

SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, CEM
Surveyor of Hamilton County
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Suite 188
One Hamilton County Square
Noblesville, Indiana 46060-2230

April 22, 2009

To: Hamilton County Drainage Board

Re: Sly Run Drain, Willowview Road #217 Arm

Upon review of the drainage sheds, I believe that the Willowview Road Drain should be made an arm to the Sly Run Drain as the Willowview Road Drain is a tributary to the Sly Run Drain. This would also avoid a double assessment on the tracts currently assessed for the Willowview Road Drain when the remainder of the Sly Run Drain is assessed for maintenance.

The Willowview Road Drain was created by the Hamilton County Drainage Board per my report dated April 14, 1986 and approved by the Board on July 14, 1986 (see Hamilton County Drainage Board Minutes Book 2, Pages 156-157). At present the Willowview Road Drain maintenance assessment affects 75.4 acres. The rate of assessment for the drain is set at \$5.00 per acre with a \$20.00 minimum. This rate collects \$697.88 annually and the balance within the fund is \$5,143.43. There are no outstanding work orders for this drain at this time.

At this time I also recommend to the Board that the two drains be connected as a gap now exists between them. The extension shall begin at the end of the existing Willowview Road Drain as reconstructed in the Atwood Relocation, described in my report dated September 26, 1993 and approved by the Board on December 27, 1993 (see Hamilton County Drainage Board Minutes Book 3, Page 209). Thence, run east 116 feet to the Sly Run Drain, Randall and Roberts Arm, which is described in my report dated October 8, 2008 and approved by the Board November 24, 2008 (see Hamilton County Drainage Board Minutes Book 11, Pages 396-399). This portion of new regulated drain lies within right of way for Willowview Road and existing regulated drain easement. The new drain shall consist of the following:

36" CMP	60 ft.	Concrete Swale	31 ft.	Open Ditch	25 ft.
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The 36" CMP listed above has been slip-lined with a 34" plastic pipe.

The drainage shed for the Sly Run Drain should be adjusted in order to add those tracts which lie between the two areas of the Sly Run Drain. This will include those tracts between S. R. 32 and Willow Lake Phase 2, and between Willowview Road and Residential Care VII, LLC.

The current maintenance assessment, as per the existing rates set for the Sly Run Drain are as follows:

1. Maintenance assessment for roads and streets are set at \$10.00 per acre.
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 \$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.

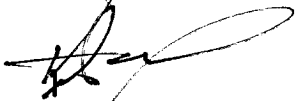
The total annual assessment for this arm will be \$2,114.80.

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

Future assessments for the drainage area of the Willowview Road Drain will be made into the Sly Run Drain fund. No further maintenance collections for the Willowview Road Drain shall be made after 2009 other than any delinquent assessment penalties and interest which remain unpaid.

I recommend that the Board set a hearing for this consolidation for June 22, 2009.

Sincerely,



Kenton Q. Ward, CFM
Hamilton County Surveyor

KCW/pll

**Gasb 34 Asset Price &
Drain Length Log**

Drain-Improvement: SLY RUN: WILLOWVIEW RD EXTENSION

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
CMP	36	60	60	0	\$67.00 LF	\$4020.00
CONCRETE SWALE	2FT	31	31	0	\$15.00 LF	\$465.00
OPEN DITCH		25	25	0	\$19.55 LF	\$488.75

Sum: _____ 116 _____ \$4973.75

Final Report: 116 _____

Comments:

FINDINGS AND ORDER

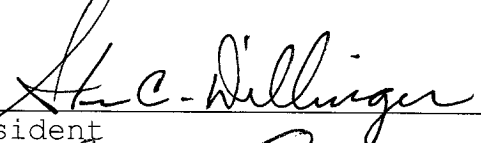
CONCERNING THE MAINTENANCE OF THE

Sly Run Drain, Willowview Road Arm

On this 22nd day of June 2009, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Sly Run Drain, Willowview Road 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: 

STATE OF INDIANA)
) ss:
COUNTY OF HAMILTON)

BEFORE THE HAMILTON COUNTY
DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN THE MATTER OF THE
RECONSTRUCTION OF THE
Sly Run Drain, Willowview Road Arm

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Sly Run Drain, Willowview Road Arm** came before the Hamilton County Drainage Board for hearing on **June 22, 2009**, on the Reconstruction Report consisting of the report and the Schedule of Damages and Assessments. The Board also received and considered the written objection of an owner of certain lands affected by the proposed Reconstruction, said owner being:

Evidence was heard on the Reconstruction Report and on the aforementioned objections.

