Drain: FLAT FORK CREEK DRAIN **Drain #:** 325

Improvement/Arm: FLATROCK CREEK

Operator: JOH **Date:** 12-18-03

Drain Classification: Urban/Rural **Year Installed:** 2000

GIS Drain Input Checklist

- Pull Source Documents for Scanning — JH 12-18
- Digitize & Attribute Tile Drains — N/A
- Digitize & Attribute Storm Drains — JH 12-18
- Digitize & Attribute SSD — N/A
- Digitize & Attribute Open Ditch — JH 12-18
- Stamp Plans — JH 12-18
- Sum drain lengths & Validate — JH 12-18
- Enter Improvements into Posse — JH 12-18
- Enter Drain Age into Posse
- Sum drain length for Watershed in Posse
- Check Database entries for errors — JH 12-18

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Gasb 34 Footages for Historical Cost
Drain Length Log

Drain-Improvement: FLATFORK CREEK DRAIN- FLATROCK CREEK

Drain Type:	Size:	Length ( )	Length (DB Query)	Length Reconcile	If Applicable → Price:	Cost:
RCP	36"	105'	105'	Ø		
OPEN DITCH		820'	820'	Ø		

Sum: _____ _____ _____ _____

Final Report:_____

Comments:

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SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor
Phone (317) 776-8495
Fax (317) 776-9628

Suite 146
One Hamilton County Square
Noblesville, Indiana 46060-2230

To: Hamilton County Drainage Board July 14, 2000

Re: Flat Fork Creek Drain, Flatrock Creek Arm

Attached is a petition, non-enforcement request, plans, calculations, quantity summary and assessment roll for the Flat Fork Creek Drain, Flatrock Creek Arm. 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:

36" RCP 105 Ft Open Ditch 820 Ft

The total length of the drain will be 925 feet. This is from the Hamilton-Hancock County Line to Flat Fork Creek as shown on Sheet 12 of the construction plans for Flatrock Creek, Section 1, prepared by Pendleton Consulting dated March 23, 2000, last revised June 5, 2000.

The retention pond (lake) located within the length of the open ditch is to be considered part of the regulated drain, and will be maintained as part of the regulated drain. The Board will also, retain jurisdiction for ensuring the storage volume for which the lake was designed will be retained. Thereby, allowing no fill or easement encroachments.

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 $25.00 per lot, $10.00 per acre for roadways, with a $25.00 minimum. With this assessment

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the total annual assessment for this drain/this section will be $1,658.00.

Parcels assessed to this drain may be assessed for the Flat Fork Creek or Fall Creek Drain at sometime in the future.

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. This request is for the reduction of the regulated drain easement to those widths as shown on the attached exhibit to be recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for August 28, 2000.

Kenton C. Ward
Hamilton County Surveyor

KCW/kkw

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AMWEST SURETY INSURANCE COMPANY
SUBDIVISION BOND

Bond No. 109002524

KNOW ALL MEN BY THESE PRESENTS that: Beacon Development, Inc. as Principal, hereinafter called Contractor, and Amwest Surety Insurance Company, a corporation duly organized under the laws of Nebraska, as Surety, hereinafter called Surety, are held and firmly bound unto Board of Hamilton County Commissioners as Obligee, hereinafter called Owner, in the amount of Twenty Nine Thousand Four Hundred Forty Dollars and 00/100 ($29,440.00) for the payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 29th day of June, 2000.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH THAT:

Whereas, the Board of Hamilton County Commissioners has granted Beacon Development, Inc. a permit to construct Offsite Drainage for Flat Rock Creek Subdivision Section 1 Now, if Beacon Development, Inc. shall improve said Offsite Drainage for Flat Rock Creek Section 1 in accordance with specifications and regulations of the Board of Hamilton County Commissioners and comply with all of the provisions of said permit than this obligation to be void, otherwise to be and remain in full force and effect.

BOARD OF COMMISSIONERS OF THE COUNTY OF HAMILTON

_____

_____

_____

DATE _____

Beacon Development, Inc.

