

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

February 8, 2011

To: Hamilton County Drainage Board

Re: Taylor Creek Drain, Fred Seeright #94 Arm

Upon review of the drainage sheds, I believe that the Fred Seeright #94 Drain should be made an arm to the Taylor Creek Drain as the Fred Seeright #94 Drain is a tributary to the Taylor Creek Drain. This would also avoid a double assessment on the tracts currently assessed for the Fred Seeright #94 Drain when the remainder of the Taylor Creek Drain is assessed for maintenance.

The Fred Seeright #94 Drain was created in 1949 per the Hamilton County Circuit Court. At present the Fred Seeright #94 Drain maintenance assessment affects 1,243.85 acres. The rate of assessment for the drain is set at \$3.00 per acre with a \$10.00 minimum. This rate collects \$3,917.42 annually and the balance within the fund is \$22,026.36. 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 Taylor Creek 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 \$5.00 per acre with a \$15.00 minimum.
3. Maintenance assessment for non-platted residential tracts are set at \$5.00 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.

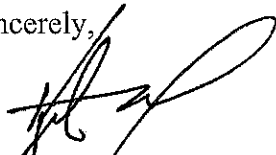
The total annual assessment for this arm will be \$7,082.71.

The current balance of the Fred Seeright #94 Drain shall be kept separate and these funds expended for needed maintenance on the Fred Seeright #94 Drain. This shall be done until the funds are exhausted. At that time funding for repairs shall then be taken from the Taylor Creek Drain fund. Collections for the Taylor Creek Drain would not begin until May 2012.

Future assessments for the drainage area of the Fred Seeright #94 Drain will be made into the Taylor Creek Drain fund. No further maintenance collections for the Fred Seeright #94 Drain shall be made.

I recommend that the Board set a hearing for this consolidation for April 25, 2011.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

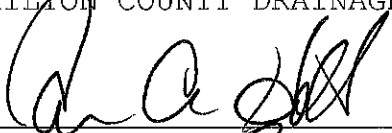
CONCERNING THE MAINTENANCE OF THE

Taylor Creek Drain, Fred Seeright Arm

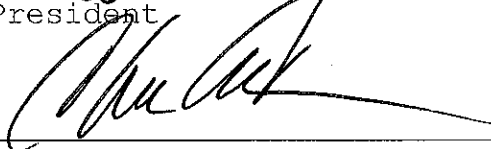
On this **25th day of April, 2011**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Taylor Creek Drain, Fred Seeright Arm**.

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.

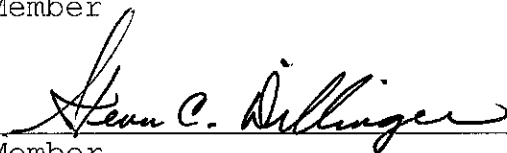
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

TAYLOR CREEK DRAIN, FRED SEERIGHT ARM

Property Owner	Parcel Number	Acres Benefited	Current Maintenance	Proposed Maintenance	% of Acres
Griffis, David Lee Trust	01-01-24-00-00-012.000	4.5	\$13.50	\$75.00	1.06%
TOTALS		4.5	\$13.50	\$75.00	1.06%

3811 Pamela Court
Kokomo, IN 46902-4351
April 13, 2011



Hamilton County Drainage Board
One Hamilton County Square, Ste. 188
Noblesville, IN 46060

Drainage Board:

Re: Objection to Assessment for Taylor Creek Drain/Fred Seeright Arm

We're in receipt of your notice regarding the proposed assessment for the Taylor Creek Drain/Fred Seeright Arm.

You indicate the property description: 01-01-24-00-00-012.000 as Commercial. It is NOT being used as commercial and hasn't been for several years. When I attempted to get it corrected, it fell on "deaf ears".

You indicate a minimum charge for "commercial" of \$75 annual fee. Since it is NOT being used commercially, I feel that amount is unacceptable and excessive.

Please reconsider as we're objecting to this proposed assessment.

Yours truly,

Rosemary Griffis, Trustee

David L. Griffis Trust

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the
Taylor Creek Drain, Fred Seeright Arm.

Mohler, Nitha & Todd Chandler Clark Jt/rs
PO Box 5084
Zionsville, IN 46077

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 \$7,082.72. 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: 01-01-24-00-00-013.000	Current Acres Benefited to Fred Seeright	Current Assessment to Fred Seeright	Proposed acres benefitted to Taylor Creek	Proposed Assessment to Taylor Creek	Percentage of total assessment
S24 T20 R3 2.00 Ac Residential/Ag	2.00 Ac	\$10.00	2.00 Ac	\$15.00	0.21
If this proposal is approved your annual drain assessment will be to Taylor Creek instead of Fred Seeright.					

A public hearing will be held by the Drainage Board in Commissioner's Court at 9:05 A.M. on April 25, 2011 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.

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Taylor Creek Drain, Fred Seeright Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Taylor Creek Drain, Fred Seeright Arm** on **April 25, 2011** 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

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

Taylor Creek Drain, Fred Seeright Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **April 25, 2011** 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