



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

December 16, 2008

To: Hamilton County Drainage Board

Re: Cool Creek Drain, Mary Wilson Arm

Upon review of the drainage sheds I believe that the Mary Wilson Drain should be made an arm to the Cool Creek Drain. I recommend this action as the Mary Wilson Drain outlets into the Cool Creek Drain. This would also avoid a double assessment on the tracts currently assessed for the Mary Wilson Drain when the remainder of the Cool Creek Drain is assessed for maintenance.

The Mary Wilson Drain, Klingensmith Arm in Washington Township was placed on a maintenance program in 2003 with the development of Bridgewater Club Section A. The Surveyor's report for the Mary Wilson Drain is dated December 18, 2002, and was approved by the Board at hearing on January 27, 2003 (See Hamilton County Drainage Board Minutes Book 6, Pages 536 to 539). At present the Mary Wilson Drain maintenance assessment affects 98.39 acres and 42 lots. The commercial assessment rate was increased by the Board at hearing on May 22, 2006 per my report dated March 3, 2006. (See Hamilton County Drainage Board Minutes Book 9, Page 229). The current rate of assessment for the Mary Wilson Drain is \$5.00 per acre for non-platted residential and agricultural tracts with a \$25.00 minimum; \$5.00 per acre for non regulated subdivisions with a \$35.00 minimum; \$10 per acre for regulated subdivisions with a \$65.00 minimum and \$10.00 per acre for commercial tracts with a \$75.00 minimum. The roadways are assessed at \$10.00 per acre, \$25.00 minimum. These rates collect \$2,400.52 annually and the current balance in the maintenance fund is \$12,133.77. There are no outstanding work orders for this drain at this time.

The rates for the Cool Creek Drain have been set at the following:

1. Maintenance assessment for roads and streets be set at \$10.00 per acre with a \$25.00 minimum.
2. Maintenance assessment for agricultural tracts be set at \$2.00 per acre with a \$15.00 minimum.
3. Maintenance assessment for non-platted residential tracts be set at \$2.00 per acre with a \$15.00 minimum.

4. Maintenance assessment for commercial, institutional and multi-family residential tracts be set at \$35.00 per acre with a \$75.00 minimum.
5. Maintenance assessment for platted lots in subdivisions whose drainage systems will not be part of the regulated drain (those systems maintained by the Town of Westfield or City of Carmel) shall be set at \$25.00 per lot/minimum. Common areas within non-regulated drain subdivisions shall be assessed at \$10.00 per acre with a \$25.00 minimum.
6. Maintenance assessment for platted lots within subdivisions whose drainage system will be part of the regulated drain shall be set at \$65.00 per lot/minimum. Common areas within the regulated drain subdivisions shall be set at \$15.00 per acre with a \$65.00 minimum.

The total annual assessment for this arm will be \$1,686.44.

The current balance of the Mary Wilson Drain shall be kept separate and these funds expended for needed maintenance on the drainage facilities that comprise the current Mary Wilson Drain. This shall be done until the funds are exhausted. At that time funding for repairs shall then be taken from the Cool Creek Drain Fund.

Future assessments for the drainage area of the Mary Wilson Drain will be made into the Cool Creek fund. No further maintenance collections for the Mary Wilson Drain fund shall be made.

I recommend that a hearing be held for this matter on February 23, 2009.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

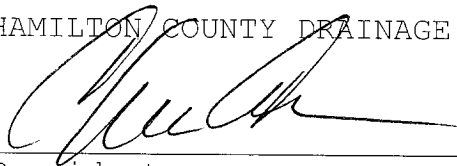
KCW/pll

FINDINGS AND ORDER
CONCERNING THE MAINTENANCE OF THE
Cool Creek Drain, Mary Wilson Arm

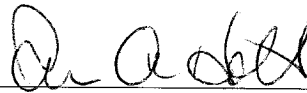
On this *23rd day of February 2009*, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Cool Creek Drain, Mary Wilson Arm*.

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



Member



Alternate Member

Attest: 

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Cool Creek Drain, Mary Wilson Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Cool Creek Drain, Mary Wilson Arm** on **February 23, 2009** at **9:15 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana, and which construction and maintenance reports of the 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 Hamilton County Surveyor.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

Cool Creek Drain, Mary Wilson Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **February 23, 2009** has issued an order adopting the Schedule of Assessments, filed the same and made public announcement thereof at the hearing and ordered publication. If judicial review of the findings and order of the Board is not requested pursuant to Article Eight of this code within twenty (20) days from the date of this publication, the order shall be conclusive.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY