

Kenton C. Ward, CFM Surveyor of Hamilton County Phone (3x7) 776-8495 Fax (317) 776-9628 Suite 188 One Hamilton County Square Noblesville, Indiana 46060-2230

July 7, 2010

To: Hamilton County Drainage Board

Re: Cool Creek Drainage Area, H.G. Kenyon #90 Arm

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

The H.G. Kenyon Drain was created by the Hamilton County Board of Commissioners in 1880. At present the H.G. Kenyon Drain maintenance assessment affects 165.62 acres and 671 lots. The rate of assessment for the drain is set at \$2.00 per acre with a \$5.00 minimum, and \$5.00 per lot. This rate collects \$3,762.44 annually and the balance within the fund is \$11,717.78. 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 \$19,499.96.

The current balance of the H.G. Kenyon Drain shall be kept separate and these funds expended for needed maintenance on the H.G. Kenyon 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 H.G. Kenyon Drain will be made into the Cool Creek Drain fund. No further maintenance collections for the H.G. Kenyon Drain shall be made after 2010 other than any delinquent assessment penalties and interest which remain unpaid.

I recommend that the Board set a hearing for this consolidation for October 25, 2010.

Sincerely,

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/pll

COOL CREEK DRAINAGE AREA, H. G. KENYON ARM

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Property Owner	Parcel Number	Currnet Benefit	Current Assessment	Cool Creek Benefit	Cool Creek Assessment	% of Total
Hoyt, Norma F.	09-09-02-04-15-001.000	One Lot	\$5.00	One Lot	\$25.00	0.13%
Riege, Barbara J.	09-09-02-04-36-003.000	One Lot	\$5.00	One Lot	\$25.00	0.13%
Campbell, Thomas R & Kathleen M	09-09-11-00-09-030.000	One Lot	\$5.00	One Lot	\$25.00	0.13%
Hoffman, Drew S.	09-09-02-04-08-006.000	One Lot	\$5.00	One Lot	\$25.00	0.13%
Haggard, Gordon S & Debra L	09-09-11-00-13-003.000	One Lot	\$5.00	One Lot	\$25.00	0.13%
TOTALS		2 Lots	\$25.00	2 Lots	\$125.00	0.65%

16667 Brownstone Ct. Westfield, IN 460074 October 5, 2010

To the Hamilton County Drainage Board:

I am writing to state my objection to the proposed new assessment by the Drainage Board. I base my objection on the fact that this new amount represents a 500% increase in assessments/. No reason was given for this outrageous increase. Certainly Social Security payments have not increased that amount, nor has my retirement pension. In fact, the latter has significantly decreased in the past two years. I am sure I am not alone in experiencing financial difficulties at this time. People are losing their homes and finding it hard to feed and clothe their families. This new charge is excessive and repressive in this time of economic depression. I would urge the board to reconsider this action.

Cool Creek, H.G. Kenyon Arm

Sincerely,

Barbara Riege

09-09-62-04-36-003.000



Sept. 30, 2010 601 Daviess Dr. Drainage Board : Westfield, In 46074 From your letter V understand you propose to charge a \$25,00 fee for dringe (far which I pay \$5,00 for one om completely societied happy). From \$5.00 know know of moone getting an increase like that ! Dan 77 and O'Barna isn't even giving me a 1% and of living increase a live when he is through with gov. spending - was is any increase anywhere Let Cool of Creek pay their own way. It seems public confidants are on trial everywhere in U.S. far surongly spending the publicio money of ets be conservative in Manne House SECRETARY OF CONTROL OF THE PARTY OF THE PAR 09-09-02-04-15-001-000

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	Cool Creek Drain - H. Gr. Kenyon Arm
-	To: Hamilton County Draining Board
	Teron: Thomas Campbell Propati: 09-09-11-00-09-030,000
	(contraid 11A Lot 714
	16121 Etne Grea
	Westfield, IN 46074
	1.
	I oppose the rate increas from 45 to 420.
	I could give to a 5 v #10 increase but not high.
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office of the fee out of HAMILTON COUNTY DRAINAGE BOARD 1/20 4 ONotice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the ool Creek Drainage Area, H.G. Kenyon Arm. This is a condo to do not own the lot, ffman Drew S SECRE346 Crawford Dr

> Under the Indiana Drainage Code, all land which drains directly, or indirectly, is 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 existing assessment, the proposed assessment, and your percentage of the total annual maintenance contribution to the costs attributable to providing drainage to your land.

