

SURVEYOR'S OFFICE
Hamilton County

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One Hamilton County Square
Noblesville, Indiana 46060-2230

January 10, 2007

Hamilton County Drain Board

RE: J.W. Brendel Drain, Oak Tree Arm

Upon Review of the drainage sheds I believe that the Oak Tree Drain should be made an arm to the J.W. Brendel Drain. I recommend this action as the Oak Tree Drain outlets into the J.W. Brendel Drain. This will remove a double assessment on the tracts currently assessed for the Oak Tree Drain, that also pay to the J.W. Brendel Drain.

The Oak Tree Drain in Clay Township was placed on a maintenance program when it was developed. Surveyor's report for the Oak Tree Drain is dated May 30, 1985, and approved by the Board at a hearing on August 12, 1985 (Hamilton County Drainage Board Minutes Book 2, Page 72). At present the Oak Tree Drain maintenance assessments affects 5.04 acres and 17 lots. The current rate of assessment for the Oak Tree Drain is \$35.00 per platted lot and \$35.00 for common area. The roadways are assessed at \$35.00 minimum. These rates collect \$665.00 annually and the current balance in the maintenance fund is \$3,161.14. There are no outstanding work orders for this drain at this time.

At the time of development, the lots in the Oak Tree Subdivision were also assessed to the J.W. Brendel Drain at hearing on August 12, 1985 (Hamilton County Drainage Board Minutes Book 2, Page 72). The current rate of assessment for the lots in Oak Tree to the J.W. Brendel Drain are per the Surveyor's report for the J.W. Brendel Increase dated January 9, 2006, and approved by the Board at a hearing on March 27, 2006 (Hamilton County Drainage Board Minutes Book 9, Pages 141 and 142). The rates are \$5.00 per acre with a \$35.00 minimum

The rates for the J.W Brendel Drain have been set at the following:

1. Maintenance assessments for roads and streets have been set at \$10.00 per acre with a \$65.00 minimum.
2. Maintenance assessments for agricultural tracts have been set at \$1.00 per acres with a \$15.00 minimum.
3. Maintenance assessments for non-platted residential tracts have been set at \$1.00 per acre with a \$15.00 minimum.

4. Maintenance assessment for commercial, institutional and multi-family residential tracts have been 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 (those systems maintained by the City of Carmel) have been set at \$5.00 per acre, with a \$35.00 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.

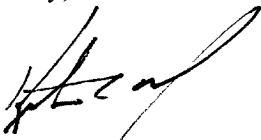
The tracts now assessed for the Oak Tree Drain should be assessed as platted lots within subdivisions whose drainage system is regulated drain, as set out in paragraph number 6 above and the roads as set out in paragraph number 1 above.

The current balance of the Oak Tree Drain shall be kept separate and these funds expend for needed maintenance in the Oak Tree Subdivision on the drainage facilities that comprise the current Oak Tree Drain. This shall be done until the funds are exhausted. At that time funding for repairs shall then be taken from the J.W Brendel Drain Fund.

Future assessments for the drainage area of the Oak Tree Drain will be made into the J.W. Brendel Drain fund. No further maintenance collections for the Oak Tree Drain fund shall be made.

I recommend that a hearing be held for this matter on February 26, 2007.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

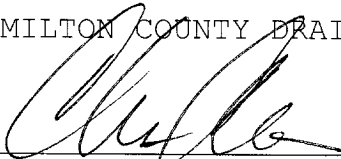
KCW/grh

FINDINGS AND ORDER
CONCERNING THE MAINTENANCE OF THE
J. W. Brendel Drain, Oak Tree Arm

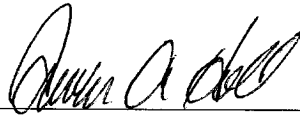
On this **26th day of February 2007**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **J. W. Brendel Drain, Oak Tree Arm**.

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

J. W. Brendel Drain, Oak Tree Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **J. W. Brendel Drain, Oak Tree Arm** on **February 26, 2007** at **9:35 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

J.W. Brendel #77

Oak Tree Arm (Previously Drain #209)

Maintenance Hearing: 02/26/07

Current Assessment for #209 is \$5/Ac, \$35/Minimum

*No change in current assessment to Brendel #77.

This proposal will increase Brendel's annual assessment by **\$440.00**.

Maintenance	Rate	Minimum
Ag & Res	1.00	15.00
Un-Reg Sub	5.00	35.00
Reg Sub	10.00	65.00
Commercial	10.00	75.00
Roads	10.00	65.00

Parcel	Owner	Address	City	Desc1	Desc2	Benefit	Remove #209 Mnt.	Revise #77 Mnt.	Percent
17-09-32-03-01-005.000	Ocull, Aaron M & Lisa	11685 Shelbourne Rd N	Carmel, IN 46032	S32 T18 R3 1.24 AC	Residential/Ag	1.04	35.00	*	46.00%
17-09-32-03-02-001.000	Olsen, William B & Cheryl P	11692 Oaktree WAY	Carmel, IN 46032	OAK TREE LOT PT 6	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-001.001	Katterjohn, Christopher	11696 Oak Tree Way	Carmel, IN 46032	OAK TREE LOT PT 6	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-001.002	Tancredi, Samuel A & Karen P	11686 Oak Tree Way	Carmel, IN 46032	OAK TREE PT 5 & PT 6	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-002.000	Tortora, David J & Linda L	11700 Oaktree WAY	Carmel, IN 46032	OAK TREE LOT PT 9	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-002.001	Johnson, Earl H & Anita T	11704 Oaktree WAY	Carmel, IN 46032	OAK TREE LOT PT 9	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-003.000	Weiss, M M Jr & Jean A	11699 Oak Tree WAY	Carmel, IN 46032	OAK TREE LOT 10	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-004.000	Dooley, Mary M Revocable Trust	11687 Oak Tree Way	Carmel, IN 46032	OAK TREE LOT 11	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-005.000	Vandivier, Blair R & Elizabeth L	11647 Oak Tree Way	Carmel, IN 46032	OAK TREE LOT 12	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-006.000	Beer, Scott G & Carmen M	11633 Oak Tree Way	Carmel, IN 46032	OAK TREE LOT 13	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-007.000	Woosnam, Susan M	11609 Oak Tree WAY	Carmel, IN 46032	OAK TREE LOT 14	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-008.000	Kimsey, Dean L & Carole D	11612 Oak Tree WAY	Carmel, IN 46032	OAK TREE LOT 1	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-009.000	Pallman, Bruce G & Wendy R	11630 Oaktree WAY	Carmel, IN 46032	OAK TREE LOT 2	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-010.000	Farber, Richard A	11644 Oak Tree Way	Carmel, IN 46032	OAK TREE LOT 3	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-011.000	Silverman, Morris A & Judith	11660 Oak Tree Way	Carmel, IN 46032	OAK TREE LOT 4	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-012.001	Mitchell, Jeffrey R & Barbara S	11678 Oaktree Way	Carmel, IN 46032	OAK TREE LOT PTS 5 & 6	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-013.000	Olsen, William B & Cherly P	11692 Oak Tree WAY	Carmel, IN 46032	OAK TREE LOT 7	Regulated Subd.	One Lot	35.00	65.00	5.88%
17-09-32-03-02-014.000	Katterjohn, Christopher	11696 Oak Tree Way	Carmel, IN 46032	OAK TREE LOT PT 8	Regulated Subd.	One Lot	35.00	65.00	5.88%
99-99-99-99-999.005	City Of Carmel	One Civic Sq	Carmel, IN 46032	Oaktree Way in Oak Tree Subd.	Roads	4.00	35.00	*	
							Totals:	\$1,105.00	100.00%