



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

October 17, 2007

TO: Hamilton County Drainage Board

Re: Cool Creek Drain, Oak Wood Arm

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

The Oak Manor Drain in Washington Township was placed on a maintenance program when it was developed. Surveyor's report for the Oak Wood Drain is dated December 10, 1986, and approved by the Board at a hearing on March 9, 1987 (Hamilton County Drainage Board Minutes Book 2, Pages 197 and 198). At present the Oak Wood Drain maintenance assessments affects 6 lots. The current rate of assessment for the Oak Wood Drain is \$5.00 per acre, \$50.00 minimum. These rates collect \$300.00 annually and the current balance in the maintenance fund is \$367.94. There are no outstanding work orders for this drain at this time.

The rates for the Cool Creek Drain have been set as follows:

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 acres 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 tracts now assessed for the Oak Wood Drain should be assessed as platted lots within subdivisions whose drainage system is regulated drain, as set out in paragraph number 6 above.

When the original assessment roll was approved, Lot 1 (Parcel 08-10-07-00-01-001.000, currently owned by Jennifer Arthur) was not assessed to the Oak Wood Drain because it drains directly to Cool Creek. At this time, Lot 1 should be assessed to Cool Creek as set out in paragraph number 5 above, since the runoff does not utilize a regulated drain to get to the Cool Creek Regulated Drain.

The total annual assessment for this arm will be \$415.00.

The current balance of the Oak Wood Drain shall be kept separate and these funds expend for needed maintenance in the Oak Wood Subdivision on the drainage facilities that comprise the current Oak Wood 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 Oak Wood Drain will be made into the Cool Creek Drain fund. No further maintenance collections for the Oak Wood Drain fund shall be made.

I recommend that a hearing be held for this matter on November 26, 2007.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/grh

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

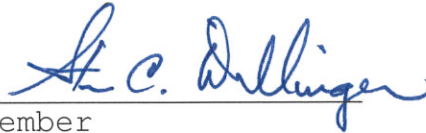
On this **26th day of November, 2007**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Cool Creek Drain, Oak Wood Arm**.

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 Wood 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 Wood Arm** on **November 26, 2007** at **9:05 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 Wood Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **November 26, 2007** 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