

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 1, 2016

To: Hamilton County Drainage Board

Re: Isaac Jones Drain, Hortonville-Chatham Hills Arm

Attached is a petition filed by Henke Development Group, along with non-enforcement requests, plans, calculations, quantity summary and assessment roll for the Hortonville – Chatham Hills Arm, Isaac Jones Drain to be located in Washington 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. The drain will consist of the following:

24" RCP	1,375 ft.	30" RCP	1,031 ft.
36" RCP	775 ft.	Open Ditch	400 ft.

The total length of the drain will be 3,581 feet.

The lengths of storm sewer to be included as regulated drain are shown on the attached plans for Chatham Hills Section II by American Structurepoint on sheets C301, C302, and C305. Those lengths are from Str. 2606 to Str. 2605, then 2604B, 2604A, 2604, 2602, and 2601. Also from Str. 2011 to Str. 2010, then 2009, 2008, 2007, 2006, and ending at 2005. Also from Str. 2090 to Str. 2089, then 2088, 2087, 2083, 2082, 2081 and ending at 2080. The final leg from Str. 2087 to Str. 2086. The 400 feet of open ditch listed above is from Str. 2011 to Str. 2601 and from Str. 2090 to Str. 2601 through Pond #2000.

The retention ponds (Pond #2000) located in Common Area Block #9 is not to be considered part of the regulated drain. Pond maintenance assumed by the Drainage Board shall only include the inlets and outlet as part of the regulated drain. The maintenance of the retention ponds (lakes) such as sediment removal and erosion control along the banks, mowing and aquatic vegetation maintenance and control will be the responsibility of the property owner or 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.

This project is a cost share project between the Hamilton County Drainage Board and Henke Development Group, per an agreement discussed by the Board at a meeting on March 14, 2016 (Hamilton County Drainage Board Minutes Book 16, pages 469-471). The Drainage Board cost share is for installation of the pipe lengths listed below and upsizing of a pipe needed for the development but required to be a large size to accommodate the flow through, also included in the footage below.

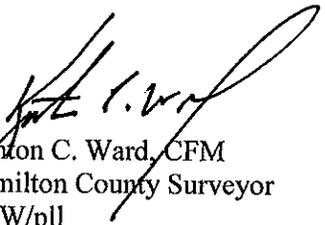
Per the agreement approved on May 26, 2016, the footages paid by the Board for upsizing and new pipe are from Str. 2090 to Str. 2089, then 2088, 2087, 2083, 2082, 2081, and ending at Str. 2080

Since this is a cost share project with the Drainage Board and that money will not be released until the work is complete, the required bonding for this project is being waived. The installation, inspection, and recorded drawing should be completed before the cost share money is released to Henke Development Group per the agreement with the Drainage Board.

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 requests. The request will be for the reduction of the regulated drain easement to those easement widths as shown on the secondary plats for Chatham Hills Section 2A and Chatham Hills Section 2B as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for July 25, 2016.



Kenton C. Ward, CFM
Hamilton County Surveyor
KCW/pll

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

FILED

MAY 04 2016

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 Chatham Hills Subdivision, Section
II 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 Chatham Hills Section II, 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

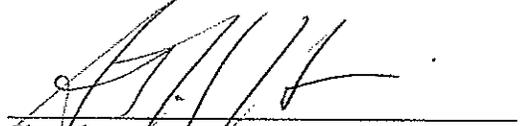
Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

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

Steve H. Henke, partner, Henke Development Corp LLC,

Printed Name

2/26/16

Date

managing partner

Chetkov H 2/14/16

Signed

Printed Name

Date

Signed

Printed Name

Date

Signed

Printed Name

Date

Kew

MEMORANDUM OF UNDERSTANDING BETWEEN THE HAMILTON COUNTY
DRAINAGE BOARD, (“the Drainage Board”), AND CHATHAM HILLS, LLP, (“the
Developer”), CONCERNING THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS

WITNESS THAT:

WHEREAS, the Developer plans to construct infrastructure for the Chatham Hills residential development and golf course, in the northern part of Washington Township, Hamilton County, Indiana; and,

