is a manhole set on the reconstructed drain under Grassy Branch Road at Sta. 18+92 per the original description.

The total length of new drain for this arm shall be 1,358 feet. The 1,292 feet of the original drain between Sta. 6+00 and Sta. 18+92 per the original legal description from 1909 shall be vacated. This proposal will add 66 feet to the Clark & Inman Arm of Cool Creek total length.

The retention pond (Lake #6), which provides regional upstream watershed detention volume, located in future Common Area of Lake of Westfield, Lakes at Grassy Branch is to be considered part of the regulated drain. Pond maintenance shall include the inlet and outlet as part of the regulated drain. Since the pond (Lake #6) provided regional detention storage for upstream watershed area and to provide a benefit to the overall Cool Creek Drain watershed, sediment removal and erosion control along the banks shall also be consider as part of the regulated drain

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maintenance. The maintenance of the pond (Lake #6) such as 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.

The cost of the reconstruction is to be paid by Langston Development Company, Inc.

The petitioner has posted the following bond with the City of Westfield to cover all storm sewer work within the development:

Bonding Company: Lexon Insurance Company
Bond Number: 1102405
Bond Date: August 8th, 2014
Bond Amount: $636,458.00

This reconstruction affects the following parcels and owners:

08-06-32-00-00-001.002	C Stephen Roudebush LLC
08-06-32-00-00-001.101	Langston Residential Development, LLC
Grassy Branch Road ROW	City of Westfield

I recommend that upon approval of the above proposed drain reconstruction that the Board also approves the attached non-enforcement request. The request will be for the reduction of the regulated drain easement to those easement widths for the relocated Clark & Inman as shown on the secondary plat for Lakes of Westfield, Lakes at Grassy Branch Section 1A as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for April 27, 2015.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

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HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

FILED
JUN 23 2014
OFFICE OF HAMILTON COUNTY SURVEYOR

IN RE: _____)
Hamilton County, Indiana)

PETITION FOR RELOCATION AND RECONSTRUCTION

Langston Development (hereinafter Petitioner"), hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the Clark-Inman Drain, and in support of said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Clark-Inman Drain runs.
2. Petitioner plans to develop its real estate with roads, buildings, utilities, storm drains, sanitary sewers and other structures.
3. Petitioner's proposed development of its real estate will require relocation and reconstruction of a portion of the Clark-Inman Drain, as specifically shown on engineering plans and specifications filed with the Hamilton County Surveyor.
4. The work necessary for the proposed relocation and reconstruction will be undertaken at the sole expense of the Petitioner and such work will result in substantial improvement to the Clark-Inman Drain, without cost to other property owners on the watershed of the Clark-Inman Drain.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County Drainage Board authorizing relocation and reconstruction of the Clark-Inman Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

John Edwards
Signed

John Edwards
Printed

Adobe PDF Fillable Form

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FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

Cool Creek Drain, Clark & Inman Arm
Lakes of Westfield Reconstruction

Station 6+00 to Station 18+92

On this ***27th day of April, 2015***, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the ***Cool Creek Drain, Clark & Inman Arm, Lakes of Westfield Reconstruction - Station 6+00 to Station 18+92.***

Evidence has been heard. Objections were presented and considered. The Board then adopted an order of action. The Board now finds that the costs of continued maintenance to the portion of the above drain exceed the benefits to the real estate benefited by the portion of the drain to be abandoned and issues this order vacating the above section of the ***Cool Creek Drain, Clark & Inman Arm, Lakes of Westfield Reconstruction - Station 6+00 to Station 18+92.***

HAMILTON COUNTY DRAINAGE BOARD

President

Member

Member

Attest:

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STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Cool Creek Drain, Clark & Inman Arm, Lakes of Westfield Reconstruction

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the ***Cool Creek Drain, Clark & Inman Arm, Lakes of Westfield Reconstruction*** came before the Hamilton County Drainage Board for hearing ***on April 27, 2015,*** 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 ***Cool Creek Drain, Clark & Inman Arm, Lakes of Westfield 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:

HAMILTON COUNTY DRAINAGE BOARD

PRESIDENT

Member

Member

ATTEST: Executive Secretary

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STOEPPELWERTH
ALWAYS ON

ofc: 317.849.5935
fax: 317.849.5942

7965 East 106th Street
Fishers, IN 46038-2505
www.stoeppelwerth.com

August 6, 2014

Hamilton County Surveyor's Office
One Hamilton County Square, Suite 188
Noblesville, Indiana 46060

Attention Greg Hoyes

Re: The Lakes of Westfield, Section 1A

Dear Mr. Hoyes:

On behalf of the developer Langston Development Co., Inc. please accept this Engineer's Estimate for The Lakes of Westfield, Section 1A. The estimate is as follows:

Item	Unit	Unit Cost	Quantities	Cost	120%	Performance Bond Amount
Storm Sewers						
12 in. RCP	LF	$16.00	1060	$16,960.00	120%	$20,352.00
15 in. RCP	LF	$18.60	905	$16,833.00	120%	$20,199.60
18 in. RCP	LF	$19.75	592	$11,692.00	120%	$14,030.40
21 in. RCP	LF	$22.30	446	$9,945.80	120%	$11,934.96
24 in. RCP	LF	$28.00	313	$8,764.00	120%	$10,516.80
27 in. RCP	LF	$32.15	201	$6,462.15	120%	$7,754.58
Storm Manholes	EA	$2,900.00	1	$2,900.00	120%	$3,480.00
Yard Inlets	EA	$1,750.00	14	$24,500.00	120%	$29,400.00
Curb Inlets	EA	$1,500.00	13	$19,500.00	120%	$23,400.00
Curb Underdrain	LF	$6.70	5,260	$35,242.00	120%	$42,290.40
Swale Underdrain	LF	$6.70	2,657	$17,801.90	120%	$21,362.28
SSD Risers	EA	$105.00	9	$945.00	120%	$1,134.00
Lot Leads	EA	$85.00	37	$3,145.00	120%	$3,774.00
Granular Fill	TONS	$9.00	1,100	$9,900.00	120%	$11,880.00
	Total Storm Sewers & SSD			**$184,590.85**	**120%**	**$221,509.02**

If you have any questions, please give Brian K. Robinson a call at (317) 570-4763. Witness my signature this August 6, 2014.

David J. Stoeppelwerth, P.E.
Professional Engineer
No. 19358

DAVID J. STOEPPELWERTH
REGISTERED
No. 19358
STATE OF INDIANA
PROFESSIONAL ENGINEER

Cc: Jim Langston
/meb
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fax: 317.849.5942

7965 East 106th Street
Fishers, IN 46038-2505
www.stoeppelwerth.com

August 6, 2014

City of Westfield
Department of Public Works
2706 East 171st Street
Westfield, Indiana 46074

Attention: Dustin Shoe

Re: The Lakes of Westfield, Section 1A

Dear Mr. Shoe:

On behalf of the developer Langston Development Co., Inc. enclosed please find an Engineer' Estimate for The Lakes of Westfield, Section 1A. The estimate is as follows:

Item	Unit	Unit Cost	Quantities	Cost	110%	Performance Bond Amount
Curbs						
Roll Curb	LF	$6.15	5,260	$32,349.00	110%	$35,583.90
Chairback Curb	LF	$10.00	600	$6,000.00	110%	$6,600.00
			Total Curbs	**$38,349.00**	**110%**	**$42,183.90**
Streets						
Local Street Section	SY	$19.86	8,158	$162,017.88	110%	$178,219.67
Grassy Branch R/W Section	SY	$38.90	1,478	$57,494.20	110%	$63,243.62
Mill & Re-Surface	SY	$11.38	1,669	$18,993.22	110%	$20,892.54
		Total Asphalt & Stone		**$238,505.30**	**110%**	**$262,355.83**
		Total Streets & Curbs		**$276,854.30**	**110%**	**$304,539.73**
Common Area Sidewalks & Pathways						
8 ft. Pathway	SY	$19.90	1,478	$29,412.20	110%	$32,353.42
Standard Concrete Sidewalk	SF	$3.29	2,975	$9,787.75	110%	$10,766.53
		Total Sidewalks & Paths		**$39,199.95**	**110%**	**$43,119.95**
Erosion Control						
Initial Silt Fence	LF	$1.10	2,500	$2,750.00	110%	$3,025.00
Concrete Wash Area	EA	$287.00	2	$574.00	110%	$631.40
Check Dams	EA	$135.00	6	$810.00	110%	$891.00
Secondary Silt Fence Installation	LF	$1.10	6,500	$7,150.00	110%	$7,865.00
R/W Seed/Straw & Tac	SF	$0.05	147,323	$7,366.15	110%	$8,102.77
Lot Overseeding	SF	$0.02	882,396	$17,647.92	110%	$19,412.71