_____

(Principal) (Seal)

By: Stephen E. Bourgeois

Stephen E. Bourgeois, Agent

(Title)

Amwest Surety Insurance Company

By: Pamela Y. Majors

Pamela Y. Majors (Attorney -in-Fact)

ATTEST: _____

HAMILTON COUNTY AUDITOR

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LIMITED POWER OF ATTORNEY

Amwest Surety Insurance Company

Expiration Date: 06/29/01 POWER NUMBER **0001031182**

This document is printed on white paper containing the artificial watermarked logo ( ) of Amwest Surety Insurance Company on the front and brown security paper on the back. Only unaltered originals of the Limited Power of Attorney ("POA") are valid. This POA may not be used in conjunction with any other POA. No representations or warranties regarding this POA may be made by any person. This POA is governed by the laws of the State of Nebraska and is only valid until the expiration date. Amwest Surety Insurance Company (the "Company") shall not be liable on any limited POA which is fraudulently produced, forged or otherwise distributed without the permission of the Company. Any party concerned about the validity of this POA or an accompanying Company bond should call your local Amwest branch office at (248) 649-3833.

KNOW ALL BY THESE PRESENT, that Amwest Surety Insurance Company, a Nebraska corporation, does hereby make, constitute and appoint:

Allen J. Grau
Helen P. Parker
James A. Roe
Pamela Y. Majors
As Employees of Arlington/Roe & Company, Inc.

its true and lawful Attorney-in-fact, with limited power and authority for and on behalf of the Company as surety to execute, deliver and affix the seal of the company thereto if a seal is required on bonds, undertakings, recognizances, reinsurance agreement for a Miller Act or other performance bond or other written obligations in the nature thereof as follows:

Bid Bonds up to $1,000,000.00
Contract, Court & Subdivision Bonds up to $2,500,000.00
License and Permit Bonds up to $10,000.00
Miscellaneous Bonds Up To $10,000.00
Small Business Admistration Bonds up to $1,250,000.00

and to bind the company thereby. This appointment is made under and by authority of the By-Laws of the Company, which are now in full force and effect.

I, the undersigned secretary of Amwest Surety Insurance Company, a Nebraska corporation, DO HEREBY CERTIFY that this Power of Attorney remains in full force and effect and has not been revoked and furthermore, that the resolutions of the Board of Directors of Amwest Surety Insurance Company set forth on this Power of Attorney, and that the relevant provisions of the By-Laws of each company, are now in full force and effect.

Bond No. 109002524 Signed & sealed this 29th day of June 2000

Karen G. Cohen, Secretary

* * * * * * * * * * * * * * * * * * **RESOLUTIONS OF THE BOARD OF DIRECTORS** *

This POA is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the Board of Directors of Amwest Surety Insurance Company at a meeting duly held on December 15, 1975:

RESOLVED, that the President or any Vice President, in conjunction with the Secretary or any Assistant Secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company, to execute and deliver and affix the seal of the Company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any POA previously granted to such person.

RESOLVED FURTHER, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and bind upon the Company:

(i) when signed by the President or any Vice President and attested and sealed (if a seal be required) by any Secretary or Assistant Secretary; or

(ii) when signed by the President or any Vice President or Secretary or Assistant Secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or

(iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the power of attorney issued by the Company to such person or persons.

RESOLVED FURTHER, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any POA or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, Amwest Surety Insurance Company has caused these present to be signed by its proper officers, and its corporate seals to be hereunto affixed this 25th day of September, 1998.

John E. Savage, President

Karen G. Cohen, Secretary

State of California
County of Los Angeles

On September 25, 1998 before me, Peggy B. Lofton Notary Public, personally appeared John E. Savage and Karen G. Cohen, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me all that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Peggy B. Lofton (Seal)

Peggy B. Lofton Notary Public

AMWEST SURETY INSURANCE COMPANY ★ INCORPORATED DEC.14, 1995 NEBRASKA

PEGGY B. LOFTON
Commission #1068068
Notary Public — California
Los Angeles County
My Comm. Expires Aug 6, 1999

5230 Las Virgenes Road Calabasas, CA 91302 TEL 818 871-2000

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FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Flat Fork Creek Drain, Flatrock Creek Arm

On this ***28th day of August 2000***, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the ***Flat Fork Creek Drain, Flatrock 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

Sharon R. Clark
Member

Member

Attest: Kimberly Wallace

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FAX - 485-7024
408-5031 Mob.

