



SURVEYOR'S OFFICE

# Hamilton County

*Kenton C. Ward, Surveyor*

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December 8, 2006

To: Hamilton County Drainage Board

Re: Mud Creek / Sand Creek Drainage Area, Cyntheanne Road Extension

Attached is a drain map, drainage shed map and schedule of assessments for the extension of the Mud Creek Drain. This proposed drain is located in Fall Creek Township.

I have made a personal inspection of the land described below. Upon doing so, I believe that the drain is practicable, will improve the public health, benefit a public highway and be of public utility and that the costs, damages and expenses of the proposed drain will probably be less than the benefits accruing to the owners of land likely to be benefited. The drain will consist of the following:

Open Ditch	1,838 ft.
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The total length of the drain will be 1,838 feet.

The extension will begin at Sta. 138+30 of the Daniel Heiny Drain. This is the intersection of the Frank Keiser Drain with the Heiny Drain. The extension will follow the existing open ditch to the east line of Cyntheanne Road.

The rates for maintenance were established per my report dated March 21, 2005 which was approved by the Board at hearing on May 23, 2005. (See Hamilton County Drainage Board Minute Book 8, Pages 310-312)

I have reviewed the plans and drain map and believe, as set out in IC 36-9-27-69 (b) (1) that all tracts within the drainage shed of the Mud Creek Drain within this subdivision will benefit. I recommend the following maintenance assessment to be adopted by the Board:

1. Maintenance assessment for roads and streets be set at \$10.00 per acre.
2. Maintenance assessment for agricultural tracts be set at \$3.00 per acre with a \$15.00 minimum.
3. Maintenance assessment for non-platted residential tracts be set at \$3.00 per acre with a \$15.00 minimum.
4. Maintenance assessment for commercial institutional and multi-family residential tracts be set at \$10.00 per acre with a \$75.00 minimum.
5. Maintenance assessment for platted lots in subdivisions whose drainage systems will not be considered part of the regulated drain (those systems maintained by the Town of Fishers) shall be set at \$35.00 per lot - \$35.00 minimum. Common areas within subdivisions whose drainage systems will not be part of the regulated drain (those systems maintained by the Town of Fishers) shall be set at \$5.00 per acre with a \$35.00 minimum.
6. Maintenance assessments for platted lots within a subdivision whose drainage system will be part of the regulated drain shall be set at \$65.00 per lot with a \$65.00 minimum. Common areas with regulated drain subdivisions shall be set at \$10.00 per acre with a \$65.00 minimum.

The annual maintenance collection for this extension will be \$128.96.

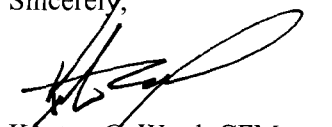
I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, this drain shall be designed as an Urban Drain.

The easements for the drain should be set at 75' from top of bank as set out in IC 36-9-27-33. Additional drainage easement will be added to the following tracts:

<u>Parcel</u>	<u>Owner</u>
12-12-18-00-00-006.000	Jeffery Scott Roush & Elizabeth Fredrick Roush
12-12-18-00-00-006.003	Mathew & Sandra Peelan

I recommend that the Board set a hearing for this consolidation for January 22, 2007.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/llm

**Gasb 34 Asset Price &  
Drain Length Log**

Drain-Improvement: Cynthiana Rd Extension

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
open	-	1838			\$19 <sup>55</sup> /f	\$35,932 <sup>90</sup>

Sum: 1838 \$35,932<sup>90</sup>

Final Report: \_\_\_\_\_

Comments:  
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 \_\_\_\_\_  
 \_\_\_\_\_  
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FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Mud Creek/Sand Creek Drainage Area, Cyntheanne Road Extension

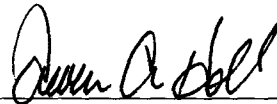
On this **22nd day of January 2007**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Mud Creek/Sand Creek Drain, John Underwood Drain Arm**.

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.

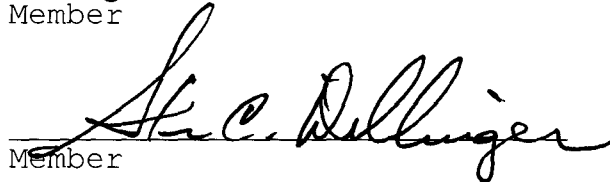
HAMILTON COUNTY DRAINAGE BOARD



\_\_\_\_\_  
President




\_\_\_\_\_  
Member



\_\_\_\_\_  
Member

Attest:



STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**Mud Creek/Sand Creek Drainage Area, Cyntheanne Road Extension**

**FINDINGS AND ORDER FOR RECONSTRUCTION**

The matter of the proposed Reconstruction of the **Mud Creek/Sand Creek Drainage Area, Cyntheanne Road Extension** came before the Hamilton County Drainage Board for hearing **on January 22, 2007**, on the Reconstruction Report consisting of the report and the Schedule of Damages and Assessments. The Board also received and considered the written objection of an owner of certain lands affected by the proposed Reconstruction, said owner being:

Evidence was heard on the Reconstruction Report and on the aforementioned objections.

The Board, having considered the evidence and objections, and, upon motion duly made, seconded and unanimously carried, did find and determine that the costs, damages and expenses of the proposed Reconstruction will be less than the benefits accruing to the owners of all land benefited by the Reconstruction.

The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included or omitted from the Schedule of Assessments.

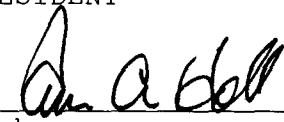
The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the **Mud Creek/Sand Creek Drainage Area, Cyntheanne Road Extension** be and is hereby declared established.

Thereafter, the Board made inspection for the purpose of determining whether or not the lands of any owners had been erroneously included or excluded from the Schedule of Assessments. The Board finds on the basis of the reports and findings at this hearing as follows:

HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

ATTEST:

  
Executive Secretary