

SURVEYOR'S OFFICE
Hamilton County

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

May 12, 2010

To: Hamilton County Drainage Board

Re: Williams Creek Drainage Area, Spring Farms #291 Arm

Upon review of the Williams Creek Drainage Area, I believe that the Spring Farms Drain should be made an arm to the Williams Creek Drainage Area as the Spring Farms Drain is a tributary to the Williams Creek Drain. This would also avoid a double assessment on the tracts currently assessed for the Spring Farms Drain when the remainder of the Williams Creek (Charles Osborn & JR Collins #2) Drain is assessed for maintenance.

The Spring Farms Drain was created by the Hamilton County Drainage Board per the Surveyor's report dated December 12, 1995 and approved by the Board on January 22, 1996 (See Drainage Board Minutes Book 4, Pages 199 to 201). At present the Spring Farms Drain maintenance assessment affects 44.79 acres and 87 lots. The rate of assessment for the drain is set at \$5.00 per acre for common areas and road, with a \$30.00 minimum, and \$30.00 per lot. This rate collects \$2,933.00 annually and the balance within the fund is \$8,649.52. 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 \$6,326.00.

The current balance of the Spring Farms Drain shall be kept separate and these funds expended for needed maintenance on the Spring Farms 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 Spring Farms Drain will be made into the Williams Creek Drainage Area fund. No further maintenance collections for the Spring Farms Drain shall be made after 2010 other than any delinquent assessment penalties and interest which remain unpaid.

I recommend that the Board set a hearing for this consolidation for October 25, 2010.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER


CONCERNING THE MAINTENANCE OF THE

Williams Creek Drainage Area, Spring Farms Arm

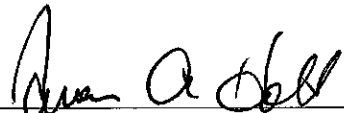
On this **25th day of October 2010**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Williams Creek Drainage Area, Spring Farms Arm**.

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



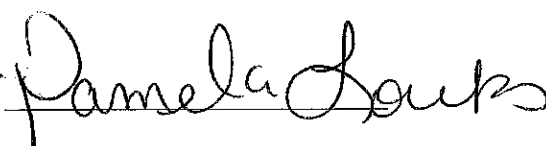
President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Williams Creek Drainage Area, Spring Farms Arm

NOTICE

To Whom It May Concern and: Hodkin, Thomas D & Christina Kinstler

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Williams Creek Drainage Area, Spring Farms Arm** on **October 25, 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 Williams Creek Drainage Area, Spring Farms Arm.

Hodkin, Thomas D & Christina Kinstler
401 Shoemaker Dr
Carmel, IN 46032

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 \$6,326.00. 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: 16-09-27-00-13-017.000	Rate	Acres/Lot Benefited	Current Assessment to Spring Farms Drain	Proposed Assessment to Williams Creek	Percentage of total assessment
Spring Farms 1st Lot 17	Regulated Subd.	One Lot	\$30	\$65	1.03%
It is proposed that the Spring Farms Drain be combined as an arm of the Williams Creek Drainage Area. Future assessments will be made to Williams Creek instead of the Spring Farms Drain.					

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

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

Williams Creek Drainage Area, Spring Farms 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 25, 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: Pamela Louks

ONE TIME ONLY