



SURVEYOR'S OFFICE
Hamilton **C**ounty

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 29, 2012

To: Hamilton County Drainage Board

Re: Cool Creek Drainage Area, Westfield Farms #207 Arm

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

The Westfield Farms Drain was created per my report dated June 12, 1985 and approved by the Board at a hearing on August 12, 1985 (See Drainage Board Minute Book #2, page 73). At present the Westfield Farms Drain maintenance assessment affects 75.66 acres and 273 lots. The rate of assessment for the drain is set at \$2.00 per acre with a \$30.00 minimum. This rate collects \$8,504.50 annually and the balance within the fund is \$35,330.56. 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 \$18,116.50.

The current balance of the Westfield Farms Drain shall be kept separate and these funds expended for needed maintenance on the Westfield Farms 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 Westfield Farms Drain will be made into the Cool Creek Drain fund. No further maintenance collections for the Westfield Farms 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 August 27, 2012.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Ward', written over a horizontal line.

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

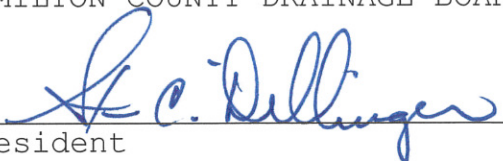
CONCERNING THE MAINTENANCE OF THE

Cool Creek Drainage Area, Westfield Farms Arm

On this 27th day of August, 2012, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Cool Creek Drainage Area, Westfield Farms 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.

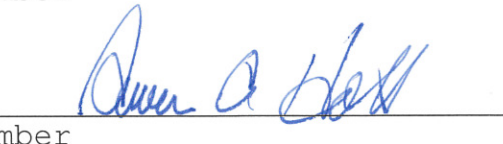
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

Loretta Mearns

August 1, 2012

Nhon T. Nguyen
Anh P. Nguyen
1309 E. Beacon Way
Carmel, IN 46032



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

Dear Sir/Madam:
I'd object to the plan on our land that it is expensive.

Sincerely,

Nhon T. Nguyen
Anh P. Nguyen

08-09-13-00-01-077.000

Cool Creek DA - Westfield Farms Arm

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD
 July 27, 2012

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

Nguyen, Nhon T & Anh Pham
 1309 Beacon Way 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 \$18,116.50. 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: 08-09-13-00-01-077.000 Rate: Regulated Subd

	Acres Benefited	Current Westfield Farms Mnt. Assmt.	Proposed Cool Creek Maintenance Assmt.	% of Asmnt.
S13 T18 R3 Beacon Point Lot 67	One Lot	\$30.00	\$65.00	0.36%

If Westfield Farms is combined with Cool Creek future assessments will be made to Cool Creek instead of Westfield Farms.

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:05 A.M. on August 27, 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.



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Hamilton **C**ounty

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

August 23, 2012

Nhon T. & Ann P. Nguyen
1309 E. Beacan Way
Carmel, IN 46032

RE: Cool Creek Drainage Area, Westfield Farms Arm #207

I received your objection dated August 1, 2012 to the above referenced hearing. As noted on the bottom of the notice you received you can go to the website shown and review my report to the Board concerning this hearing. If you have not done so I encourage you to visit the site.

Please note that this is being done to avoid a double assessment on both the Cool Creek Drain and the Westfield Farms Drain. The assessment has increased because the fund must now cover the maintenance on both drains.

Sincerely,

Kenton C. Ward, CFM
Hamilton County Surveyor's Office

KCW/pll

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD

RETURNED

July 27, 2012

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

Fehr, Kurt L & Laura K
1011 Farmview Ln
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.

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The Surveyor has estimated that the annual cost of periodically maintaining the entire drain is \$18,116.50. 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: 08-09-13-03-03-017.000 Rate: Regulated Subd				
	Acres Benefited	Current Westfield Farms Mnt. Assmt.	Proposed Cool Creek Maintenance Assmt.	% of Asmnt.
S13 T18 R3 Westfield Farms 2nd Lot 96	One Lot	\$30.00	\$65.00	0.36%
If Westfield Farms is combined with Cool Creek future assessments will be made to Cool Creek instead of Westfield Farms.				

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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
 July 27, 2012

RETURNED

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

Andrews, Charles C
 14820 Wheatfield Ln
 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.

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Parcel: 08-09-13-03-04-004.000 Rate: Regulated Subd				
	Acres Benefited	Current Westfield Farms Mnt. Assmt.	Proposed Cool Creek Maintenance Assmt.	% of Asmnt.
S13 T18 R3 Westfield Farms 3rd Lot 32	One Lot	\$30.00	\$65.00	0.36%
If Westfield Farms is combined with Cool Creek future assessments will be made to Cool Creek instead of Westfield Farms.				

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 Noblesville, IN 46060

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OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD
 July 27, 2012

RETURNED

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

St Charles, Jason H & Meaghan E Donovan Jt/Rs
 5756 Haven Hurst Cove
 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.

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Parcel: 08-09-13-00-01-018.000 Rate: Regulated Subd				
	Acres Benefited	Current Westfield Farms Mnt. Assmt.	Proposed Cool Creek Maintenance Assmt.	% of Asmnt.
S13 T18 R3 Beacon Point Lot 81	One Lot	\$30.00	\$65.00	0.36%
If Westfield Farms is combined with Cool Creek future assessments will be made to Cool Creek instead of Westfield Farms.				

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:05 A.M. on August 27, 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.

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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, Westfield Farms Arm

NOTICE

To Whom It May Concern and: Fehr, Kurt L & Laura K
Andrews, Charles C

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Cool Creek Drainage Area, Westfield Farms Arm** on **August 27, 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, Westfield Farms 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 27, 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