

*Kenton C. Ward, CFM*  
*Surveyor of Hamilton County*  
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*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, Jesse DeVaney #87 Arm 6

Upon review of the drainage sheds, I believe that the Jesse DeVaney #87 Arm 6 Drain should be made an arm to the Taylor Creek Drain as the Jesse DeVaney #87 Arm 6 Drain is a tributary to the Taylor Creek Drain. This would also avoid a double assessment on the tracts currently assessed for the Jesse DeVaney #87 Arm 6 Drain when the remainder of the Taylor Creek Drain is assessed for maintenance.

The Jesse DeVaney #87 Arm 6 Drain was created in 1902 per the Hamilton County Board of Commissioners. At present the Jesse DeVaney #87 Arm 6 Drain maintenance assessment affects 505.99 acres. The rate of assessment for the drain is set at \$2.00 per acre, \$10.00 per lot with a \$10.00 minimum. This rate collects \$1,128.52 annually and the balance within the fund is \$6,044.15. 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.

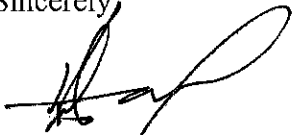
The total annual assessment for this arm will be \$2,748.46.

The current balance of the Jesse DeVaney #87 Arm 6 Drain shall be kept separate and these funds expended for needed maintenance on the Jesse DeVaney #87 Arm 6 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 Jesse DeVaney #87 Arm 6 Drain will be made into the Taylor Creek Drain fund. No further maintenance collections for the Jesse DeVaney #87 Arm 6 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

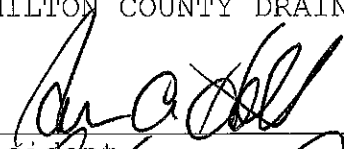
CONCERNING THE MAINTENANCE OF THE

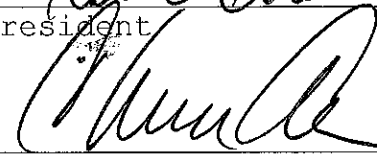
Taylor Creek Drain, Jesse DeVaney Arm <sup>6</sup>

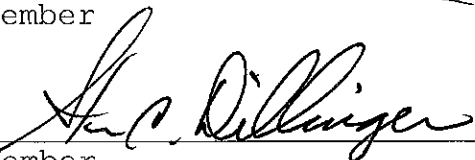
On this **25th day of April, 2011**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Taylor Creek Drain, Jesse DeVaney Arm.**

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.

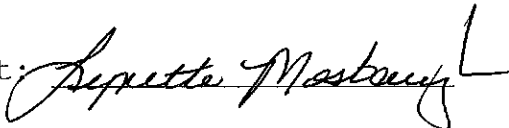
HAMILTON COUNTY DRAINAGE BOARD

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

Attest:



**TAYLOR CREEK DRAIN, JESSE DeVANEY ARM**

<b>Property Owner</b>	<b>Parcel Number</b>	<b>Acres Benefited</b>	<b>Current Maintenance</b>	<b>Proposed Maintenance</b>	<b>% of Acres</b>
Armstrong, Larry D. & Lela A.	03-02-21-00-00-012.004	4.28	\$10.00	\$21.40	0.78%
<b>TOTALS</b>		<b>4.28</b>	<b>\$10.00</b>	<b>\$21.40</b>	<b>0.78%</b>

March 28 2011



Hamilton County Drainage Board

One Hamilton Court Square, Suite #188

Noblesville, IN 46060

RE: Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Taylor Creek Drain, Jesse DeVaney Arm #6

To: Kenton C. Ward, Surveyor of Hamilton County

My wife and I own 4.28 acres at 25652 DeVaney (Description 03-02-21-00-00-012.004) and would like to voice our concerns to the proposed re-assessments, and re-allocations of future assessments, put forth in the above referenced notice we received by mail March 26, 2011 .

We need all the facts before we can dispute the proposed assessments at this time. The combining of Jesse DeVaney Arm #6 with the Taylor Creek Drain in 2012 changes to whole make up of the drainage system assessments. Not knowing Hamilton County's future plans for Taylor Creek Drain (re-construction, etc) leaves us with great concerns about future assessment costs. Future cost for Taylor Creek Drain will then impact us.

We feel Hamilton County owes all the land owners involved in the combining of all the drainage systems (DeVaney Arm #6, Mallott-Carson #65, Vestal-Kirkendall Shed, and more to the west and north) into Taylor Creek a long term comprehensive drainage plan (with cost implications included) before approving any combining of Maintenance Assessments at this time.

We look forward to your cooperation and response.

Larry & Lela Armstrong

443 N 10<sup>th</sup> Street

Noblesville, IN 46060

03-02-21-00-00-012.004

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

*Taylor Creek Drain, Jesse DeVaney Arm 6*

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, Jesse DeVaney Arm 6** 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, Jesse DeVaney 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