

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

August 5, 2013

TO: Hamilton County Drainage Board

RE: Williams Creek Drain, B & B Park Arm

Attached is a petition filed by Christian & Amie Browning, along with a non-enforcement, plans, calculations, and quantity summary for the B & B Park (formerly known as Lakeland) Arm to the Williams Creek Drain. This proposed drain is located in Clay 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 below. Upon doing so, I believe that the drain is practicable, will improve the public health, benefit a 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 – 520 feet

The total length of the drain will be 520 feet.

The arm shall begin at north property line of parcel 17-09-27-00-00-032.000, owned by Christian & Amie Browning, and follow the existing open channel (Elliott Creek) 520 feet to the south property line of said parcel, which is the beginning point for the Claridge Farms Drain, Section 1 Arm, per my report dated December 20, 1990 and approved by the Board at a hearing on March 18, 1991 (see Drainage Board Minute Book #2, pages 516 and 520).

The internal storm sewer drains to the subdivision will remain private and the maintenance responsibility will be that of the property owners.

I have reviewed the plans and believe the drain will benefit each lot equally. Therefore, I recommend each lot be assessed equally. I also believe that no damages will result to the landowner by the construction of this drain. I recommend the Williams Creek un-regulated subdivision rate of \$5.00 per acre, with a \$35.00 minimum, and \$10.00 per acre for road be used. With this assessment, the total annual assessment for this drain/this section will be \$78.26.

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 designated as an Urban Drain.


The parcels involved with this new arm are:

<u>Parcel</u>	<u>Owner</u>
17-09-27-00-00-032.000 Clay Center Road	Christian & Amie Browning City of Carmel

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 regulated drain easement to be those easement widths as shown on the secondary plat for B & B Park as recorded in the office of the Hamilton County Recorder.

I recommend that the Board set a hearing for this arm on September 23, 2013.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

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

**Drain-Improvement:** Williams Creek - B & B Park Arm

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
open	n/a	520	520	0	\$19.55 lf	\$10,166.00
<b>Sum:</b>		<u>520</u>	<u>520</u>	<u>0</u>		<u>\$10,166.00</u>

Final Report: \_\_\_\_\_

Comments:

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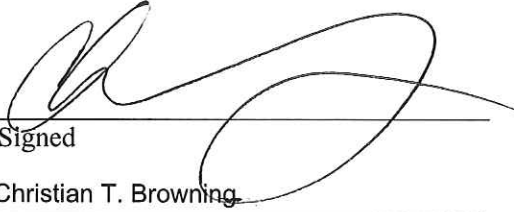



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The Petitioner further requests that the Drain be classified as an Urban Drain as per IC 36-9-27-69(d).

**RECORDED OWNER(S) OF LAND INVOLVED**

  
Signed \_\_\_\_\_  
Christian T. Browning  
Printed Name \_\_\_\_\_  
8/31/09  
Date \_\_\_\_\_

  
Signed \_\_\_\_\_  
Amie B. Browning  
Printed Name \_\_\_\_\_  
8/31/09  
Date \_\_\_\_\_

\_\_\_\_\_  
Signed \_\_\_\_\_  
\_\_\_\_\_  
Printed Name \_\_\_\_\_  
\_\_\_\_\_  
Date \_\_\_\_\_

\_\_\_\_\_  
Signed \_\_\_\_\_  
\_\_\_\_\_  
Printed Name \_\_\_\_\_  
\_\_\_\_\_  
Date \_\_\_\_\_

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Williams Creek Drain, B & B Park Arm

On this 23<sup>rd</sup> day of September, 2013, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Williams Creek Drain, B & B Park 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

***Williams Creek Drain, B & B Park Arm***

NOTICE

To Whom It May Concern and: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Williams Creek Drain, B & B Park Arm** on **September 23, 2013** 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

**Williams Creek Drain, B & B Park Arm**

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **September 23, 2013** 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



BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF THE

**Williams Creek Drain, B & B Park Arm**

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Hamilton County Drainage Board

Attest: Pamela Louks

ONE TIME ONLY