

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

March 21, 2005

To: Hamilton County Drainage Board

Re: Mud Creek Drain, Hawks Landing at Gray Eagle Arm

Attached is a petition filed by Crawfordsville Partners, LLC along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Hawks Landing at Gray Eagle Arm, Mud Creek Drain to be located in Fall Creek Township. I have reviewed the submittals and petition and have found each to be in proper form.

I have made a personal inspection of the land described in the petition. 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	1,440 Feet
------------	------------

The total length of the drain will be 1,440 feet.

The open ditch is that which is the existing Mud Creek which borders the west line of Hawks Landing at Gray Eagle, Section 1 Subdivision from the north right of way line of 126th Street to the southwest corner of this subdivision. The drainage facilities within the subdivision are maintained by the Town of Fishers.

I have reviewed the plans and drain map and believe, as set out in IC 36-9-27-69 that all tracts within the drainage shed of the Mud Creek Drain within this subdivision will benefit. I recommend the following 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 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 within regulated drain subdivisions shall be set at \$10.00 per acre with a \$65.00 minimum.

The annual maintenance collection will be \$1,017.00.

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

I recommend that upon approval of the above proposed drain that the Board also approve the attached non-enforcement request. The request is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Hawks Landing at Gray Eagle, Section 1 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for May 23, 2005.

Sincerely,



Kenton C. Ward
Hamilton County Surveyor

KCW/esh

FINDINGS AND ORDER

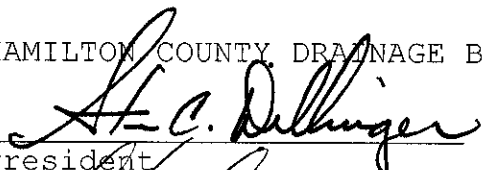
CONCERNING THE MAINTENANCE OF THE

Mud Creek Drain, Hawks Landing at Gray Eagle Arm

On this *23rd day of May 2005*, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Mud Creek Drain, Hawks Landing at Gray Eagle 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:

