



SURVEYOR'S OFFICE

Hamilton County

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August 14, 2012

To: Hamilton County Drainage Board

Re: Cool Creek Drainage Area, Oak Park #272 Arm

Upon review of the Cool Creek Drainage Area, I believe that the Oak Park Drain should be made an arm to the Cool Creek Drainage Area, as the Oak Park Drain is a tributary to the Cool Creek Drain. This would also avoid a double assessment on the tracts currently assessed for the Oak Park Drain when the remainder of the Cool Creek Drain is assessed for maintenance.

The Oak Park Drain was created per my report dated November 3, 1994 and approved by the Board at a hearing on December 27, 1994 (See Drainage Board Minute Book #4, pages 35 to 36). At present the Oak Park Drain maintenance assessment affects 27.96 acres and 31 lots. The rates of assessment for the drain are set at \$5.00 per acre with a \$35.00 minimum. This rate collects \$1,497.26 annually and the balance within the fund is \$6,797.81. There are no outstanding work orders for this drain at this time.

The current maintenance assessments, as per the existing rates set for the Cool Creek Drain are as follows:

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

4. Maintenance assessment for commercial, institutional and multi-family residential tracts are 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 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 \$2,228.02.

The current balance of the Oak Park Drain shall be kept separate and these funds expended for needed maintenance on the Oak Park Drain. This shall be done until the funds are exhausted. At that time funding for repairs shall then be taken from the Cool Creek Drainage Area fund.

Future assessments for the drainage area of the Oak Park Drain will be made into the Cool Creek Drainage Area fund. No further maintenance collections for the Oak Park Drain shall be made after 2012 other than any delinquent assessment, penalties and interest which remain unpaid.

The Oak Park Drain is split by the overall Cool Creek Drain and the Vestal-Kirkendall Drain sheds. All the existing Oak Park Drain footage should be combined with the Cool Creek Drain, as all the storm sewer/tile drainage ends up in Cool Creek Drain. The parcels that are currently entirely assessed to Vestal-Kirkendall Drain, should remain assessed to the Vestal-Kirkendall Drain. Parcels split by the watershed boundary between Cool Creek and Vestal-Kirkendall Drain shall be assessed to both.

I recommend that the Board set a hearing for this consolidation for September 26, 2012.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

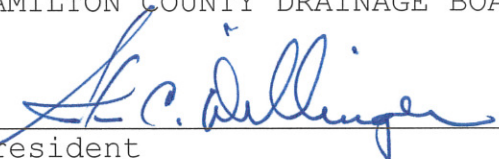
KCW/pll

FINDINGS AND ORDER
CONCERNING THE MAINTENANCE OF THE
Cool Creek Drain, Oak Park Arm

On this **26th day of September, 2012**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Cool Creek Drain, Oak Park 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.

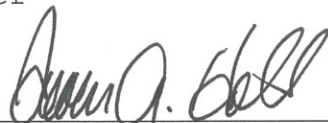
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Cool Creek Drain, Oak Park 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, Oak Park Arm** on **September 26, 2012** at **9:50 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, Oak Park Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **September 26, 2012** 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