

*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*

July 3, 2013

To: Hamilton County Drainage Board

Re: Cool Creek Drainage Area, Anna Kendall #284 Arm

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

The Anna Kendall Drain was created by the Hamilton County Circuit Court per the petition for Drain filed October 21, 1881. The Anna Kendall Drain was combined with the J.M. Thompson Drain, E.M. Osborn Drain, Goodrich Brothers Drain, and Westfield Park Drain and placed on maintenance per my report dated May 17, 1995 and approved by the Board at a hearing on July 24, 1995 (See Drainage Board Minute Book #4, pages 133 to 136). At present the Anna Kendall Drain maintenance assessment affects 2,486.50 acres and 1006 lots. The rates of assessment for the drain are set at \$5.00 per acre with a \$25.00 minimum. This rate collects \$45,730.30 annually and the balance within the fund is \$229,062.28. There is one (1) outstanding work order and one (1) outstanding spray job for this drain at this time.

Upon reviewing the drainage shed boundary between Anna Kendall and Cool Creek, it has been discovered that parcel 08-06-31-00-00-004.000, 30 acres owned by Freedom Associates LLC is currently assessed 3 acres at \$15.00 per year to Cool Creek but should be fully assessed. I recommend this parcel be assessed the entire 30 acres at \$60.00 per year.

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.

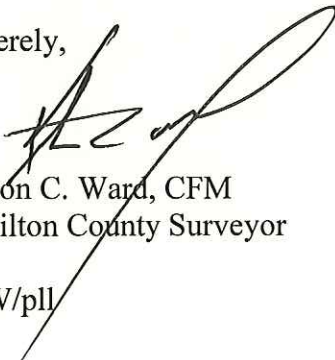
The total annual assessment for this arm will be \$72,727.36.

The current balance of the Anna Kendall Drain shall be kept separate and these funds expended for needed maintenance on the Anna Kendall 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 Anna Kendall Drain will be made into the Cool Creek Drainage Area fund. No further maintenance collections for the Anna Kendall Drain shall be made after 2013 other than any delinquent assessment penalties and interest which remain unpaid.

I recommend that the Board set a hearing for this consolidation for August 26, 2013.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Cool Creek Drainage Area, Anna Kendall Arm

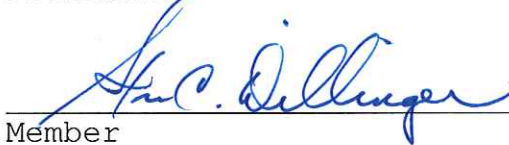
On this 26<sup>th</sup> day of August, 2013, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Cool Creek Drainage Area, Anna Kendall Arm.**

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:



**COOL CREEK DRAINAGE AREA, ANNA KENDALL ARM**

<b>Property Owner</b>	<b>Parcel Number</b>	<b>Current Benefit</b>	<b>Current Assessment</b>	<b>Cool Creek Benefit</b>	<b>Cool Creek Assessment</b>	<b>% of Total</b>
B & K Real Estate Investment LLC	09-09-01-00-00-024.000	0.93	\$25.00	0.93	\$75.00	0.103%
	09-09-01-00-00-024.002	5.99	\$29.96	5.99	\$209.66	0.288%
I.B.C. Real Estate Investment, LLC	09-09-01-00-00-024.102	3.12	\$25.00	3.12	\$109.20	0.150%
<b>TOTALS</b>		<b>10.04</b>	<b>\$79.96</b>	<b>10.04</b>	<b>\$393.86</b>	<b>0.541%</b>

B & K Real Estate Investment LLC  
734 E 169<sup>th</sup> Street  
Westfield, IN 46074



Hamilton County Drainage Board  
One Hamilton County Square Ste. 188  
Noblesville, IN 46060

Per your notice dated July 26, 2013 B & K Real Estate Investment LLC would like to object to the new Cool Creek Assessment. We do not believe all of our questions and concerns can be addressed in a large public hearing. This new assessment, at a minimum, is a 400% increase, and is excessive and unreasonable. Please have the proper county representative contact me.

