



SURVEYOR'S OFFICE
Hamilton County

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May 1, 2007

TO: Hamilton County Drainage Board

RE: Mud Creek / Sand Creek Drainage Area, Sand Creek #15 Drain Arm

Upon review of the drainage sheds I believe that the Sand Creek Drain should be made an arm to the Mud Creek / Sand Creek Drainage Area. I recommend this action as the Sand Creek 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 Sand Creek Drain when the remainder of the Mud Creek / Sand Creek Drainage Area is assessed for maintenance.

On April 7, 1969 the Board held a hearing to establish the drain maintenance assessment for the Sand Creek Drain. (Drainage Board Minutes Book 1, Page 39). At present the Sand Creek Drain maintenance assessment affects 623.34. The rate of assessment for the drain was set at \$3.00 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 subdivision, \$10.00 per acre with a \$75.00 minimum for commercial lots and \$10.00 per acre for roads. This rate collects \$2,049.26 annually and the fund is currently in the red \$3,258.29.

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 \$1,451.22. Collections for this arm will begin in 2008.

The assessments for the Sand Creek Drain should also be collected in 2008. Doing so will pay off the debt for the drain and any balance of the Sand Creek Drain shall be kept separate and these funds expended for needed maintenance on the Sand Creek Drain. This shall be done until the funds are exhausted. Upon approval of this proposal funding for repairs shall then be taken from the Mud Creek/Sand Creek Drainage Area fund.

Future assessments for the drainage area of the Sand Creek Drain will be made into the Mud Creek/Sand Creek Drainage Area fund. No further maintenance collections for the Sand Creek Drain shall be made after 2008.

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

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER


CONCERNING THE MAINTENANCE OF THE

Mud Creek/Sand Creek Drainage Area, Sand Creek 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, Sand Creek 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.

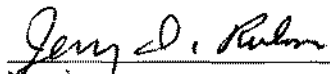
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Mud Creek/Sand Creek Drainage Area, Sand Creek Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Mud Creek/Sand Creek Drainage Area, Sand Creek Drain 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: Pamela Louks

ONE TIME ONLY

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF THE

MUD CREEK/SAND CREEK DRAINAGE AREA, SAND CREEK 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