

SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
Phone (317) 776-8495
Fax (317) 776-9628

Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

June 29, 2010

To: Hamilton County Drainage Board

Re: Cool Creek Drainage Area, Harmon Clark #106 Arm

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

The Harmon Clark Drain was created by the Hamilton County Board of Commissioners in 1912. At present the Harmon Clark Drain maintenance assessment affects 138.58 acres and 114 lots. The rate of assessment for the drain is set at:

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 \$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.

This rate collects \$10,132.34 annually and the balance within the fund is \$40,740.36. There are no outstanding work orders for this drain at this time.

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.

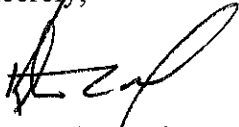
The total annual assessment for this arm will be \$11,482.34.

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

Future assessments for the drainage area of the Harmon Clark Drain will be made into the Cool Creek Drain fund. No further maintenance collections for the Harmon Clark 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,

A handwritten signature in black ink, appearing to read 'K. Ward', written over a horizontal line.

Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

COOL CREEK DRAINAGE AREA, HARMON CLARK ARM

Property Owner	Parcel Number	Current Benefit	Current Assessment	Cool Creek Benefit	Cool Creek Assessment	% of Total
Westfield Storage Condominiums, LLC	09-09-12-00-05-020.000	One Lot	\$75.00	One Lot	\$75.00	0.65%
	09-09-12-00-05-021.000	One Lot	\$75.00	One Lot	\$75.00	0.65%
	09-09-12-00-05-022.000	One Lot	\$75.00	One Lot	\$75.00	0.65%
	09-09-12-00-05-023.000	One Lot	\$75.00	One Lot	\$75.00	0.65%
	09-09-12-00-05-024.000	One Lot	\$75.00	One Lot	\$75.00	0.65%
	09-09-12-00-05-025.000	One Lot	\$75.00	One Lot	\$75.00	0.65%
TOTALS		6 Lots	\$450.00	6 Lots	\$450.00	3.90%

Janet M. Hansen

Cool Creek Harmon Clark Arm

From: Bob Modisett [RModisett@reics.com]
Sent: Monday, October 18, 2010 3:53 PM
To: Surveyor
Cc: ckaiser@mibor.net; Jim Kent; dacrane@quest.net
Subject: Drainage Assessment

Please allow this to serve as our official notice to appeal the drainage assessment for the Westfield Storage Condominiums located at 16515 Southpark Drive in Westfield. I am the Managing Member of this development and we are a 24 unit storage development divided between two buildings, with very little water usage. Units range in size from 1000 sf. to 1300 sf. It seems excessive to assess each unit \$75 per year, when this development has very little water or sanitary usage. The entire development is less than 2 acres and residential condominiums are normally assessed by the building. I will be present for the hearing on Monday, October 25th, but please consider reducing our assessment to \$75 per "building" per year.

Thank you and please call my mobile if you have any questions.

Bob Modisett
Vice President
REI Construction, LLC
11711 N. Pennsylvania Street
Suite 200
Carmel, IN 46032
317-573-6878
317-573-6857 fax
317-439-7666 mobile
rmodisett@reics.com



09-09-12-00-05-020.000
09-09-12-00-05-021.000
09-09-12-00-05-022.000
09-09-12-00-05-023.000
09-09-12-00-05-024.000
09-09-12-00-05-025.000

42" RCP

UNIUMS

012 (101) UNIT	020 (102) UNITS	021 (103) 1	022 (104) 1	002 (105) UNIT	013 (106) UNIT	010 (107) UNIT	023 (108) UNIT	005 (109) UNITS	006 (110) 1	007 (111) 109	008 (112) 12
101			02-104	105	106	107	108				

05

999

009 (201) UNIT	024 (202) UNIT	014 (203) UNIT	018 (204) UNIT	025 (205) UNIT	019 (206) UNIT	011 (207) UNIT	015 (208) UNITS	016 (209) 108	017 (210) 110	003 (211) UNITS	004 (212) UNITS
201	202	203	204	205	206	207				211	212