WHEREAS, the Drainage Board has jurisdiction over certain regulated drains within Hamilton County; and,

WHEREAS, the Developer has offered to upsize the part of drainage improvements within the Chatham Hills Development and to construct additional drainage improvements north of the existing phase of Chatham Hills (“the Project”), all to the benefit of the owners of property within parts of the Horton Drain, the Henry Plew Drain, and the Isaac Jones Drain, (collectively referred to as the “Hortonville Drainage Shed”), which Project is described in the letter of the Hamilton County Surveyor, dated March 4, 2016, which is attached hereto as Exhibit A; and,

WHEREAS, the Developer has agreed to construct the Project in exchange for reimbursement of part of the costs of the Project in the amount of Eighty-two Thousand Seven Hundred Thirty-five Dollars (\$82,735); and,

WHEREAS, it is in the best interest of the health, safety, and welfare of the citizens of Hamilton County and the property owners in the Hortonville Drainage Sheds, that the Drainage Board enter into an Agreement with the Developer to construct the improvements described herein.

IT IS THEREBY AGREED as follows:

1. The Developer agrees to construct the drainage pipes shown from Storm STR 2090 to Storm STR 2088, as shown on Exhibit B, with thirty (30”) inch RCP pipe.

2. The Developer agrees to construct new twenty-four (24") inch RCP pipe from the point shown as Storm STR 2088 to Storm STR 2080, as shown on Exhibit B.
3. The Hamilton County Surveyor shall issue a permit to the Developer to work within the Drainage Easements necessary to construct the Project. The Developer shall perform all of the work pursuant to the standards of the Hamilton County Surveyor's Office and the Drainage Board. The Hamilton County Surveyor's Office shall be notified of the completion of the various stages of the project in order to allow inspection and acceptance of the Project.
4. Upon dedication of regulated drainage easements, either through platting or dedication; final inspection; and acceptance of the Project, the Drainage Board shall reimburse the Developer Eighty-two Thousand Seven Hundred Thirty-five Dollars (\$82,735) toward the construction costs of the Project.

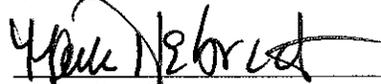
ALL OF WHICH IS AGREED by and between the Drainage Board and the Developer on the dates set out herein.

APPROVED by the Hamilton County Drainage Board this 26th day of ~~April~~^{May}, 2016.

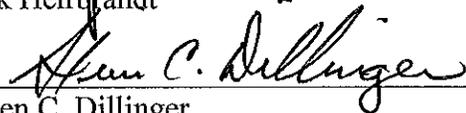
HAMILTON COUNTY DRAINAGE
BOARD



Christine Altman

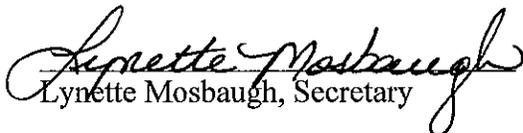


Mark Heirbrandt



Steven C. Dillinger

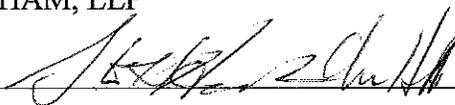
ATTEST:



Lynette Mosbaugh, Secretary

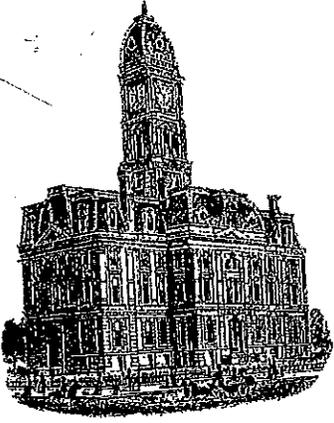
APPROVED this 11th day of May, 2016, by Chatham, LLP.

CHATHAM, LLP

By: 

Printed: Steven A. Hunt

Title: Managing Director
of Chatham, LLP



SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
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Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

March 4, 2016

To: Hamilton County Drainage Board

Re: Hortonville Drainage

At this time the Board has an opportunity to have a key piece of infrastructure placed which will provide an outlet for Hortonville. The developer for Chatham Hills, Steve Henke, has provided a design for an outlet through his subdivision to the south side of Hortonville. This would provide an outlet to the area south of 206th street and east of Horton Road.