Thank you,

  
Bruce R. Lyon  
member

09-09-01-00-00-024.000  
09-09-01-00-00-024.002

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Phone (317) 896-1600 • Fax (317) 896-1601



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*Phone (317) 776-8495*  
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*Noblesville, Indiana 46060-2230*

August 21, 2013

B & K Real Estate Investment, LLC  
734 E. 169<sup>th</sup> Street  
Westfield, IN 46074

Re: Cool Creek Drainage Area, Anna Kendall #284 Arm

I received your letter of objection regarding the above referenced hearing. In case you did not read the report on the website as indicated on the notice, I have enclosed a copy of the report.

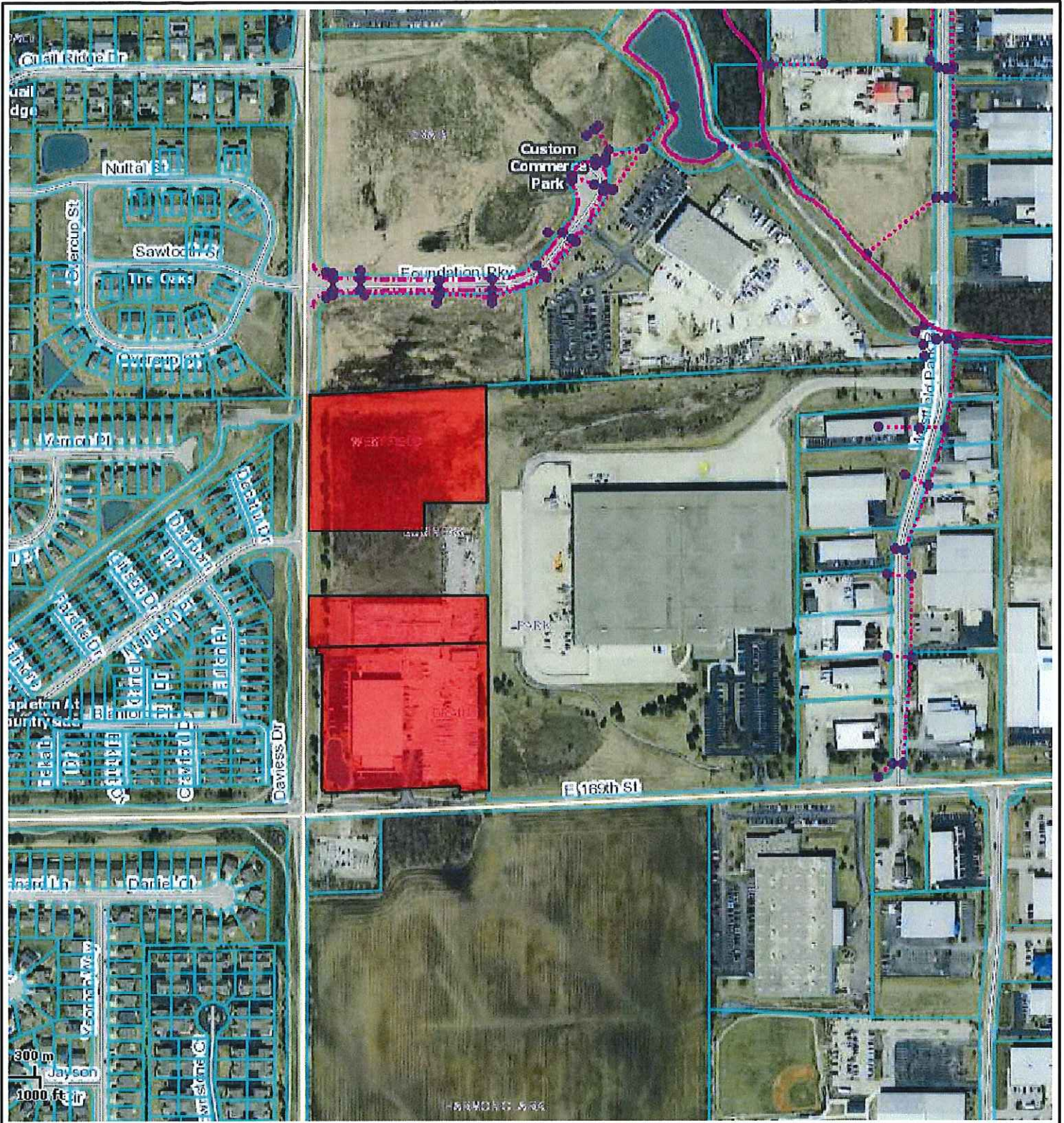
The Drainage Board has combined the various arms of the Cool Creek Drain over the last three years. The Anna Kendall Drain is the last piece of this overall drainage shed to be combined. The rate of assessment for the overall drainage shed was established when this process began. As you can see in the highlighted paragraph on the first page of the July 3, 2013 report to the Board, the alternative was a double assessment to the properties within the drainage shed. The sum of the two assessments would have at least equaled the rate which has been established or possibly exceeded that rate.

