

SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, Surveyor

Phone (317) 776-8495

Fax (317) 776-9628

Suite 188

One Hamilton County Square

Noblesville, Indiana 46060-2230

January 14, 2005

Hamilton County Drain Board

Re: Cool Creek Drain, Westfield Park Arm

Upon review of the drainage sheds, I believe that the Westfield Park Drain should be made an arm to the Cool Creek Drain. Portions of Cool Creek are included in the drainage facilities in Sections 1, 3 and 4 when these sections were placed on maintenance. The portion of the Cool Creek Open Drain from 151st Street to the southwest corner of Lot 23, Bridlewood Section 4, has been maintained as part of the Bridlewood Drain.

The Westfield Business Park Drain in Washington Township was placed on a maintenance program as each section was developed. The dates of the Surveyor's reports and hearings are as follows:

Westfield Business Park Section 1

Surveyor's revised report dated June 25, 1988, approved by Board at hearing on September 12, 1988, Hamilton County Drainage Board Minutes Book 2, Pages 293 and 296.

Westfield Business Park Section 2

Surveyor's report dated December 17, 1993, approved by Board at hearing on March 28, 1994, Hamilton County Drainage Board Minutes Book 3, Page 233.

Sun Communications Business Park Section 1

Surveyor's report dated August 7, 1989, approved by Board at hearing on October 16, 1989, Hamilton County Drainage Board Minutes Book 2, Page 386.

Sun Communications Business Park Section 2

Surveyor's report dated November 15, 1991, approved by Board at hearing on January 21, 1992, Hamilton County Drainage Board Minutes Book 2, Page 579.

McKinney Auto Repair Arm

Surveyor's report dated September 12, 2001, approved by Board at hearing on November 26, 2001, Hamilton County Drainage Board Minutes Book 6, pages 209 and 210.

The current rate for the Westfield Park Drain is \$5.00 per acre, \$50.00 minimum. There are 175.38 acres and 137 lots assessed and brings in \$3,026.00 per year. The current maintenance balance in the fund is \$15,224.20. There are no outstanding work orders for this drain at this time.

The rates for the Cool Creek Drain should be 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) 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 \$50.00 per lot/minimum. Common areas within the regulated drain subdivisions shall be set at \$15.00 per acre with a \$50.00 minimum.

The tracts now assessed for the Westfield Park Drain should be assessed as commercial tracts, as set out in paragraph number 4 above and the roads as set out in paragraph number 1 above.

The total annual assessment for this arm will be \$6,018.70.

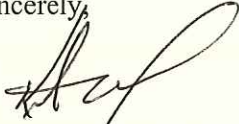
I recommend that the Board combine these drains for maintenance purposes under IC 36-9-27-41. The current balance in the Westfield Park Drain be addressed by:

1. Transferring the balance of the Westfield Park fund to the Cool Creek Drain maintenance fund.
2. All future maintenance work on the Westfield Park Drain should be paid from the Cool Creek Drain Maintenance fund.

Parcels in the Westfield Park Drain which are currently assessed for the Anna Kendall Drain shall continue to be assessed for the Kendall Drain.

I recommend that a hearing be held for this matter on April 25, 2005.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Ward', written over the printed name below.

Kenton C. Ward
Hamilton County Surveyor

KCW/llm

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Cool Creek Drain, Westfield Park Arm


On this *12th day of June 2006*, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Cool Creek Drain, Westfield 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, Westfield 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, Westfield Park Arm** on **April 25, 2005** 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: Amelia Jenkins

ONE TIME ONLY

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

Cool Creek Drain, Westfield 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 **June 12, 2006** 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