

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*

July 7, 2010

To: Hamilton County Drainage Board

Re: Sly Run Drain, Hinkle Creek Estates Arm

Upon review of the drainage sheds, I believe that the Hinkle Creek Estates Drain should be made an arm to the Sly Run Drain as the Hinkle Creek Estates Drain is a tributary to the Sly Run Drain. This would also avoid a double assessment on the tracts currently assessed for the Hinkle Creek Estates Drain when the remainder of the Sly Run Drain is assessed for maintenance.

The Hinkle Creek Estates Drain was created per my report dated March 18, 2003 and approved by the Board at hearing on April 28, 2003 (See Hamilton County Drainage Board Minutes Book 7, pages 46-48). At present the Hinkle Creek Estates Drain maintenance assessment affects 23.1 acres and 35 lots. The rate of assessment for the drain is set at \$10.00 per acre, \$65.00 minimum for roads, and \$10.00 per acre with a \$65.00 minimum for regulated drain subdivisions. This rate collects \$2,615.00 annually and the balance within the fund is \$10,688.53. There are no outstanding work orders for this drain at this time.

The current maintenance assessment will revise as per the rates set for the Sly Run Drain which are as follows:

1. Maintenance assessment for roads and streets are set at \$10.00 per acre.
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 \$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 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 subdivisions shall be set at \$10.00 per acre with a \$65.00 minimum.

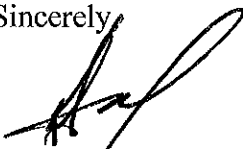
The total annual assessment for this arm will be \$2,615.00.

The current balance of the Hinkle Creek Estates Drain shall be kept separate and these funds expended for needed maintenance on the Hinkle Creek Estates Drain. This shall be done until the funds are exhausted. At that time funding for repairs shall then be taken from the Sly Run Drain fund. Collections for the Sly Run Drain would not begin until May 2011.

Future assessments for the drainage area of the Hinkle Creek Estates Drain will be made into the Sly Run Drain fund. No further maintenance collections for the Hinkle Creek Estates Drain shall be made.

I recommend that the Board set a hearing for this consolidation for August 23, 2010.

Sincerely



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE  
Sly Run Drain, Hinkle Creek Estates Arm

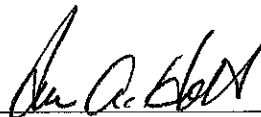
On this **23rd day of August 2010**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Sly Run Drain, Hinkle Creek Estates Arm**.

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.

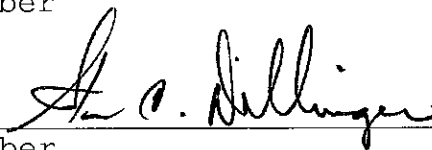
HAMILTON COUNTY DRAINAGE BOARD



\_\_\_\_\_  
President

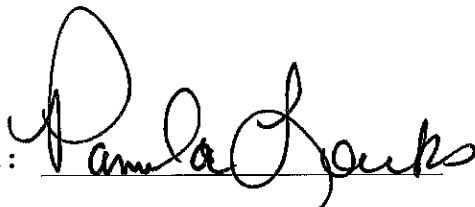


\_\_\_\_\_  
Member



\_\_\_\_\_  
Member

Attest:



BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***Sly Run Drain, Hinkle Creek Estates Arm***

NOTICE

To Whom It May Concern and: Lozier, Mark E  
\_\_\_\_\_  
\_\_\_\_\_

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Sly Run Drain, Hinkle Creek Estates Arm** on **August 23, 2010** 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

## HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Sly Run Drain, Hinkle Creek Estates Arm.**

Lozier, Mark E  
 5030 Nightshade Ln  
 Noblesville, IN 46062

Under the Indiana Drainage Code, all land which drains directly, or indirectly, is 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 existing assessment, the 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 \$2,615.00. 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.

Description: 10-06-21-00-01-018.000	Rate	Acres/Lot Benefited	Current Assessment to Hinkle Creek Est.	Proposed Assessment to Sly Run	Percentage of total assessment
Hinkle Creek Estates 1st Lot 35	Regulated Subd.	One Lot	\$65	\$65	2.49%
It is proposed that the Hinkle Creek Estates Drain be combined as an arm of the Sly Run Drain. Future assessments will be made to Sly Run Drain instead of the Hinkle Creek Estates Drain.					

A public hearing will be held by the Drainage Board in Commissioner's Court at 9:05 A.M. on August 23, 2010 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](http://www.hamiltoncounty.in.gov/drainageboardnotices).*

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF THE

*Sly Run Drain, Hinkle Creek Estates 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 23, 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: Lynette Mosbaugh

ONE TIME ONLY