Your tract is assessed at a commercial rate as set out on the second page of the above mentioned report as item 4. Commercial properties are assessed at a higher rate due to the impervious surfaces and greater run off than other property types.

Sincerely,

Kenton C. Ward, CFM  
Hamilton County Surveyor

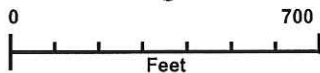
KCW/llm



# Hamilton County

## This is My Map

Printed: Aug 09, 2013



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County of  
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Indiana  
[www.hamiltoncounty.in.gov](http://www.hamiltoncounty.in.gov)

I.B.C. Real Estate Investment LLC  
734 E 169<sup>th</sup> Street  
Westfield, IN 46074



Hamilton County Drainage Board  
One Hamilton County Square Ste. 188  
Noblesville, IN 46060

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Thank you,

  
Bruce R. Lyon  
member

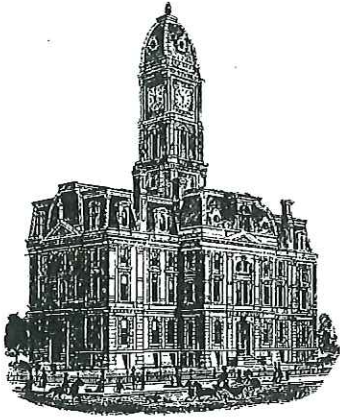
09-09-01-00-00-024.102

Cool Creek, Anna Kendall Arm

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Phone (317) 896-1600 • Fax (317) 896-1601





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August 21, 2013

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734 E. 169<sup>th</sup> Street  
Westfield, IN 46074