The design is shown on the attached Exhibit 1 labeled "Offsite Drainage, Job No. 2014.01381" by Structurepoint, Inc. The green and red lines are the proposed drain which begins at the retention pond in Section 2A of Chatham Hills, Tract 08-05-23-00-02-107.000, and runs to the southeast corner of the intersection of the Monon with Worman Street in Hortonville. The green line shows what is needed for the Chatham Hills Development and the red line is the additional drain needed to serve Hortonville. Mr. Henke has offered to increase the storm line shown in green from 15" and 24" storm sewer to 30" storm sewer and install the section shown in red as a 24" storm sewer. Mr. Henke would do so with the County paying the cost of the upsizing of the green line along with the additional cost of red line. This is shown on the attached cost estimate. The cost difference the county would pay is \$82,735.00.

Hortonville has had drainage problems for many years. It is served by the Horton Drain which is north of 206th Street and east of Horton Road; the Henry Plew Drain which is north of 206th Street; the Cover Horney Drain which is south of 206th Street and the Isaac Jones Drain located east of Hortonville. This is shown on the attached map labeled "Hortonville Drainage Sheds". In June 2002 the Board received a petition for an arm to the Horton Drain. The major problem of serving the community has been the distance to an adequate outlet. The cost of obtaining easement and installing a facility has been a roadblock to solving the problem. In addition to this, once the existing regulated drain is reached the existing drains would require reconstruction due to their condition and capacity. In the case of the Horton Petition the Horton Drain is only 6 inches in diameter throughout.

EXHIBIT A, P.1

The drainage shed for the southeast portion of Hortonville Drain which this proposed drain would serve is 16.2 acres. This area is currently divided by the Little Eagle Creek Drainage Shed and the Isaac Jones Drainage Shed. The Cove Horney Drain has been combined into the Little Eagle Creek Drainage Shed. Both the Henry Plew and the Horton Drains have been combined into the Isaac Jones Drainage Shed. The split between the drainage sheds is 6.12 acres to Little Eagle Creek Drainage Shed and 10.08 acres to the Isaac Jones Drainage Shed. At this time the Little Eagle Creek fund has a balance of \$451,329.03 with collections of \$160,675.18 annually. The Isaac Jones has a negative balance of \$11,415.55 with annual collections of \$46,836.92. I would propose to the Board that the Board pay Chatham Hills, LLP the \$82,735.00 for the installation of the much needed outlet. This cost be paid by both drainage sheds by the percentage of acreage between the two sheds, 37.8% for Little Eagle Creek and 62.2% for Isaac Jones. This would amount to \$31,273.83 for Little Eagle Creek and \$51,461.17 for Isaac Jones. The Isaac Jones portion to be taken from GDIF (General Drain Improvement Fund) and paid back over a 5 year period at a rate of \$10,292.24 per year. This would allow for an annual operations budget of \$36,544.68 per year for the drain until paid back.

With the outlet constructed a system can be designed to complete the system on the southeast portion of Hortonville. In speaking with Chris Allen, CDBG Coordinator, Noblesville Housing Authority, he believes that Hortonville may qualify for CDBG Funding. If this is the case a future project would be funded through traditional methods for the matching funds.

I urge the Board to consider this opportunity to provide the needed outlet as the first step to solving a long standing drainage problem.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/ilm

Chatham Hills

ITEM	UNITS	QUANTITY	UNIT PRICE	ITEM TOTAL
15" RCP	LFT	152	\$35	\$5,320
24" RCP	LFT	442	\$55	\$24,310
TYPE 'E' INLET	EACH	1	\$2,500	\$2,500
TYPE 'C' MANHOLE	EACH	3	\$3,500	\$10,500
CONCRETE END SECTION - 24"	EACH	1	\$1,000	\$1,000
GRANULAR BACKFILL	CYD	359	\$30	\$10,770
TOTAL				\$54,400

