



SURVEYOR'S OFFICE

# Hamilton County

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April 4, 2013

To: Hamilton County Drainage Board

Re: Williams Creek Drainage Area, Waterwood #258 Arm

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

The Waterwood Drain was created per my report dated September 14, 1993 and approved by the Board at a hearing on November 22, 1993 (see Hamilton County Drainage Board Minutes Book 3, pages 183 to 184). At present the Waterwood Drain maintenance assessment affects 40.70 acres and 142 lots. The rates of assessment for the drain are set at \$5.00 per acre with a \$20.00 minimum. This rate collects \$3,223.36 annually and the balance within the fund is \$15,894.78. There are no outstanding work orders either submitted or issued for this drain at this time.

Per my report for the Williams Creek Drainage Area, Vernon W. Asher #151 Arm, dated May 9, 2012, the assessment for this subdivision will be under the Vernon W. Asher combination report as a subdivision whose drainage system will be part of the regulated drain and no assessment will be made under this report to combine the subdivision drain.

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 assessed with the Vernon Asher Drain to Williams Creek.

The current balance of the Waterwood Drain shall be kept separate and these funds expended for needed maintenance on the Waterwood 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 Waterwood Drain will be made into the Williams Creek Drainage Area fund. No further maintenance collections for the Waterwood 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 May 28, 2013.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

**Williams Creek Drainage Area, Waterwood Arm**

On this **28<sup>th</sup> day of May, 2013**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Williams Creek Drainage Area, Waterwood 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, Waterwood 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, Waterwood Arm** on **May 28, 2013** at **9:15 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 Drainage Area, Waterwood Arm**

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **May 28, 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