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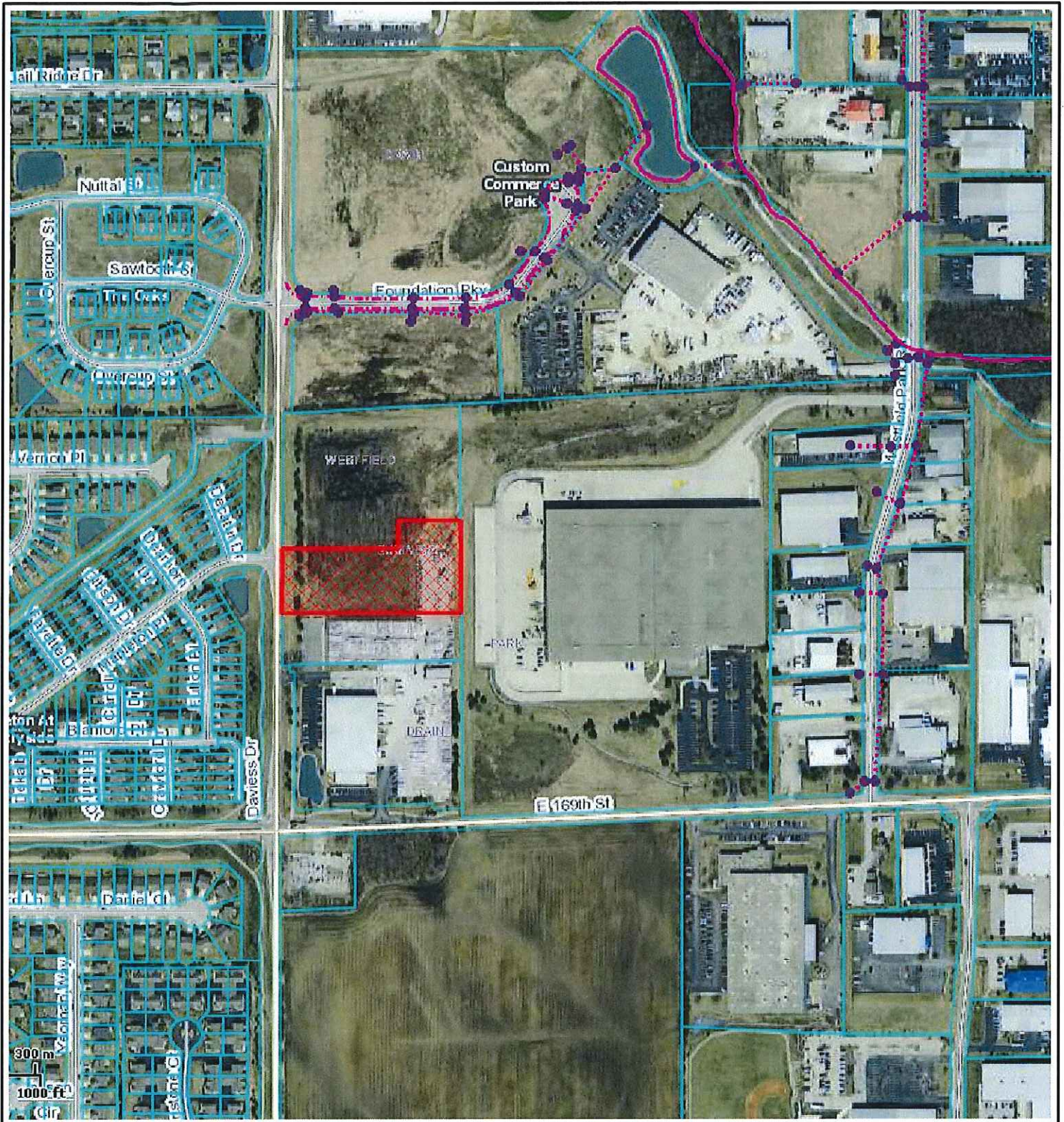
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Hamilton County Surveyor.

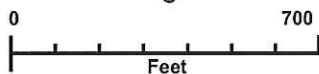
KCW/llm



# Hamilton County

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County of  
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Indiana  
[www.hamiltoncounty.in.gov](http://www.hamiltoncounty.in.gov)

P H O N E  M E S S A G E	TO	Kent	DATE	8-22-13	TIME	1:20	AM	PM	
	FROM	Bruce Lyon	PHONE ( )						
	OF	IBC + B+K Real Estate	CELL	(317) 416-7001					
			FAX ( )						
	M E S S A G E	RE: Received your letter regarding his objection & would like to speak with you regarding that							
		E-MAIL ADDRESS					SIGNED		
							hlm		
		PHONED <input checked="" type="checkbox"/>	CALL BACK <input checked="" type="checkbox"/>	RETURNED CALL <input type="checkbox"/>	WANTS TO SEE YOU <input type="checkbox"/>	WILL CALL AGAIN <input type="checkbox"/>	WAS IN <input type="checkbox"/>	URGENT <input type="checkbox"/>	

OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

AJL Enterprises Inc  
 16532 Greenwich Dr  
 Noblesville, IN 46062

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. From time to time the assessments may be increased or changed. The chart below contains your proposed assessment and your percentage of the total annual maintenance contribution to the costs attributable to providing drainage to your land.

The Drainage Board has received a maintenance report and schedule of assessments which affects your land. 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 entire drain is **\$72,727.36**. The schedule of assessments shows you are the owner of tracts within the drainage shed. The following is your pro rata share for each tract and the proposed annual assessment for those tracts: This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Parcel: 09-09-02-00-003.001 Rate: Commercial					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S2 T18 R3 1.62Ac	1.62	\$25.00	1.62	\$75.00	0.103%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:30 A.M. on August 26, 2013** on the Surveyor's maintenance report and the proposed schedule of assessments. The law requires that any objection 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  
 One Hamilton County Square, Ste. 188  
 Noblesville, IN 46060

