

SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
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Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

January 25, 2007

To: Hamilton County Drainage Board

Re: Pebble Brook Drain, Promenade Extension

Attached is a drain map, drainage shed map and schedule of assessments for the extension of the Pebble Brook Drain from the north property line of tract 10-06-34-00-00-025.001 to the east right of way line of Mill Creek Road. This proposed drain is located in Noblesville 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 3,300 ft.

The total length of the drain will be 3,300 feet.

The extension will begin at the east right of way line of Mill Creek Road. The extension will follow the existing open ditch upstream to the north line of tract 10-06-34-00-00-025.001 which is owned by Promenade Creek, LLC.

I have reviewed the plans and drain map and believe, as set out in IC 36-9-27-69 (b) (1) that the parcels described on the attached assessment schedule are within the drainage shed of the Pebble Brook Drain and therefore benefit from the drain. I recommend the following maintenance assessments be established for this portion of the drainage shed:

1. Maintenance assessment for roads and streets be set at \$10.00 per acre.
2. Maintenance assessment for agricultural tracts be set at \$2.00 per acre 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 \$10.00 per acre with a \$75.00 minimum.

5. Maintenance assessment for platted lots in subdivisions whose drainage system will not be part of the regulated drain (those systems maintained by the City of Noblesville) shall be set at \$35.00 per lot/minimum. Common areas within non-regulated drain subdivisions shall be assessed at \$5.00 per acre with a \$35.00 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 subdivision shall be set at \$10.00 per acre with a \$65.00 minimum.

The annual maintenance collection for this extension will be \$223.66. Collections for this extension will begin in 2008.

The nature of maintenance work for this area will consist of the following:

1. Bank erosion repair and protection as might be required;
2. Removal of beaver dams;
3. Removal of any obstructions within the flowline as might be required;
4. Any other repairs necessary to restore the drain to a serviceable condition.

The frequency with which maintenance work should be performed is annually as required by the condition of the drain.

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 on the following tracts:

Promenade Creek, LLC	10-06-34-00-00-025.001
Promenade Woods, LLC	10-06-34-00-00-022.001
Promenade Villas, LLC	10-06-34-00-00-022.002
Hamilton County Highway	Mill Creek Road Right of Way

I recommend that the Board set a hearing for this extension for March 26, 2007.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/llm

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

Drain-Improvement: Pebblebrook Drain: Promenade Extension

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
open	-	3300			\$1955 lf	\$64,515 ⁰⁰

Sum: 3300 *64,515⁰⁰

Final Report: _____

Comments:


FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE
Pebblebrook Drain, Promenade Extension

On this **26th day of March 2007**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Pebblebrook Drain, Promenade Extension**.

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
Pebblebrook Drain, Promenade Extension

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Pebblebrook Drain, Promenade Extension* came before the Hamilton County Drainage Board for hearing on *March 26, 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.

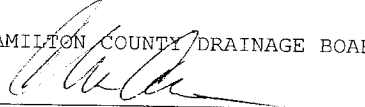
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included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

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Pebblebrook Drain, Promenade Extension

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **Pebblebrook Drain, Promenade Extension** on **March 26, 2007**, at **9:35 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed 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

STATE OF INDIANA)
) SS BEFORE THE HAMILTON
)
COUNTY OF HAMILTON) DRAINAGE BOARD

IN THE MATTER OF **Pebblebrook Drain, Promenade Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **March 26, 2007** adopted the reconstruction report of the Surveyor and the Amended Schedule of damages and assessments including annual assessment for periodic maintenance, finding that the costs, damages and expense of the proposed improvement would be less than the benefits which will result to the owner of lands benefited thereby.

The Board issued an order declaring the proposed improvement established. Such findings and order were marked filed and are available for inspection in the Office of the Hamilton County Surveyor.

If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

HAMILTON COUNTY DRAINAGE BOARD

BY: Christine Altman
PRESIDENT

ATTEST: Lynette Mosbaugh
EXECUTIVE SECRETARY