Additional Hortonville Drainage

ITEM	UNITS	QUANTITY	UNIT PRICE	ITEM TOTAL
24" RCP	LFT	887	\$55	\$48,785
30" RCP	LFT	594	\$65	\$38,610
TYPE 'J' MANHOLE	EACH	4	\$4,500	\$18,000
TYPE 'C' MANHOLE	EACH	3	\$3,500	\$10,500
CONCRETE END SECTION - 30"	EACH	1	\$1,500	\$1,500
GRANULAR BACKFILL	CYD	658	\$30	\$19,740
TOTAL				\$137,135

COST DIFFERENCE: \$82,735

EXHIBIT A, P.3

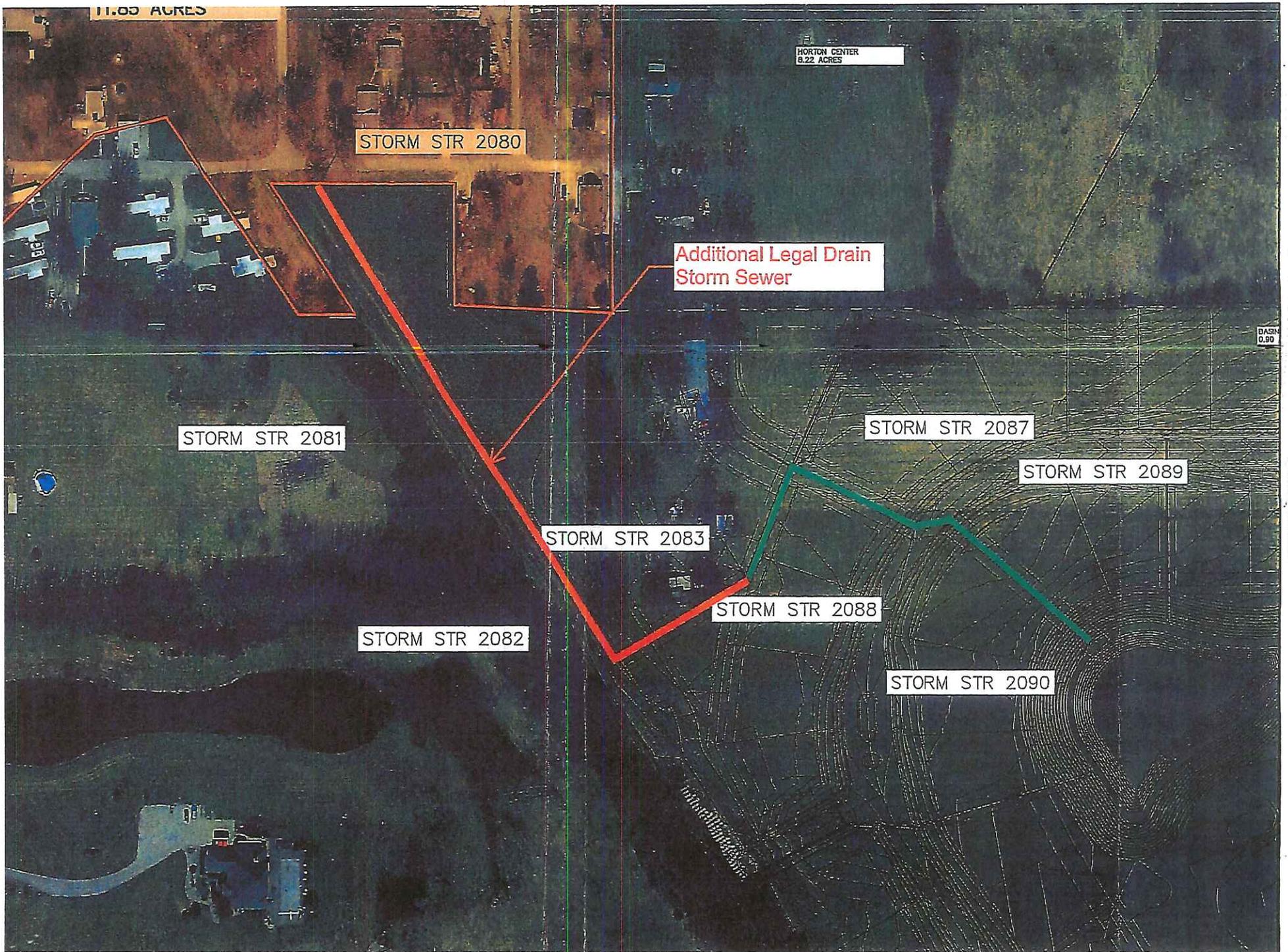


EXHIBIT B

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

ss:

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Isaac Jones Drain, Hortonville-Chatham Hills Arm

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Isaac Jones Drain, Hortonville-Chatham Hills Arm* came before the Hamilton County Drainage Board for hearing *on July 25, 2016*, 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.

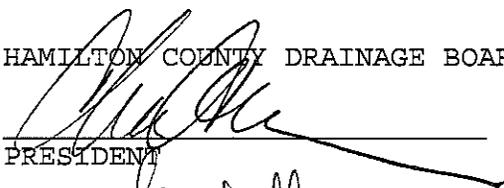
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included or omitted from the Schedule of Assessments.

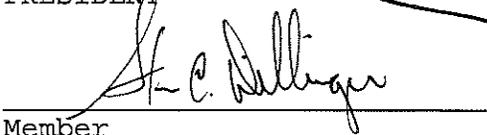
The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the *Isaac Jones Drain, Hortonville-Chatham Hills Arm* 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

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD

June 24, 2016

RETURNED
JUL 05 2016

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the Isaac Jones Drain,
Hortonville-Chatham Hills Arm.

PROPERTY OWNER
DECEASED

Taylor, Bruce D
20521 Baker St
Sheridan, IN 46069

Under the Indiana Drainage Code, all land which drains directly, or indirectly, may be assessed for either maintenance cost or reconstruction cost within the drain. In making the calculation for each parcel, the Drainage Board must calculate the percentage of the cost attributable to each parcel of land benefitted. The Drainage Board has received a reconstruction report and schedule of assessments which affects your land. The purpose of the reconstruction project is to perform work which will substantially improve the drainage for the entire watershed served by the drain.

You are hereby notified that the reconstruction 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 chart below contains your proposed assessment and your percentage of the total reconstruction assessment.