*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](http://www.hamiltoncounty.in.gov/drainageboardnotices).*

OFFICE OF  
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 July 26, 2013

**RETURNED**

**Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
 Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Taylor, Bruce D & Judy Jt/Rs  
 124 Hoover St E  
 Westfield, IN 46074

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Parcel: 09-06-31-01-04-023.000 Rate: Residential/Ag					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S31 T19 R4 0.38Ac	0.38	\$25.00	0.38	\$15.00	0.021%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

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**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Cook, Benjamin & Brian Jt/Rs  
 217 Union St S  
 Westfield, IN 46074

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Parcel: 09-09-01-02-05-006.000 Rate: Residential/Ag					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S1 T18 R3 0.43Ac	0.43	\$25.00	0.43	\$15.00	0.021%
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 July 26, 2013

**RETURNED**

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Pongratz, Scott & Erin  
 17302 Austrian Pine W  
 Westfield, IN 46074

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Parcel: 09-09-02-00-06-035.000 Rate: Un-Regulated Subd					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S2 T18 R3 Pine Ridge 4th Lot 136	One Lot	\$25.00	One Lot	\$25.00	0.034%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

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Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Quinn, Steve & Constance  
 304 Pine Ridge Dr E  
 Westfield, IN 46074

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Parcel: 09-09-02-00-05-003.000 Rate: Un-Regulated Subd					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S2 T18 R3 Pine Ridge 3rd Lot 43	One Lot	\$25.00	One Lot	\$25.00	0.034%
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Goh, Kok L  
 206 Pine Ridge Dr E  
 Westfield, IN 46074

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	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S2 T18 R3 Pine Ridge 4th Lot 53	One Lot	\$25.00	One Lot	\$25.00	0.034%
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 July 26, 2013

**RETURNED**

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Vetesy, Eric P  
 48 Pine Ridge Dr W  
 Westfield, IN 46074

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. From time to time the assessments may be increased or changed. The chart below contains your proposed assessment and your percentage of the total annual maintenance contribution to the costs attributable to providing drainage to your land.

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The Surveyor has estimated that the annual cost of periodically maintaining the entire drain is **\$72,727.36**. The schedule of assessments shows you are the owner of tracts within the drainage shed. The following is your pro rata share for each tract and the proposed annual assessment for those tracts: This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Parcel: 09-09-02-00-14-008.000 Rate: Un-Regulated Subd					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S2 T18 R3 Quail Ridge 5th Lot 56	One Lot	\$25.00	One Lot	\$25.00	0.034%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:30 A.M. on August 26, 2013** on the Surveyor's maintenance report and the proposed schedule of assessments. The law requires that any objection 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  
 One Hamilton County Square, Ste. 188  
 Noblesville, IN 46060

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

**Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
 Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Lee, Cassie Catharine  
 557 Pine Ridge Dr E  
 Westfield, IN 46074

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. From time to time the assessments may be increased or changed. The chart below contains your proposed assessment and your percentage of the total annual maintenance contribution to the costs attributable to providing drainage to your land.

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Parcel: 09-09-02-00-01-030.000 Rate: Un-Regulated Subd					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S2 T18 R3 Pine Ridge 1st Lot 189	One Lot	\$25.00	One Lot	\$25.00	0.034%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

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 Noblesville, IN 46060

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Himes, David & Ellen D  
 18642 Tomlinson Rd  
 Westfield, IN 46074

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Parcel: 08-05-25-00-00-057.001 Rate: Residential/Ag					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S <sup>05</sup> T19 R3 3.21Ac	0.86	\$25.00	*0.86	*\$15.00	0.021%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall. *Already assessed 2.35 Ac \$15.00 to Cool Creek. Will now be 3.21 Ac at \$15.00.					

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OFFICE OF  
HAMILTON COUNTY DRAINAGE BOARD  
July 26, 2013

RETURNED

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
Cool Creek Drainage Area, Anna Kendall #284 Arm.

Hinshaw, Parker  
129 Penn St E  
Westfield, IN 46074

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The Surveyor has estimated that the annual cost of periodically maintaining the entire drain is **\$72,727.36**. The schedule of assessments shows you are the owner of tracts within the drainage shed. The following is your pro rata share for each tract and the proposed annual assessment for those tracts: This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Parcel: 09-06-31-03-04-004.000 Rate: Un-Regulated Subd					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S31 T19 R4 Westfield Original Lot 29	One Lot	\$25.00	One Lot	\$25.00	0.034%

When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.

