

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 29, 2010

To: Hamilton County Drainage Board

Re: Cool Creek Drainage Area, William Knight #139 Arm

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

The William Knight Drain was created by the Hamilton County Commissioners Court on December 9, 1903 (See Commissions Record Book 14, Pages 501 to 503). At present the William Knight Drain maintenance assessment affects 260.44 acres and 113 lots. The rate of assessment for the drain is set at \$2.00 per acre, with a \$5.00 minimum. This rate collects \$1,144.62 annually and the balance within the fund is \$5,795.94. There is one outstanding work order for this drain at this time.

With this combination the assessed acreage for parcel 08-09-11-00-00-011.000, owned by Harry and Nia Hontos, should be increased from 21.8 acres to 23.8 acres, as the entire parcel does drain to Cool Creek. Also, the road assessment for 156th Street to the City of Westfield should be increase by 4.03 acres for Right of Way area that drains to Cool Creek.

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.

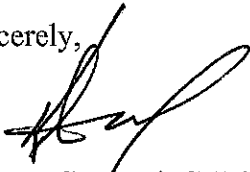
The total annual assessment for this arm will be \$4,445.16.

The current balance of the William Knight Drain shall be kept separate and these funds expended for needed maintenance on the William Knight 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 William Knight Drain will be made into the Cool Creek Drain fund. No further maintenance collections for the William Knight 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

FINDINGS AND ORDER

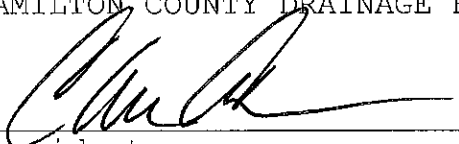
CONCERNING THE MAINTENANCE OF THE

Cool Creek Drainage Area, William Knight Arm

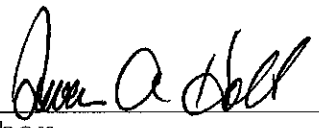
On this *25th day of October 2010*, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Cool Creek Drainage Area, H. G. Kenyon Arm*.

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.

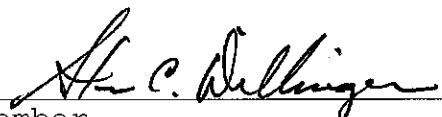
HAMILTON COUNTY DRAINAGE BOARD



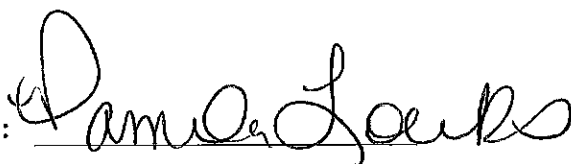
President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Cool Creek Drainage Area, William Knight 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 Drainage Area, William Knight 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

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

Cool Creek Drainage Area, William Knight 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