



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

May 1, 2007

To: Hamilton County Drainage Board

Re: Mud Creek/Sand Creek Drainage Area, E. E. Bennett #20 Drain Arm

Upon review of the drainage sheds I believe that the E. E. Bennett Drain should be made an arm to the Mud Creek/Sand Creek Drainage Area. I recommend this action as the E. E. Bennett Drain is a tributary to the Mud Creek / Sand Creek Drainage Area. This would also avoid a double assessment on the tracts currently assessed for the E. E. Bennett Drain when the remainder of the Mud Creek/Sand Creek Drainage Area is assessed for maintenance.

On March 2, 1970 the Board held a hearing to establish the drain maintenance assessment for the E. E. Bennett Drain. (Drainage Board Minutes Book 1, Page 51). At present the E. E. Bennett Drain maintenance assessment affects 1,055.63 acres. The rate of assessment for the drain was set at \$2.00 per acre with a \$15.00 minimum, \$5.00 per acre with a \$35.00 minimum for un-regulated subdivisions, \$10.00 per acre with a \$65.00 minimum for regulated subdivisions, \$10.00 per acre with a \$75.00 minimum for commercial lots and \$10.00 per acre for roads. This rate collects \$3,497.38 annually and the balance within the fund is \$9,087.71.

The current maintenance assessment would increase as per the rates set for the Mud Creek / Sand Creek Drainage Area which are as follows:

1. Maintenance assessment for roads and streets be set at \$10.00 per acre.
2. Maintenance assessment for agricultural tracts be set at \$2.00 per acre and \$15.00 minimum.
3. Maintenance assessment for non-platted residential tracts be set at \$2.00 per acre and \$15.00 minimum.
4. Maintenance assessment for commercial, institutional and multi-family residential tracts be 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 \$5,612.34. Collections for this arm will begin in 2008.

The current balance of the E. E. Bennett Drain shall be kept separate and these funds expended for needed maintenance on the E. E. Bennett Drain. This shall be done until the funds are exhausted. At that time funding for repairs shall then be taken from the Mud Creek/Sand Creek Drainage Area fund.

Future assessments for the drainage area of the E. E. Bennett Drain will be made into the Mud Creek/Sand Creek Drainage Area fund. No further maintenance collections for the E. E. Bennett Drain shall be made.

I recommend that the Board set a hearing for this consolidation for June 25, 2007.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/llm

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Mud Creek/Sand Creek Drainage Area, E.E. Bennett Drain Arm

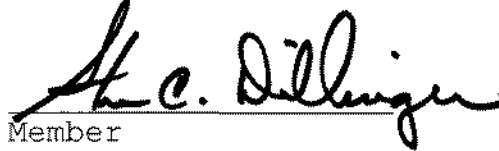
On this **25th day of June 2007**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Mud Creek/Sand Creek Drainage Area, E.E. Bennett Drain Arm**

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.

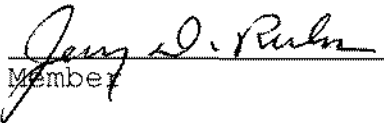
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Mud Creek/Sand Creek Drainage Area, E. E. Bennett Arm

NOTICE

To Whom It May Concern and: Deathe, Jason R & Kristy M

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Mud Creek/Sand Creek Drainage Area, E. E. Bennett Arm** on **June 25, 2007** at **9:10 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

MUD CREEK/SAND CREEK DRAINAGE AREA, E.E.BENNETT DRAIN ARM

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **June 25, 2007** 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

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Mud Creek / Sand Creek Drainage Area, E.E. Bennett Arm.

Deathe, Jason R & Kristy M
14002 141st St E
Noblesville, IN 46060

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 drain is \$5,612.34 and that the schedule shows you are the owner of the following lands:

Parcel	Description	Acres Benefited	Current E.E. Bennett Assmt.	Proposed Mud Crk / Sand Crk Assmt.	% of Total
13-11-24-00-00-034.101	S24 T18 R5 2.00 AC	2	\$15	\$15	0.27%
	Residential/Ag				

A hearing will be held by the Drainage Board in Commissioner's Court at 9:10 A.M. on June 25, 2007 on the Surveyor's maintenance report and the schedule of assessments. The law requires that objections 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

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Mud Creek / Sand Creek Drainage Area, E.E. Bennett Arm.

Northeast Medical Center Inc
 2001 86th St W
 Indianapolis, IN 46260

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.

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Parcel	Description	Acres Benefited	Current E.E. Bennett Assmt.	Proposed Mud Crk / Sand Crk Assmt.	% of Total
13-11-24-00-00-030.001	S24 T18 R5 2.00 AC Commercial	2	\$15	\$75	1.34%

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HAMILTON COUNTY DRAINAGE BOARD
 One Hamilton County Square, Ste. 188
 Noblesville, IN 46060

JUN 25 2007

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Mud Creek / Sand Creek Drainage Area, E.E. Bennett Arm.

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Parcel	Description	Acres Benefited	Current E.E. Bennett Assmt.	Proposed Mud Crk / Sand Crk Assmt.	% of Total
13-11-24-00-00-030.000	S24 T18 R5 18.60 AC	15.80	\$31.60	\$158	2.82%
	Commercial				

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JUN 21 2007

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HAMILTON COUNTY DRAINAGE BOARD

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Parcel	Description	Acres Benefited	Current E.E. Bennett Assmt.	Proposed Mud Crk / Sand Crk Assmt.	% of Total
13-11-24-00-00-023.000	S24 T18 R5 4.00 AC	0.02	\$15	\$75	1.34%
	Commercial				

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