William M. Foley
9213 N. 400 W.
McCordsville, In. 46055
317.485.6632

August 20, 2000

Hancock County Surveyor's Office
Suite 146
One Hamilton County Square
Noblesville, Indiana 46060-2230

RE: Flat Fork Creek Drain, Flatrock Creek Arm

Dear Mr. Kenton C. Ward:

In response to your letter dated July 14, 2000, I am objecting to the petitions in your letter. I own Sec. 17, Twp. 17, Range 6 Parcel # 0096109200, MD W NE 17-17-6, purchased on land contract from Robert T. and Julia Smith. I have not been provided any documentation nor assured that these improvements incorporate any of my existing underground drains nor existing culvert into your newly proposed drainage system. I need this evidence in writing and further stated that any problems that may occur in the future with drainage, be myself or future landowners, will be corrected by Hamilton County at no expense to the land holder(s). Furthermore, stating that any change in zoning or development of my property will not be denied nor affected in anyway due to drainage.

Sincerely,

William M. Foley

William M. Foley

Encls.

FILED
AUG 23 2000
HAMILTON COUNTY DRAINAGE BOARD
SECRETARY

Parcel #
0096109200 MD NWE
Acres
16.98

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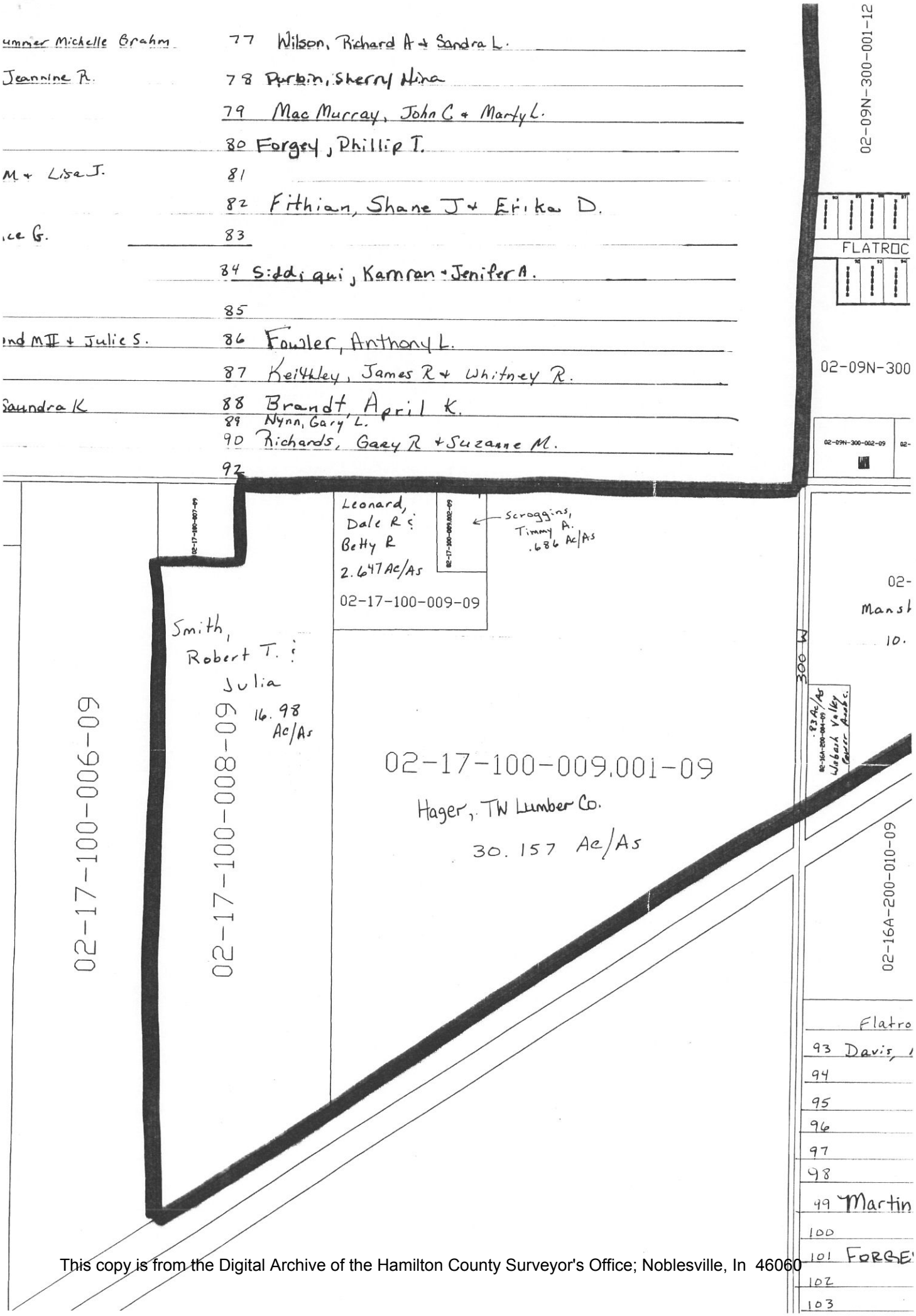