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Noblesville, IN 46060

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Tragesser, Melanie R  
 129 Catherine Dr  
 Westfield, IN 46074

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. From time to time the assessments may be increased or changed. The chart below contains your proposed assessment and your percentage of the total annual maintenance contribution to the costs attributable to providing drainage to your land.

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The Surveyor has estimated that the annual cost of periodically maintaining the entire drain is **\$72,727.36**. The schedule of assessments shows you are the owner of tracts within the drainage shed. The following is your pro rata share for each tract and the proposed annual assessment for those tracts: This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Parcel: 09-06-31-03-02-002.000 Rate: Un-Regulated Subd					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S31 T19 R4 North Union Heights Lot 1	One Lot	\$25.00	One Lot	*\$25.00	0.034%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall. *Already assessed Pt Lot \$25.00 to Cool Creek. Will now be entire lot at \$25.00.					

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HAMILTON COUNTY DRAINAGE BOARD  
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 Noblesville, IN 46060

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

**Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
 Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Hollingsead, Howard D & Dorothy M  
 819 SR 32 E  
 Westfield, IN 46074

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Parcel: 08-09-01-01-01-005.000 Rate: Residential/Ag					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S1 T18 R3 0.66Ac	0.66	\$25.00	0.66	\$15.00	0.021%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

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

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Godby Properties LP  
 17828 U S 31 N  
 Westfield, IN 46074

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. From time to time the assessments may be increased or changed. The chart below contains your proposed assessment and your percentage of the total annual maintenance contribution to the costs attributable to providing drainage to your land.

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Parcel: 09-05-36-00-00-029.000 Rate: Commercial					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S36 T19 R3 3.40Ac	3.40	\$25.00	3.40	\$119.00	0.164%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

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

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

**Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
 Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Godby Properties LP  
 17828 U S 31 N  
 Westfield, IN 46074

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Parcel: 09-05-36-00-00-037.001 Rate: Commercial					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S36 T19 R3 4.30Ac	4.30	\$25.00	*4.30	*\$150.50	0.207%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall. *Already assessed 4.30 Ac \$150.50 to Cool Creek. There will be no change in the Cool Creek assessment.					

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

**Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
 Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Godby Properties LP  
 17828 U S 31 N  
 Westfield, IN 46074

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Parcel: 09-05-36-00-00-037.002 Rate: Commercial					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S36 T19 R3 0.49Ac	0.49	\$25.00	*0.49	*\$75.00	0.103%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall. *Already assessed 0.49 Ac \$75.00 to Cool Creek. There will be no change in the Cool Creek assessment.					

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Stevens, John V & Deirdre N  
 641 Sawtooth St  
 Westfield, IN 46074

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Parcel: 09-09-02-00-30-002.000 Rate: Un-Regulated Subd					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S2 T18 R3 Oaks Condominium Bldg 17 Unit 1702 Blk B	One Lot	\$25.00	One Lot	\$25.00	0.034%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

AUG 09 2013

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Watson, Mark David  
 % Lisa E Watson  
 25760 U S 31  
 Arcadia, IN 46030

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. From time to time the assessments may be increased or changed. The chart below contains your proposed assessment and your percentage of the total annual maintenance contribution to the costs attributable to providing drainage to your land.

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Parcel: 09-10-06-01-02-010.000 Rate: Un-Regulated Subd					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S6 T18 R4 Watson Lot 4	One Lot	\$25.00	One Lot	\$25.00	0.034%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**  
**AUG 1 2 2013**

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

Rutter, Brittany R  
 555 Grabill Dr  
 Westfield, IN 46074

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. From time to time the assessments may be increased or changed. The chart below contains your proposed assessment and your percentage of the total annual maintenance contribution to the costs attributable to providing drainage to your land.