WESTFIELD STORAGE CONDOMINIUMS

S

42" RCP

Search by: Plat (keyword) Westfield Storage C%

Add to list Replace list Clear

Parcel Number	Owner	Mailing Address	
09-09-12-00-05-002.000	Frazer, Eric D	914 Kessler Blvd E Dr; Indianapolis, IN 46220	I
09-09-12-00-05-003.000	Piano Solutions Inc	290 Carmel Dr W; Carmel, IN 46032	(
09-09-12-00-05-004.000	Piano Solutions Inc	290 Carmel Dr W; Carmel, IN 46032	(
09-09-12-00-05-005.000	KBS Inc	14280 Oakbrook Ct; Carmel, IN 46033	(
09-09-12-00-05-006.000	KBS Inc	14280 Oakbrook Ct; Carmel, IN 46033	(
09-09-12-00-05-007.000	KBS Inc	14280 Oakbrook Ct; Carmel, IN 46033	(
09-09-12-00-05-008.000	KBS Inc	14280 Oakbrook Ct; Carmel, IN 46033	(
09-09-12-00-05-009.000	Pattyn, Drew R	15250 Belle Forch Ct; Carmel, IN 46032	(
09-09-12-00-05-010.000	Olsen, William B & Cheryl P	11692 Oak Tree Way; Carmel, IN 46032	(
09-09-12-00-05-011.000	Templeman, Andrew P & Eileen Living Trust	8570 Twin Pointe Cir; Indianapolis, IN 46236-8903	I
09-09-12-00-05-012.000	David Morton Designer Builder Inc	1018 Henley Cir; Carmel, IN 46032	(
09-09-12-00-05-013.000	Hovde, Frederick R & Jessica S	11184 Crooked Stick Ln; Carmel, IN 46032	(
09-09-12-00-05-014.000	Gibson, E Edgar & Dianne R	15474 Mission Hills Dr; Carmel, IN 46033	(
09-09-12-00-05-015.000	Mainstream Sports Connection Inc	3712 Riddell Ln; Noblesville, IN 46060	P
09-09-12-00-05-016.000	Mainstream Sports Connection Inc	3712 Riddell Ln; Noblesville, IN 46060	P
09-09-12-00-05-017.000	Mainstream Sports Connection Inc	3712 Riddell Ln; Noblesville, IN 46060	P
09-09-12-00-05-018.000	Gibson, E Edgar & Dianne R	15474 Mission Hills Dr; Carmel, IN 46033	(
09-09-12-00-05-019.000	Beauchamp, Robert C & Michelle	16405 Westfield Blvd; Westfield, IN 46074	\
09-09-12-00-05-020.000	Westfield Storage Condominiums LLC	12401 Old Meridian St; Carmel, IN 46032	(
09-09-12-00-05-021.000	Westfield Storage Condominiums LLC	12401 Old Meridian St; Carmel, IN 46032	(
09-09-12-00-05-022.000	Westfield Storage Condominiums LLC	12401 Old Meridian St; Carmel, IN 46032	(
09-09-12-00-05-023.000	Westfield Storage Condominiums LLC	12401 Old Meridian St; Carmel, IN 46032	(
09-09-12-00-05-024.000	Westfield Storage Condominiums LLC	12401 Old Meridian St; Carmel, IN 46032	(
09-09-12-00-05-025.000	Westfield Storage Condominiums LLC	12401 Old Meridian St; Carmel, IN 46032	(

FINDINGS AND ORDER

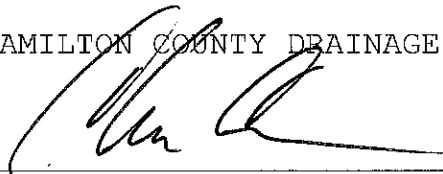
CONCERNING THE MAINTENANCE OF THE

Cool Creek Drainage Area, Harmon Clark Arm

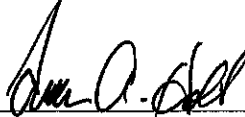
On this **25th day of October 2010**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Cool Creek Drainage Area, Harmon Clark Arm**.

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.

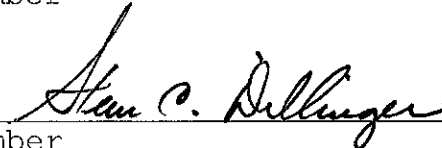
HAMILTON COUNTY DRAINAGE BOARD




President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Cool Creek Drainage Area, Harmon Clark Arm

NOTICE

To Whom It May Concern and: Davis, Barbara A

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Cool Creek Drainage Area, Harmon Clark Arm** on **October 25, 2010** 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

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the
Cool Creek Drainage Area, Harmon Clark Arm.

Davis, Barbara A
16135 Meadowlands Ln
Westfield, IN 46074

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 \$11,482.34. 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: 09-09-12-00-04-060.000	Rate	Acres/Lot Benefitted	Current Assessment to Harmon Clark Drain	Proposed Assessment to Cool Creek	Percentage of total assessment
Carriage Homes at Oak Trace Parcel K Lot 6	Regulated Subd	One Lot	\$50	\$65	0.57%
It is proposed that the Harmon Clark Drain be combined as an arm of the Cool Creek Drainage Area. Future assessments will be made to Cool Creek instead of the Harmon Clark Drain.					

A public hearing will be held by the Drainage Board in Commissioner's Court at 9:15 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.

HAMILTON COUNTY DRAINAGE BOARD

RETURNED

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the
Cool Creek Drainage Area, Harmon Clark Arm.

Ng, Kin & Lee Chong h&w
100 Lakeview Dr
Hartford City, IN 47348

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.

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Description: 09-09-12-00-04-069.000	Rate	Acres/Lot Benefitted	Current Assessment to Harmon Clark Drain	Proposed Assessment to Cool Creek	Percentage of total assessment
Carriage Homes at Oak Trace Parcel M Lot 3	Regulated Subd	One Lot	\$50	\$65	0.57%
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HAMILTON COUNTY DRAINAGE BOARD
One Hamilton County Square, Ste. 188
Noblesville, IN 46060

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BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

Cool Creek Drainage Area, Harmon Clark 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