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DitchParcelNumber: 622-72
Atek Number: 009-61092-00
Name: SMITH, ROBERT T
JULIA
Address 530 SWAN DR
FORTVILLE, IN 46040

Tax District Number: 09
Tax District Name: FORTVILLE
Section: 17
Township: 17
Range East: 6
Tract Acres: 16.98
Other Land Use:

Legal: MD W NE
Number of Lots:
Type:
Tract Acres Assessed: 16.98
Map Number 02-17-100-008-09
Annual Assessment: $0.00

FLATROCK

DitchParcelNumber: 622-75
Atek Number:
Name: TOWN OF FORTVILLE,
Address 714 E BROADWAY
FORTVILLE, IN 46040

Tax District Number: 12
Tax District Name: FORTVILLE
Section: 9
Township: 17
Range East: 6
Tract Acres: 9.95
Other Land Use:

Legal: ROADS 9-17-6
Number of Lots: 0
Type:
Tract Acres Assessed: 9.95
Map Number 02-09N
Annual Assessment: $99.50

FLATROCK

DitchParcelNumber: 622-66
Atek Number: 009-50961-00
Name: WABASH VALLEY POWER ASSOC,
Address 722 N HIGH SCHOOL RD
INDIANAPOLIS, IN 46224

Tax District Number: 09
Tax District Name: VERNON
Section: 16
Township: 17
Range East: 6
Tract Acres: 0.83
Other Land Use:

Legal: N NW 16-17-6
Number of Lots:
Type:
Tract Acres Assessed: 0.83
Map Number 02-16A-200-004-09
Annual Assessment: $0.00

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OFFICE OF

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments For The Periodic Maintenance of The Flat Fork Creek Drain.
Flatrock Creek Sec. 1 Arm

Robert T. & Julia Smith

530 Swan Dr.

Fortville, IN 46040

You are hereby notified that the maintenance report of the County Surveyor and the schedule of assessments made by the Drainage Board have been filed and are available for public inspection in the office of the County Surveyor.

The Surveyor has estimated that the annual cost of periodically maintaining the drain is $ 1,658.00 and that the schedule shows you are the owner of the following lands:

Description of Land	Acres in Tract	Acres Benefit'd	Maint. Assmt.	% of Total
Sec. 17, Twp. 17, Range 6 Parcel #: 0096109200 MD W NE 17-17-6	16.98 Ac	Notice only. Drainage Board	See attached report to dated 07/14/00.	

A hearing will be held by the Drainage Board in Commissioner's Court at 9:10 A.M. on August 28, 2000, on the Surveyor's maintenance report and the schedule of assessments. The law requires that objections must be written and filed not less than five (5) days before the above hearing on the ground that benefits assessed are excessive. Written evidence in support of objections may also be filed. The failure of any owner to file an objection constitutes a waiver of his right to thereafter object on such ground to any final action of the Board. On or before the hearing date the Surveyor or any owner of lands named in the schedule of assessments may cause written evidence to be filed in support of or in rebuttal to any objection filed.