The Board, having considered the evidence and objections, and, upon motion duly made, seconded and unanimously carried, did find and determine that the costs, damages and expenses of the proposed Reconstruction will be less than the benefits accruing to the owners of all land benefited by the Reconstruction.

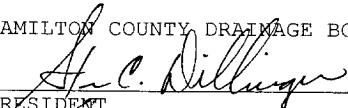
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included or omitted from the Schedule of Assessments.

The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the **Sly Run Drain, Willowview Road Arm** be and is hereby declared established.

Thereafter, the Board made inspection for the purpose of determining whether or not the lands of any owners had been erroneously included or excluded from the Schedule of Assessments. The Board finds on the basis of the reports and findings at this hearing as follows:

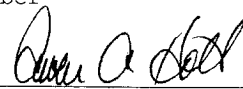
HAMILTON COUNTY DRAINAGE BOARD



PRESIDENT




Member



Member

ATTEST:


Executive Secretary

RETURNED

OFFICE OF

HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing on Reconstruction & Schedule of Assessments and Damages on the Sly Run Drain, Willowview Road Arm and Extension.

Land, James & John & David & Julia Roberts
17210 Mill Creek Rd S
Noblesville, IN 46062

The reconstruction report of the Surveyor and schedule of damages and benefits as determined by the Drainage Board for the proposed improvement known as the **Sly Run Drain, Willowview Road Arm and Extension** have been filed and are available for inspection in the office of the County Surveyor. The schedule of assessments shows the following lands in your name are affected as follows:

Description of Land	Current Acres Benefited to Willowview Road Drain	Current Maintenance Assmt. to Willowview Road Drain	Proposed Acres Benefited to Sly Run Drain	Proposed Maintenance Assessment to Sly Run Drain	Percentage of total assessment to Sly Run Drain	Recon-struction Assmt.
Parcel: 10-10-03-00-00-009.000						
S3 T18 R4 6.39 AC	1.50 Ac	\$20.00	1.50 Ac	\$15.00	0.71%	*
Residential/Ag						
*No reconstruction assessment for extension. Adding footage only. Damages set at zero. No further maintenance collections for Willowview Road Drain shall be made after 2009 other than any delinquent assessments & penalties which remain unpaid.						

The hearing on the Surveyor's reconstruction report and on the schedules of damages and assessments are set for hearing at **9:15 A.M. on June 22, 2009**, in the Commissioner's Court. The law provides that objections must be written and filed not less than 5 days before the date of the hearing. Objections may be for causes as specified by law and which are available at the Surveyor's Office. Written evidence in support of objections may be filed. The failure to file objections constitutes a waiver of your right to thereafter object, either before the Board or in court on such causes, to any final action of the Board. On or before the day of the hearing before the Board, the Surveyor shall and any owner of affected lands may cause written evidence to be filed in support of or in rebuttal to any filed objections.

HAMILTON COUNTY DRAINAGE BOARD
One Hamilton County Square, Ste. 188
Noblesville, IN 46060-2230

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Sly Run Drain, Willowview Road Arm and Extension

NOTICE

To Whom It May Concern and: Land, James & John & David & Julie Roberts

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **Sly Run Drain, Willowview Road Arm and Extension** on **June 22, 2009**, at **9:15 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed 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

STATE OF INDIANA)
) SS BEFORE THE HAMILTON
)
COUNTY OF HAMILTON) DRAINAGE BOARD

IN THE MATTER OF **Sly Run Drain, Willowview Road Arm
Extension**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **June 22, 2009** adopted the reconstruction report of the Surveyor and the Amended Schedule of damages and assessments including annual assessment for periodic maintenance, finding that the costs, damages and expense of the proposed improvement would be less than the benefits which will result to the owner of lands benefited thereby.

The Board issued an order declaring the proposed improvement established. Such findings and order were marked filed and are available for inspection in the Office of the Hamilton County Surveyor.

If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

HAMILTON COUNTY DRAINAGE BOARD

BY: Steven C. Dillinger
PRESIDENT

ATTEST: Lynette Mosbaugh
SECRETARY