

SURVEYOR'S OFFICE

# Hamilton County

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

February 22, 2013

To: Hamilton County Drainage Board

Re: Cool Creek Drainage Area, Springmill Ponds #240 Arm

Upon review of the Cool Creek Drain, I believe that a portion of the Springmill Ponds Drain should be made an arm to the Cool Creek Drain. The Springmill Ponds Drain discharges to Cool Creek through the Overman Harvey Drain. This would also avoid a double assessment on the tracts currently assessed for the Springmill Ponds Drain when the remainder of the Cool Creek Drain is assessed for maintenance.

The Springmill Ponds Drain was created per my report dated October 11, 1990 and approved by the Board at a hearing on January 22, 1991 (See Drainage Board Minute Book #2, page 501). At present the Springmill Ponds Drain maintenance assessment affects 85.36 acres and 229 lots. The rate of assessment for the drain is set at \$5.00 per acre with a \$25.00 minimum, and a \$25.00 minimum per lot. This rate collects \$6,307.66 annually and the balance within the fund is \$28,847.16. There are no outstanding work orders for this drain at this time.

The portion of the Springmill Ponds Drain that should be combined with Cool Creek are:

<u>Arm</u>	<u>Length to Cool Creek</u>
146 <sup>th</sup> Street Improvements	485 feet
Village Farms Reconstruction	335 feet
Section 1	325 feet
Section 3	11,649 feet
Section 4	9,573 feet
Section 5	1,249 feet
Section 6	928 feet

24,541 Slm ✓

The total length to be combined with Cool Creek Drain is ~~24,216~~ feet. The balance of the Springmill Ponds Drain will be combined with Williams Creek Drain, as the drainage outlet point for that drain is the Williams Creek Regulated Drain.

These parcels in Springmill Ponds are currently double assessed to the Springmill Ponds Drain and the Overman Harvey Drain. All parcel assessed to Cool Creek under this drain combination should be removed from the Overman Harvey assessment roll, so they are not assessed as part of the Overman Harvey Drain combination with Cool Creek.

The current maintenance assessments, as per the existing rates set for the Cool Creek Drain are as follows:

1. Maintenance assessment for roads and streets are set at \$10.00 per acre with a \$25.00 minimum.
2. Maintenance assessment for agricultural tracts are set at \$2.00 per acre with a \$15.00 minimum.
3. Maintenance assessment for non-platted residential tracts are set at \$2.00 per acre with a \$15.00 minimum.
4. Maintenance assessment for commercial, institutional and multi-family residential tracts are set at \$35.00 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 \$25.00 per lot/minimum. Common areas within non-regulated drain subdivisions shall be assessed at \$10.00 per acre with a \$25.00 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 \$15.00 per acre with a \$65.00 minimum.

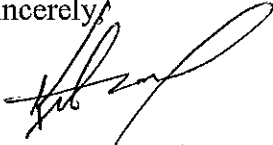
The total annual assessment for this arm will be \$7,629.40.

The current balance of the Springmill Ponds Drain shall be kept separate and these funds expended for needed maintenance on the Springmill Ponds Drain. This shall be done until the funds are exhausted. At that time funding for repairs of this portion of Springmill Ponds shall then be taken from the Cool Creek Drain fund.

Future assessments for the drainage area of the Springmill Ponds Drain will be made into the Cool Creek Drain fund. No further maintenance collections for the Springmill Ponds Drain shall be made after 2013 other than any delinquent assessment penalties and interest which remain unpaid.

I recommend that the Board set a hearing for this consolidation for April 22, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Ward', written in a cursive style.

Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

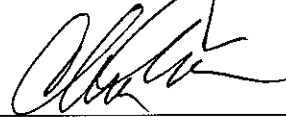
CONCERNING THE MAINTENANCE OF THE

Cool Creek Drainage Area, Springmill Ponds Arm

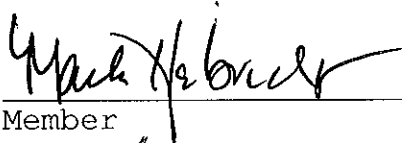
On this 22<sup>nd</sup> day of April, 2013, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Cool Creek Drainage Area, Springmill Ponds Arm.**

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.

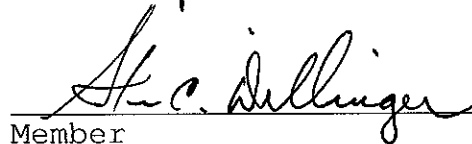
HAMILTON COUNTY DRAINAGE BOARD




\_\_\_\_\_  
President



\_\_\_\_\_  
Member



\_\_\_\_\_  
Member

Attest: 

OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 March 22, 2013

**RETURNED**

**Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
 Cool Creek Drainage Area, Springmill Ponds Arm**

Glazier, Bradley S & Carla J  
 14050 Pondview Dr  
 Carmel, IN 46032

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 \$7,629.40. 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: 17-09-23-01-06-040.000 Rate: Regulated Subd					
	Benefit	Current Overman-Harvey Asmt.	Current Springmill Ponds Asmt.	Proposed Cool Creek Asmt.	%of total assessment
S23 T18 R3 Springmill Ponds 4th Lot 181	One Lot	\$30.00	\$25.00	\$65.00	0.85%
The period of collections will be until the balance in Cool Creek fund reaches eight (8) times its annual assessment. When Springmill Ponds is combined with Cool Creek, future assessments will be made to Cool Creek instead of Overman-Harvey & Springmill Ponds.					

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:05 A.M. on April 22, 2013** 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).*

OFFICE OF  
**HAMILTON COUNTY DRAINAGE BOARD**  
 March 22, 2013

**RETURNED**

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

Bryant, Douglas F & Kristen B  
 13938 Saben Ct  
 Carmel, IN 46032

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 benefited. 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 **\$8,378.10**. 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: 17-09-23-01-03-041.000 Rate: Regulated Subd				
Description	Acres Benefited	Current Springmill Ponds Assessment	Proposed Williams Creek Assessment	% of Total
S23 T18 R3 Springmill Ponds 2nd Lot 58	One Lot	\$25.00	\$65.00	0.78%
The period of collections will be until the balance in Williams Creek fund reaches eight (8) times its annual assessment. When Springmill Ponds is combined with Williams Creek, future assessments will be made to Williams Creek instead of Springmill Ponds.				

A public hearing will be held by the Drainage Board in Commissioner's Court at **9:05 A.M. on April 22, 2013** 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.

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BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

**Cool Creek Drainage Area, Springmill Ponds Arm**

NOTICE

To Whom It May Concern and: Glazier, Bradley S & Carla J  
Bryant, Douglas F & Kristen B

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Cool Creek Drainage Area, Springmill Ponds Arm** on **April 22, 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

**Cool Creek Drainage Area, Springmill Ponds 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 22, 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