



SURVEYOR'S OFFICE

# Hamilton County

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

September 5, 2012

To: Hamilton County Drainage Board

Re: Williams Creek Drainage Area, Reserve at Springmill #273 Arm

Upon review of the Williams Creek Drainage Area, I believe that the Reserve at Springmill Drain should be made an arm to the Williams Creek Drainage Area as the Reserve at Springmill Drain is a tributary to the Williams Creek Drain. This would also avoid a double assessment on the tracts currently assessed for the Reserve at Springmill Drain when the remainder of the Williams Creek Drain is assessed for maintenance.

The Reserve at Springmill Drain was created per my report dated November 30, 1984 and approved by the Board at a hearing on January 23, 1985 (See Drainage Board Minute Book #4, pages 50 to 52). At present the Reserve at Springmill Drain maintenance assessment affects 28.46 acres and 74 lots. The rates of assessment for the drain are set at \$5.00 per acre with a \$30.00 minimum, and \$10.00 per acre for roads. This rate collects \$2,830.20 annually and the balance within the fund is \$12,769.40. There are no outstanding work orders for this drain at this time.

The current maintenance assessments, as per the existing rates set for the Williams Creek Drainage Area 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 \$3.00 per acre with a \$15.00 minimum.
3. Maintenance assessment for non-platted residential tracts are set at \$3.00 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 \$5,875.20.

The current balance of the Reserve at Springmill Drain shall be kept separate and these funds expended for needed maintenance on the Reserve at Springmill Drain. This shall be done until the funds are exhausted. At that time funding for repairs shall then be taken from the Williams Creek Drainage Area fund.

Future assessments for the drainage area of the Reserve at Springmill Drain will be made into the Williams Creek Drainage Area fund. No further maintenance collections for the Reserve at Springmill Drain shall be made after 2012 other than any delinquent assessment penalties and interest which remain unpaid.

I recommend that the Board set a hearing for this consolidation for October 22, 2012.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

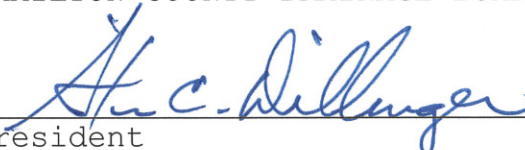
CONCERNING THE MAINTENANCE OF THE

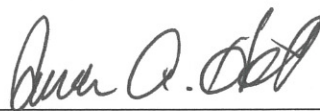
**Williams Creek Drainage Area, Reserve at Springmill Arm**

On this **22<sup>nd</sup> day of October, 2012**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Williams Creek Drainage Area, Reserve at Springmill 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: 

OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 September 21, 2012

**RETURNED**

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
**Williams Creek Drainage Area, Reserve at Springmill Arm.**

Saligoe, Joan M-John R. Gibbs  
 10480 Spring Highland Dr  
 Indianapolis, IN 46290

Under the Indiana Drainage Code, all land which drains directly, or indirectly, may be 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 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 \$5,875.20. 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.

Parcel: 17-13-11-00-01-040.000					
	Rate	Acres/Lot Benefitted	Current Reserve at Springmill Assessment	Proposed Williams Creek Assessment	%of total assessment
S11 T17 R3 Reserve At Springmill 1st Lot 3	Regulated Subd	One Lot	\$30.00	\$65.00	1.11%
The period of collections will be until the balance in the Williams Creek fund reaches eight (8) times its annual assessment. When Reserve at Springmill becomes an arm to Williams Creek the annual assessment will be made to Williams Creek instead of Reserve at Springmill.					

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:20 A.M. on October 22, 2012** 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

***Williams Creek Drainage Area, Reserve at Springmill 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 Drainage Area, Reserve at Springmill Arm** on **October 22, 2012** at **9:20 A.M.** in Commissioners Court, Hamilton County Historic Courthouse, 33 N. 9<sup>th</sup> Street in the Historic Courtroom, 2<sup>nd</sup> Floor, 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 Drainage Area, Reserve at Springmill Arm**

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **October 22, 2012** 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