



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

June 6, 2012

To: Hamilton County Drainage Board

Re: Cool Creek Drainage Area, Village Plaza #220 Arm

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

The Village Plaza Drain was created per my report dated October 14, 1996 and approved by the Board at a hearing on December 8, 1986 (See Drainage Board Minute Book #2, pages 182 and 183). At present the Village Plaza Drain maintenance assessment affects 26.98 acres and 2 lots. The rate of assessment for the drain is set at \$20.00 per acre with a \$25.00 minimum for agricultural tracts, \$20.00 per acre with a \$25.00 minimum for non-platted residential tracts, \$25.00 per acre with a \$75.00 minimum for commercial, institutional, and multi-family tracts, \$5.00 per acre with a \$35.00 minimum for non-regulated drain subdivision tracts, \$10.00 per acre with a \$65.00 minimum for regulated drain subdivision tracts, and \$10.00 per acre for roads and streets. This rate collects \$1,265.80 annually and the balance within the fund is \$6,167.91. 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.

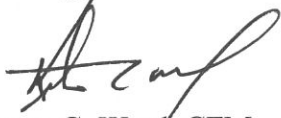
The total annual assessment for this arm will be \$1,343.10.

The current balance of the Village Plaza Drain shall be kept separate and these funds expended for needed maintenance on the Village Plaza 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 Village Plaza Drain will be made into the Cool Creek Drain fund. No further maintenance collections for the Village Plaza Drain shall be made after 2012 other than any delinquent assessment penalties and interest which remain unpaid.

I recommend that the Board set a hearing for this consolidation for July 23, 2012.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

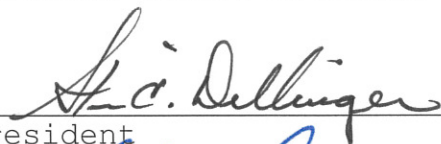
CONCERNING THE MAINTENANCE OF THE

Cool Creek Drainage Area, Village Plaza Arm

On this 23rd day of July, 2012, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Cool Creek Drainage Area, Village Plaza 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.

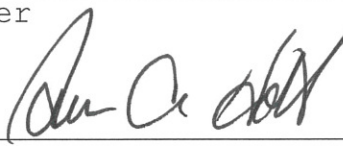
HAMILTON COUNTY DRAINAGE BOARD



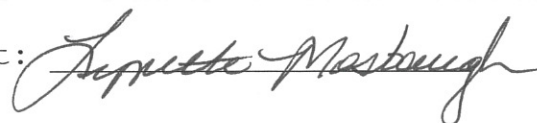
President



Member



Member

Attest: 

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD
 June 22, 2012

RETURNED

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the
Cool Creek Drainage Area, Village Plaza Arm.

5 Hs LLC
 1610 Greyhound Pass E
 Carmel, IN 46032

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 \$1,343.10. 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: 09-09-13-00-00-012.025 Rate: Commercial					
	Village Plaza Drain Acres Benefitted	Village Plaza Drain Maintenance Assmt.	Cool Crk, Village Plaza Arm Acres Benefitted	Cool Crk, Village Plaza Arm Maintenance Assmt.	% of Asmnt.
S13 T18 R3 0.44Ac	0.44	\$75.00	0.44	\$75.00	5.58%
If Village Plaza is combined with Cool Creek future assessments will be made to Cool Creek instead of Village Plaza.					

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:05 A.M. on July 23, 2012** 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.

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD
 June 22, 2012

RETURNED

**Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the
 Cool Creek Drainage Area, Village Plaza Arm.**

Greyhound Court Shops LLC
 250 96th St E Ste 550
 Indianapolis, IN 46240

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 \$1,343.10. 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: 09-09-13-00-00-012.008 Rate: Commercial					
	Village Plaza Drain Acres Benefitted	Village Plaza Drain Maintenance Assmt.	Cool Crk, Village Plaza Arm Acres Benefitted	Cool Crk, Village Plaza Arm Maintenance Assmt.	% of Asmnt.
S13 T18 R3 1.26Ac	1.26	\$75.00	1.26	\$75.00	5.58%
If Village Plaza is combined with Cool Creek future assessments will be made to Cool Creek instead of Village Plaza.					

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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, Village Plaza Arm

NOTICE

To Whom It May Concern and: 5 Hs LLC

Greyhound Court Shops, LLC

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Cool Creek Drainage Area, Village Plaza Arm** on **July 23, 2012** 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 Drainage Area, Village Plaza Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **July 23, 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