



SURVEYOR'S OFFICE
Hamilton County

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

April 16, 2009

To: Hamilton County Drainage Board

Re: Williams Creek Drainage Area, Hinshaw & Henley #321 Arm

Upon review of the Williams Creek Drainage Area, I believe that the Hinshaw & Henley Drain should be made an arm to the Williams Creek Drainage Area as the Hinshaw & Henley Drain is a tributary to the Williams Creek Drain. This would also avoid a double assessment on the tracts currently assessed for the Hinshaw & Henley Drain when the remainder of the Williams Creek Drain is assessed for maintenance.

The Hinshaw & Henley Drain was created by the Hamilton County Commissioners' Court per the viewers report dated September 30, 1908 and approved by the Commissioner's October 3, 1908. On August 28, 2000 the Board held a hearing to reconstruct part of the drain and establish the drain maintenance assessment for the Hinshaw & Henley Drain (Drainage Board Minutes Book 5, Pages 412 to 417). At present the Hinshaw & Henley Drain maintenance assessment affects 345.90 acres and 154 lots. The rate of assessment for the drain is set at \$10.00 per acre for roads, \$3.00 per acre with a \$15.00 minimum for residential and agricultural tracts, \$10.00 per acre with a \$75.00 minimum for commercial, institutional, and multi-family tracts, \$5.00 per acre with a \$25.00 minimum for platted un-regulated subdivisions, and \$10.00 per acre with a \$45.00 minimum for regulated drain subdivisions. This rate collects \$6,124.18 annually and the balance within the fund is \$14,116.52. There are no outstanding work orders for this drain at this time.

The current maintenance assessments, as per the existing rates set for the Williams Creek Drainage Area 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 \$3.00 per acre with a \$15.00 minimum.

3. Maintenance assessment for non-platted residential tracts are set at \$3.00 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.

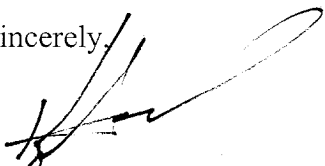
The total annual assessment for this arm will be \$13,480.78.

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

Future assessments for the drainage area of the Hinshaw & Henley Drain will be made into the Williams Creek Drainage Area fund. No further maintenance collections for the Hinshaw & Henley 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 C. Ward, CFM
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

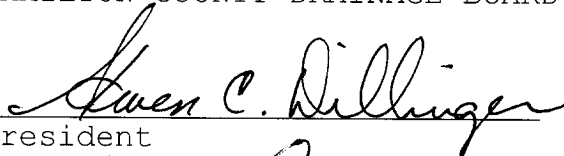
CONCERNING THE MAINTENANCE OF THE

Williams Creek Drainage Area, Hinshaw & Henley 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 **Williams Creek Drainage Area, Hinshaw & Henley 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.

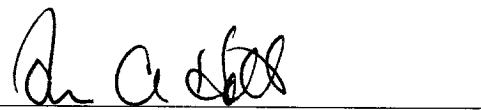
HAMILTON COUNTY DRAINAGE BOARD




President



Member



Member

Attest: 

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Williams Creek Drainage Area, Hinshaw & Henley Arm

NOTICE

To Whom It May Concern and: _____

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Williams Creek Drainage Area, Hinshaw & Henley Arm** on **June 22, 2009** at **9:25 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

Williams Creek Drainage Area, Hinshaw & Henley 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 22, 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