HAMILTON COUNTY DRAINAGE BOARD

~~THIS IS NOT A BILL. If approved by the Board, you will receive a Drainage Assessment Statement after costs have been certified to the County Auditor.~~

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CERTIFICATE OF COMPLETION AND COMPLIANCE

To: Hamilton County Surveyor

Re: **Flatrock Creek Subdivision**
Section 1
Fall Creek Township

I hereby certify that:

1. I am a Registered Land Surveyor or Engineer in the State of Indiana.
2. I am familiar with the plans and specifications for the above referenced subdivision.
3. I have personally observed and supervised the completion of the drainage facilities for the above referenced subdivision.
4. The drainage facilities within the above referenced subdivision, to the best of my knowledge, information and belief, have been installed and completed in conformity with all plans and specifications.

Signature: _____ Date: **11/30/00**

Type or Print Name: **Stephen E. Bourquein**

Business Address: **Pendleton Consulting**

P.O.Box 67

Pendleton, Indiana 46064-0067

Telephone: **765-778-4540**

SEAL

INDIANA REGISTRATION NUMBER
Indiana Registered Land Surveyor
#S0441

FILED
DEC 01 2000
OFFICE OF HAMILTON COUNTY SURVEYOR

d:\data\safco\adams\section1\form hamilton co surv completion.doc

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SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor
Phone (317) 776-8495
Fax (317) 776-9628

Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

To: Hamilton County Drainage Board

September 27, 2002

Re: Flat Fork Creek Drain: Flatrock Creek Arm

Attached are as-builts, certificate of completion & compliance, and other information for Flatrock Creek Arm. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes there were no significant changes made to the drainage plans submitted with my report for this drain dated July 14, 2000. The report was approved by the Board at the hearing held August 28, 2000 (See Drainage Board Minutes Book 5, Pages 419-420) Therefore, the length of the drain remains at **925 feet**.

The non-enforcement & easements were approved by the Board at its meeting on August 28, 2000 and recorded under instrument #'s 2000-00048688 & 2001-00002483.

The bond or letter of credit from Amwest Surety Insurance Co, number 109002524; dated June, 29 2000; in the amount of $29,440; was released June 25, 2000.