The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the **Isaac Jones Drain, Hortonville-Chatham Hills Arm** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Description of Land	Acres Benefitted	Damages	Reconst. Assmt.	% of Total	Maint. Assmt.
08-05-23-01-02-012.001					
S23 T19 R3 Horton Baker Lot Pt 7,Pt 8 Blk 2	0.23	Zero	*	0.42%	*

*No change in current maintenance assessment. Reconstruction to be paid by developer with cost share from Little Eagle Creek & Isaac Jones drain funds.

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at **9:15 A.M. on July 25, 2016**, in the Commissioner's Court. The law provides that objections must be written and filed not less than 5 days before the date of the hearing. Objections may be for causes as specified by law and which are available at the Surveyor's Office. Written evidence in support of objections may be filed. The failure to file objections constitutes a waiver of your right to thereafter object, either before the Board or in court on such causes, to any final action of the Board. On or before the day of the hearing before the Board, the Surveyor shall and any owner of affected lands may cause written evidence to be filed in support of or in rebuttal to any filed objections.

HAMILTON COUNTY DRAINAGE BOARD
One Hamilton County Square, Ste. 188
Noblesville, IN 46060-2230

For a copy of the Surveyor's Report to the Drainage Board and a copy of the map, if applicable, please go to www.hamiltoncounty.in.gov/drainageboardnotices.

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Isaac Jones Drain, Hortonville-Chatham Hills Arm

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 **Isaac Jones Drain, Hortonville-Chatham Hills Arm** on **July 25, 2016 at 9:15 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

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

IN THE MATTER OF Isaac Jones Drain, Hortonville-Chatham
Hills Arm

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting July 25, 2016 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
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY