

*Kenton C. Ward, Surveyor*

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January 14, 2005

Hamilton County Drain Board

Re: Cool Creek Drain, Village Park Estates Arm

Upon review of the drainage sheds, I believe that the Village Park Estates Drain should be made an arm to the Cool Creek Drain. This drain outlets into Cool Creek.

The Village Park Estates Drain in Washington Township was placed on a maintenance program as each section was developed. The dates of the Surveyor's reports and hearings are as follows:

Village Park Estates Section 1

Surveyor's report dated July 28, 1988, approved by Board at hearing on November 14, 1988, Hamilton County Drainage Board Minutes Book 2, Pages 293 and 305.

Village Park Estates Section 2

Surveyor's report dated January 18, 1989, approved by Board at hearing on March 20, 1989, Hamilton County Drainage Board Minutes Book 2, Pages 338.

Village Park Estates Section 3

Surveyor's report dated January 19, 1989, approved by Board at hearing on March 20, 1989, Hamilton County Drainage Board Minutes Book 2, Pages 338 and 339.

Spring Meadows

Surveyor's report dated November 16, 1992, approved by Board at hearing on February 17, 1993, Hamilton County Drainage Board Minutes Book 3, Pages 90 and 91.

The current rate for the Village Park Estates Drain is \$5.00 per acre, \$50.00 minimum and \$50.00 per platted lot. There are 21.41 acres and 113 lots assessed and brings in \$5,804.66 per year. The current maintenance balance in the fund is \$27,182.28. There are no outstanding work orders for this drain at this time.

The rates for the Cool Creek Drain should be set as follows:

1. Maintenance assessment for roads and streets be set at \$10.00 per acre with a \$25.00 minimum.
2. Maintenance assessment for agricultural tracts be set at \$2.00 per acres with a \$15.00 minimum.
3. Maintenance assessment for non-platted residential tracts be set at \$2.00 per acre with a \$15.00 minimum.
4. Maintenance assessment for commercial, institutional and multi-family residential tracts be 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 (those systems maintained by the Town of Westfield or City of Carmel) 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 \$50.00 per lot/minimum. Common areas within the regulated drain subdivisions shall be set at \$15.00 per acre with a \$50.00 minimum.

The tracts now assessed for the Village Park Estates 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 total annual assessment for this arm will be \$5,909.30.

I recommend that the Board combine these drains for maintenance purposes under IC 36-9-27-41. The current balance in the Village Park Estates Drain be addressed by:

1. Transferring the balance of the Village Park Estates fund to the Cool Creek Drain maintenance fund.
2. All future maintenance work on the Village Park Estates Drain should be paid from the Cool Creek Drain Maintenance fund.

I recommend that a hearing be held for this matter on April 25, 2005.

Sincerely,



Kenton C. Ward  
Hamilton County Surveyor

KCW/llm

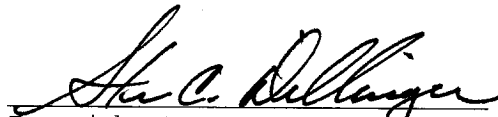
FINDINGS AND ORDER

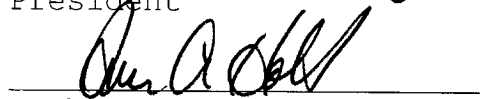
CONCERNING THE MAINTENANCE OF THE  
Cool Creek Drain, Village Park Estates Arm

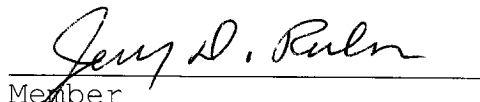
On this *25th day of September 2006*, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Cool Creek Drain, Village Park Estates Arm*

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

  
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President

  
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Member

  
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Member

Attest: 