Westfield, IN 46074

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 \$19,499.96. 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,

Description: 09-09-02-04-08-006.000	Rate	Acres/Lot Benefited	Current Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Percentage of total assessment
Mapleton at Countryside Bldg 27 Unit 2701	Un-Reg Subd	One Lot	\$5	\$25	0.13%
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It is proposed that the H.G. Kenyon Drain be combined as an arm of the Cool Creek Drainage Area. Future assessments will be made to Cool Creek instead of the H.G. Kenyon Drain.

A public hearing will be held by the Drainage Board in Commissioner's Court at 9:15 A.M. on October 25, 2010 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
Noblesyille, 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.

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GORDON & DEBRA HAGGARD

16241 Etna Drive Westfield, IN 46074

October 18, 2010



Hamilton County Drainage Board One Hamilton County Square Suite 188 Noblesville, IN 46060

We received a notice in the mail of the intent of the Drainage Board to increase our drainage assessment for the H.G. Kenyon Drain to be combined with the Cook Creek Drainage. We oppose the <u>five hundred percent</u> increase during these economic times. We are already being asked to approve a school referendum and increasing another one of our taxes is an inappropriate request at this time. We, like many households, have not received a raise from employers in well over three years and until there is more life brought back into this economy, we don't anticipate one anytime soon. So, just like everyone else, we have to make cuts where we can and make do with less.

We are asking that this increase be denied based on the fact that our economy is still weak and many families have received no increases, are unemployed or under employed, or on fixed incomes and have not received cost of living increases. In reviewing the Surveyors Report, I do not believe it is necessary to raise assessments at this time.

Thank you for taking the time to read our objection to the assessment increase.

Sincerely,

Gordon Haggard

Dorden Heyyal

Debra Haggard

09-09-11-00-13-003,000

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Haggard, Gordon S & Debra L 16241 Etna Dr Westfield, IN 46074

Under the Indiana Drainage Code, all land which drains directly, or indirectly, is 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 existing assessment, the 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 \$19,499.96. 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.

Description: 09-09-11-00-13-003.000	Rate	Acres/Lot Benefited	Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Percentage of total assessment
Countryside Sec. 11B Lot 777	Un-Reg Subd	One Lot	\$5	\$25	0.13%

It is proposed that the H.G. Kenyon Drain be combined as an arm of the Cool Creek Drainage Area. Future assessments will be made to Cool Creek instead of the H.G. Kenyon Drain.

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

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Cool Creek Drainage Area, H. G. Kenyon Arm

On this 25th day of October 2010, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Cool Creek Drainage Area, H. G. Kenyon 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 DEAINAGE BOARD

President

Member

Member

Attest:

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD IN THE MATTER OF

Cool Creek Drainage Area, H. G. Kenyon Arm

NOTICE

To Whom It May Concern and: Black, Traci Lambert

Williamson, Timothy P & Christine M
Craig, Roderic K & Michael J Riley
Cimino, Paul
Warner, Andrew A & Tamara A
White, Jessica J
Gross, Nyree S
Ebrahim, Adel & Mariam S Salamah
Zaichek, Steven L & Meredith L
Rhorer, Kristi A & Shad
Jones, Ann Marie T Hajduch & Rodney L
Pearson, Lucinda S

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the Cool Creek Drainage Area, H. G. Kenyon Arm on October 25, 2010 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

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Black, Traci Lambert 504 Fayette Dr Westfield, IN 46074

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Description: 09-09-02-04-27-004.000	Rate	Acres/Lot Benefited		—Proposed— Assessment to Cool Creek	Percentage of total assessment
Mapleton at Countryside Bldg 6 Unit 604	Un-Reg Subd	One Lot	\$5	\$25	0.13%

It is proposed that the H.G. Kenyon Drain be combined as an arm of the Cool Creek Drainage Area. Future assessments will be made to Cool Creek instead of the H.G. Kenyon Drain.

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

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Williamson, Timothy P & Christine M 16138 Palmyra Green Westfield, IN 46074

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Description: 09-09-11-00-09-018.000	Rate	Acres/Lot Benefited	Current Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Percentage of total assessment
Countryside Sec. 11A Lot 702	Un-Reg Subd	One Lot	\$5	\$25	0.13%
Countryside Sec. 11A Lot 702	Un-Reg Subd	One Lot	\$5	\$23	0.13%

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

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Craig. Roderic K & Michael J Riley 16668 Brownstone Ct Westfield, IN 46074

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Description: 09-09-02-04-36-004.000	Rate	Acres/Lot Benefited	Assessment to H.G. Kenyon	Proposed— Assessment to Cool Creek	Percentage of total assessment
Villas at Oak Ridge Condo's Bldg 9 Unit D	Un-Reg Subd	One Lot	\$5	\$25	0.13%

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

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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.

