



*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*

March 19, 2007

To: Hamilton County Drainage Board

Re: Mud Creek / Sand Creek Drainage Area, Spring Dale Estates #150 Drain Arm

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

On April 5, 1982 the Board held a hearing to establish the drain maintenance assessment for the Spring Dale Estates Drain per my report dated February 26, 1982. (Drainage Board Minutes Book 1, Pages 467 and 468). At present the Spring Dale Estates Drain maintenance assessment affects 5.67 acres and 12 lots. The rate of assessment for the drain was set at \$5.00 per acre with a \$30.00 minimum. This rate collects \$390.00 annually and the balance within the fund is \$1,854.21.

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.

Tracts non assessed for the Spring Dale Estates Drain shall 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 1 above.

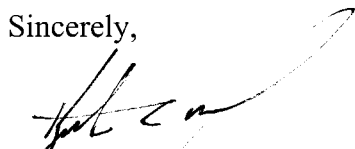
The total annual assessment for this arm will be \$836.70. Collections for this arm will begin in 2008.

The current balance of the Spring Dale Estates Drain shall be kept separate and these funds expended for needed maintenance on the Spring Dale Estates Subdivision on the drainage facility that comprise the current Spring Dale Estates 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 Spring Dale Estates Drain will be made into the Mud Creek/Sand Creek Drainage Area fund. No further maintenance collections for the Spring Dale Estates Drain shall be made.

I recommend that the Board set a hearing for this consolidation for April 23, 2007.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/llm

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

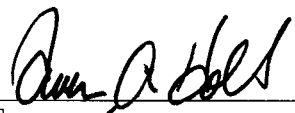
MUD CREEK/SAND CREEK DRAINAGE AREA, SPRING DALE ESTATES ARM

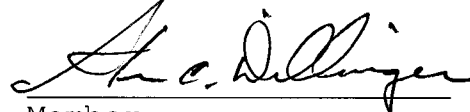
On this **23rd day of APRIL 2007**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **MUD CREEK/SAND CREEK DRAINAGE AREA, SPRING DALE ESTATES ARM**.

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

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Member

  
\_\_\_\_\_  
Member

Attest:   
\_\_\_\_\_  
Secretary

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

***Mud Creek/Sand Creek Drainage Area, Springdale Estates 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, Springdale Estates Drain Arm** on **April 23, 2007** at **9:05 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, SPRINGDALE ESTATES ARM**

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **April 23, 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: Lynette Mosbaugh

ONE TIME ONLY