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

Sincerely,

Kenton C. Ward,
Hamilton County Surveyor

KCW/slm

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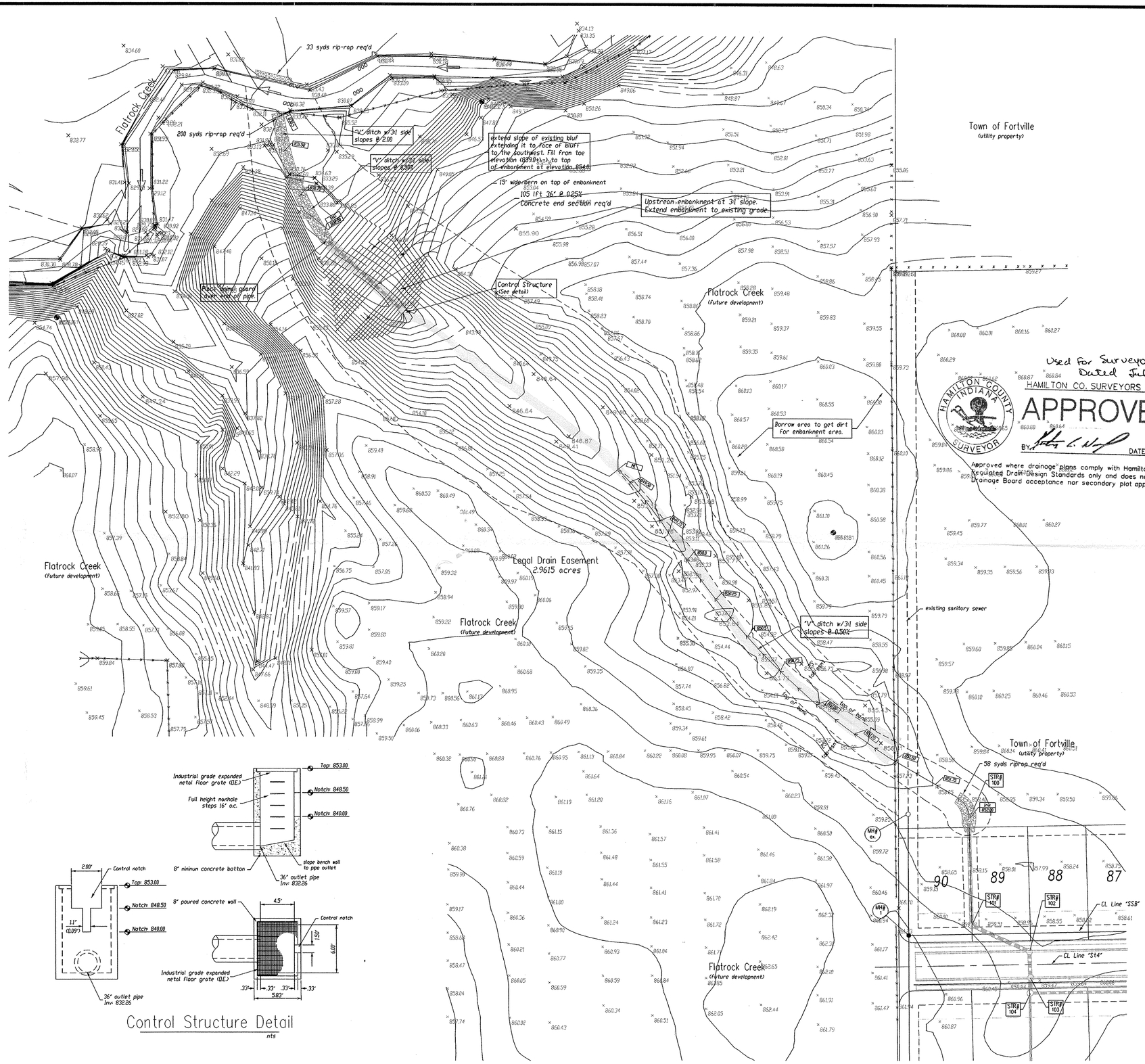
Erosion Control Notes:

1. Line the banks of the ditch with Hydro-seed applied with North American Green SC-150 blanket or equal.
2. Line the slopes of the embankment with Hydro-seed applied with North American Green SC-150 blanket or equal.
3. Place rip-rap in the areas noted in accordance with the requirements of InDOT lastes revision.
4. Hydro-seed the borrow area with permanent seed mixture as outlined on Sheet 18.
5. Place "Rock Dans" in the channel of the ditch in 75' intervals. Rock Dans to be a mininum of 1.5 feet in height.
6. Place "Rock Dans" in the outlet ditch (downstrean of the embankment) in 50' intervals. Rock Dans to a mininum of 2 feet in heighth.



Control Structure Detail

nts

Used For Surveyor's Report Dated July 14, 2000

HAMILTON CO. SURVEYORS OFFICE

APPROVED

BY: _____ DATE: JUL 07 2000

Approved where drainage plans comply with Hamilton County Regulated Drain Design Standards only and does not imply Drainage Board acceptance nor secondary plat approval

North

Scale: 1"=50'

STEPHEN E. BOURQUIEN REGISTERED No. S0441 STATE OF INDIANA LAND SURVEYOR

Revision	Date
Revised per comments from ToFortville per staff at meeting on 4/7/00.	4/15/00
Revised per comments from HamCoSurv/LaCash per letter dated 4/27/00, phone on 6/5/00.	6/5/00

Project: Flatrock Creek
Section 1
Franklin Township, Marion County

Title: Detention Pond / off-site ditch

Client: Beacon Development, Inc.
P.O. Box 574
Westfield, Indiana 46074
Phone 800-843-1305

Pendleton Consulting
P.O.Box 67
Pendleton, Indiana 46064-0067
Phone/Fax (317) 778-4540

Sheet No. 12

FILED JUN 06 2000 OFFICE OF HAMILTON COUNTY SURVEYOR

of 18 Sheets

Date 3/23/00

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