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Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Cimino, Paul 553 Gibson Dr Unit 3 Westfield, IN 46074

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Description: 09-09-02-04-24-003.000	Rate	Acres/Lot Benefited	Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Percentage of total assessment
Mapleton at Countryside Bldg 8 Unit 803	Un-Reg Subd	One Lot	\$5	\$25	0.13%

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

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Warner, Andrew A & Tamara A 16262 Etna Dr Westfield, IN 46074

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Description: 09-09-11-00-13-023.000	Rate	Acres/Lot Benefited	Assessment to H.G. Kenyon	Assessment to Cool Creek	Percentage of total assessment
Countryside Sec. 11B Lot 834	Un-Reg Subd	One Lot	\$5	\$25	0.13%

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

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

White, Jessica J 550 Jayson Ct Westfield, IN 46074

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Description: 09-09-02-00-17-011.000	Rate	Acres/Lot Benefited	Current Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Percentage of total assessment
Countryside 3B Lot 230	Un-Reg Subd	One Lot	\$5	\$25	0.13%

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

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Gross, Nyree S 427 Marengo Trl Westfield, IN 46074

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Countryside Sec. 11B Lot 782	Un-Reg Subd	One Lot	\$5	\$25	0.13%
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HAMILTON COUNTY DRAINAGE BOARD
One Hamilton County Square, Ste. 188
Noblesville, IN 46060

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Ebrahim, Adel & Mariam S Salamah h&w 643 Daniel Ct Westfield, IN 46074

Under the Indiana Drainage Code, all land which drains directly, or indirectly, is 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 existing assessment, the 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 \$19,499.96. 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.

Description: 09-09-02-00-17-038.000	Rate	Acres/Lot Benefited	Current Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Percentage of total assessment
Countryside 3B Lot 257	Un-Reg Subd	One Lot	\$5	\$25	0.13%
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It is proposed that the H.G. Kenyon Drain be combined as an arm of the Cool Creek Drainage Area. Future assessments will be made to Cool Creek instead of the H.G. Kenyon Drain.

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This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Zaichek, Steven L & Meredith L 667 Daniel Ct Westfield, IN 46074

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Description: 09-09-02-00-17-041.000	Rate	Acres/Lot Benefited	Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Percentage of total assessment
Countryside 3B Lot 260	Un-Reg Subd	One Lot	\$5	\$25	0.13%

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Noblesville, JN 46060

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Jones, Ann Marie T Hajduch & Rodney L Jones 16665 Brownstone Ct Westfield, IN 46074

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Description: 09-09-02-04-36-002.000	Rate	Acres/Lot Benefited	Current Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Pērcentāge of total assessment
Villas at Oak Ridge Condo's Bldg 9 Unit B	Un-Reg Subd	One Lot	\$5	\$25	0.13%

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HAMILTON COUNTY DRAINAGE BOARD HAMILTON COUNTY DRAIN One Hamilton County Square, Ste. 188 Noblesville, IN 46060 reconstruction of the second o

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Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Rhorer, Kristi A & Shad 605 Davies Dr Westfield, IN 46074

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Description: 09-09-02-04-15-005.000	Rate	Acres/Lot Benefited	Current Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Percentage of total assessment
Mapleton at Countryside Bldg 25 Unit 2502	Un-Reg Subd	One Lot	\$5	\$25	0.13%
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HAMILTON COUNTY DRAINAGE BOARD
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Noblesville, IN: 46060

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creek Drainage Area, H.G. Kenyon Arm.

Pearson, Lucinda S 10804 Braewick Ct Westfield, IN 46074

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Description: 09-09-02-04-34-005.000	Rate	Acres/Lot Benefited	Current Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Percentage of total assessment
Villas at Oak Ridge Condo's Bldg 6 Unit A	Un-Reg Subd	One Lot	\$5	\$25	0.13%

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HAMILTON COUNTY DRAINAGE BOARD RETUR

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Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Cool Creck Drainage Area, H.G. Kenyon Arm.

Russo, Wade Living Trust 16661 Brownstone Ct Westfield, IN 46074

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Description: 09-09-02-04-36-012.000	Rate	Acres/Lot Benefited	Current Assessment to H.G. Kenyon	Proposed Assessment to Cool Creek	Percentage of total assessment
Villas at Oak Ridge Condo's Bldg 11 Unit D	. Un-Reg Subd	One Lot	\$5	\$25	0.13%

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Noblesville, IN 46060

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD IN THE MATTER OF THE

Cool Creek Drainage Area, H. G. Kenyon Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **October 25**, 2010 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: Pamela Louks

ONE TIME ONLY