The Drainage Board has received a maintenance report and schedule of assessments which affects your land. 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 entire drain is **\$72,727.36**. The schedule of assessments shows you are the owner of tracts within the drainage shed. The following is your pro rata share for each tract and the proposed annual assessment for those tracts: This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Parcel: 09-09-02-00-18-004.000 Rate: Un-Regulated Subd					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S2 T18 R3 Countryside/Westfield 2B Lot 280	One Lot	\$25.00	One Lot	\$25.00	0.034%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:30 A.M. on August 26, 2013** on the Surveyor's maintenance report and the proposed schedule of assessments. The law requires that any objection 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  
 One Hamilton County Square, Ste. 188  
 Noblesville, IN 46060

*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](http://www.hamiltoncounty.in.gov/drainageboardnotices).*

OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**  
**AUG 1 2 2013**

**Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
 Cool Creek Drainage Area, Anna Kendall #284 Arm.**

18837 Union Trust  
 John & Ann Foyer  
 18837 Union St N  
 Westfield, IN 46074

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The Surveyor has estimated that the annual cost of periodically maintaining the entire drain is **\$72,727.36**. The schedule of assessments shows you are the owner of tracts within the drainage shed. The following is your pro rata share for each tract and the proposed annual assessment for those tracts: This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Parcel: 09-06-30-00-00-026.000 Rate: Residential/Ag					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S30 T19 R4 0.70Ac	0.70	\$25.00	0.70	\$15.00	0.021%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

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 Noblesville, IN 46060

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

**AUG 14 2013**

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

AE Westfield Faciltiy Company LLC  
 Tom Watts  
 Medical Rehab Centers LLC 535 Second St W Ste 105  
 Lexington, KY 40508

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The Surveyor has estimated that the annual cost of periodically maintaining the entire drain is **\$72,727.36**. The schedule of assessments shows you are the owner of tracts within the drainage shed. The following is your pro rata share for each tract and the proposed annual assessment for those tracts: This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Parcel: 09-10-06-01-04-001.000 Rate: Commercial					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S6 T18 R4 10.29Ac	2.50	\$25.00	*2.50	*\$87.50	0.120%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall. *Already assessed 7.79 \$272.66 for Cool Creek. Will now be 10.29 Ac at \$360.16.					

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:30 A.M. on August 26, 2013** on the Surveyor's maintenance report and the proposed schedule of assessments. The law requires that any objection 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.

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 Noblesville, IN 46060

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OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 July 26, 2013

**RETURNED**

AUG 19 2013

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Cool Creek Drainage Area, Anna Kendall #284 Arm.**

KI Office Properties Llc  
 5840 Cherry Creek Blvd  
 Carmel, IN 46033

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The Surveyor has estimated that the annual cost of periodically maintaining the entire drain is **\$72,727.36**. The schedule of assessments shows you are the owner of tracts within the drainage shed. The following is your pro rata share for each tract and the proposed annual assessment for those tracts: This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Parcel: 09-09-02-00-004.500 Rate: Commercial					
	Current Anna Kendall Benefit	Current Anna Kendall Assessment	Proposed Cool Creek Benefit	Proposed Cool Creek Assessment	%of total assessment
S2 T18 R3 8.65Ac	8.65	\$43.26	8.65	\$302.76	0.416%
When Anna Kendall is combined with Cool Creek, future assessments will be made to Cool Creek instead of Anna Kendall.					

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:30 A.M. on August 26, 2013** on the Surveyor's maintenance report and the proposed schedule of assessments. The law requires that any objection 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  
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 Noblesville, IN 46060

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BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

**Cool Creek Drainage Area, Anna Kendall Arm**

NOTICE

To Whom It May Concern and: AJL Enterprises, Inc.

Bruce D. & Judy Taylor

Benjamin & Brian Cook

Scott & Erin Pongratz

Steve & Constance Quinn

Kok L. Goh

Eric P. Vetesy

Cassie Catharine Lee

David & Ellen D. Himes

Parker Hinshaw

Melanie R. Tragesser

Howard D. & Dorothy M. Hollingsead

Godby Properties, LP

John V. & Deirdre N. Stevens

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Cool Creek Drainage Area, Anna Kendall Arm** on **August 26, 2013** at **9:30 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 Drainage Area, Anna Kendall Arm**

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **August 26, 2013** 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