

SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, CFM
Surveyor of Hamilton County
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December 18, 2008

TO: Hamilton County Drainage Board

RE: Vestal/Kirkendall Drainage Area, Scarborough Farms #205 Drain Arm

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

On March 11, 1985 the Drainage Board held a hearing to establish the drain and the drain maintenance assessment for the Scarborough Farms Drain, per the Surveyor's report dated January 14, 1985, and approved by Board at hearing on March 11, 1985 (See Hamilton County Drainage Board Minutes Book 2, Page 43). At present the Scarborough Farms Drain maintenance assessments affects 4.95 acres and 10 lots. The current rate of assessment for the Scarborough Farms Drain is \$6.00 per acre, with a \$25.00 minimum. The roadways are assessed at \$6.00 per acre. These rates collect \$279.70 annually and the current balance in the maintenance fund is \$1,682.96. There are no outstanding work orders for this drain at this time.

The current maintenance assessment would increase as per the rates set for the Vestal/Kirkendall Drainage Area which are as follows:

1. Maintenance assessment for agricultural tracts be set at \$2.00 per acre and \$15.00 minimum.
2. Maintenance assessment for non-platted residential tracts be set at \$2.00 per acre and \$15.00 minimum.

3. Maintenance assessment for platted lots in subdivisions whose drainage systems will not be part of the regulated drain shall be set at \$20.00 per lot/minimum. Common areas within non-regulated drain subdivisions shall be assessed at \$5.00 per acre with a \$20.00 minimum.
4. Maintenance assessment for platted lots within subdivisions whose drainage system will be part of the regulated drain shall be set at \$35.00 per lot/minimum. Common areas within the regulated drain subdivisions shall be set at \$10.00 per acre with a \$35.00 minimum.
5. Maintenance assessment for commercial, institutional and multi-family residential tracts be set at \$10.00 per acre with a \$75.00 minimum.
6. Maintenance assessment for roads and streets be set at \$10.00 per acre.

The current balance of the Scarborough Farms Drain shall be kept separate and these funds expended for needed maintenance on the drainage facilities that comprise the current Scarborough Farms Drain. This shall be done until the funds are exhausted. At that time funding for repairs shall then be taken from the Vestal/Kirkendall Drain Fund.

Future assessments for the drainage area of the Scarborough Farms Drain will be made into the Vestal/Kirkendall fund. There shall be no further maintenance collections for the Scarborough Farms Drain fund.

I recommend that the Board set a hearing for this consolidation for February 23, 2009.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

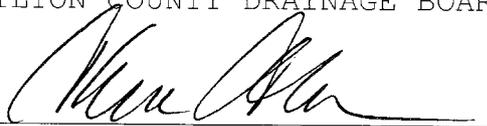
CONCERNING THE MAINTENANCE OF THE

Vestal/Kirkendall Drainage Area, Scarborough Farms Drain Arm

On this *23rd day of February 2009*, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Vestal/Kirkendall Drainage Area, Scarborough Farms 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.

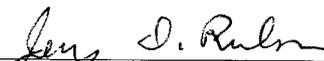
HAMILTON COUNTY DRAINAGE BOARD



President



Member



Alternate Member

Attest:



BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Vestal/Kirkendall Drainage Area, Scarborough Farms Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Vestal/Kirkendall Drainage Area, Scarborough Farms Arm** on **February 23, 2009** at **9:20 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

Vestal/Kirkendall Drainage Area, Scarborough Farms Arm

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **February 23, 2009** 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