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Swales	SF	$0.06	180,589	$10,835.34	110%	$11,918.87
Pond Blankets	SF	$0.16	171,526	$27,444.16	110%	$30,188.58
Inlet Protection	EA	$125.00	27	$3,375.00	110%	$3,712.50
		Total Erosion Control		**$77,952.57**	**110%**	**$85,747.83**
Monuments & Markers						
Centerline Monuments	EA	$170.00	10	$1,700.00	110%	$1,870.00
Concrete Monuments	EA	$225.00	2	$450.00	110%	$495.00
Lot Corners	EA	$100.00	37	$3,700.00	110%	$4,070.00
		Total Monuments & Markers		**$5,850.00**	**110%**	**$6,435.00**
			Grand Total	**$399,856.82**	**110%**	**$439,842.50**

If you have any questions regarding these estimates, please contact Brian K. Robinson at brobinson@stoeppelwerth.com or on his direct line at (317) 570-4763.

Very truly yours,

STOEPPELWERTH & ASSOCIATES, INC.

David J. Stoeppelwerth, P.E.
Professional Engineer
No. 19358

DAVID J. STOEPPELWERTH REGISTERED No. 19358 STATE OF INDIANA PROFESSIONAL ENGINEER

Cc: Jim Langston
/meb
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SUBDIVISION BOND

Bond No.: **1102405** Principal Amount: **$636,458.00**

KNOW ALL MEN BY THESE PRESENTS, that we **Langston Development Company, Inc., 1132 S. Rangeline Road, Suite 100 Carmel, IN 46032** as Principal, and **Lexon Insurance Company, 12890 Lebanon Road, Mt. Juliet, TN 37122,** an **Texas** Corporation, as Surety, are held and firmly bound unto **Westfield Public Works, 2706 E. 171st Street, Westfield, IN 46074,** as Obligee, in the penal sum of **Six Hundred Thirty Six Thousand Four Hundred Fifty Eight and No/100** (Dollars) **($636,458.00),** lawful money of the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, **Langston Development Company, Inc.** has agreed to construct in **Lakes of Westfield, Section 1A Subdivision, in Westfield, IN** the following improvements:

Streets, Curbs, Storm Sewers, Sidewalks, Trails and Erosion Control

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements herein described, and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void, otherwise to remain in full force and effect, and the Surety, upon receipt of a resolution of the Obligee indicating that the improvements have not been installed or completed, will complete the improvements or pay to the Obligee such amount up to the Principal amount of this bond which will allow the Obligee to complete the improvements.

Upon approval by the Obligee, this instrument may be proportionately reduced as the public improvements are completed.

Signed, sealed and dated, this **8th** day of **August, 2014**

Langston Development Company, Inc.
Principal

By: _____

Lexon Insurance Company
Surety

By: Dawn L Morgan
Dawn L Morgan, Attorney-in-Fact

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BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Cool Creek Drain, Clark & Inman Arm
Lakes of Westfield Reconstruction

NOTICE

To Whom It May Concern and:_____

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **Cool Creek Drain, Clark & Inman Arm, Lakes of Westfield Reconstruction** on **April 27, 2015** at **9:05 A.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

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

IN THE MATTER OF **Cool Creek Drain, Clark & Inman Arm, Lakes of Westfield Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **April 27, 2015** 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: Steven C. Dillinger
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY

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