

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

May 31, 2011

To: Hamilton County Drainage Board

Re: Williams Creek Drainage Area, Saddle Creek Arm

Upon review of the Williams Creek Drainage Area, I believe that the Saddle Creek Drain #295 should be made an arm to the Williams Creek Drainage Area as the Saddle Creek Drain is a tributary to the Williams Creek Drain. This would also avoid a double assessment on the tracts currently assessed for the Saddle Creek Drain when the remainder of the Williams Creek (Charles Osborn & JR Collins #2) Drain is assessed for maintenance.

The Saddle Creek Drain was created by the Hamilton County Drainage Board per the Surveyor's report dated August 22, 1996 and approved by the Board on October 28, 1996 (See Drainage Board Minutes Book 4, Pages 301 to 302). At present the Saddle Creek Drain maintenance assessment affects 199.16 acres and 466 lots. The rate of assessment for the drain is set at \$5.00 per acre for common areas and road, with a \$30.00 minimum, and \$30.00 per lot. This rate collects \$15,483.42 annually and the balance within the fund is \$64,529.68. There is one outstanding work order for this drain at this time.

Per my report for the Williams Creek Drainage Area, O.F. Henley #102 Arm, dated May 31, 2011, the assessment for this subdivision will be under the O.F. Henley combination report as a subdivision whose drainage system will be part of the regulated drain and no assessment will be made under this report to combine the subdivision drain.

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.

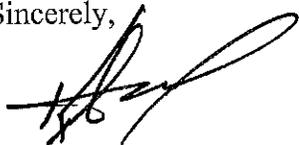
The total annual assessment for this arm has been assessed with the O.F. Henley Arm hearing.

The current balance of the Saddle Creek Drain shall be kept separate and these funds expended for needed maintenance on the Saddle Creek 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 Saddle Creek Drain will be made into the Williams Creek Drainage Area fund. No further maintenance collections for the Saddle Creek Drain shall be made after 2011 other than any delinquent assessment penalties and interest which remain unpaid.

I recommend that the Board set a hearing for this consolidation for August 22, 2011.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

FINDINGS AND ORDER

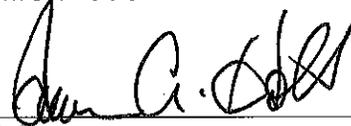
CONCERNING THE MAINTENANCE OF THE

**Williams Creek Drainage Area, Saddle Creek Arm**

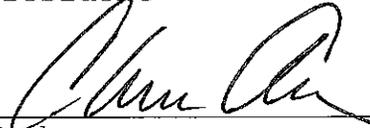
On this 22<sup>nd</sup> day of August, 2011, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Williams Creek Drainage Area, Saddle Creek Arm.**

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.

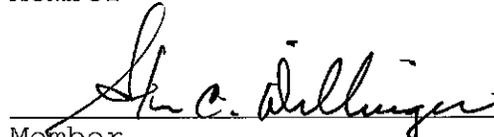
HAMILTON COUNTY DRAINAGE BOARD



\_\_\_\_\_  
President



\_\_\_\_\_  
Member



\_\_\_\_\_  
Member

Attest: 

Williams Creek - Saddle Creek Arm

17-09-21-00-08-013.000



To whom it may concern

I object to having  
annual assessments for  
periodic maintenance

Anna Kurtz

1485 Esprit Dr

Carmel IN 46074

Anna Kurtz

## HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
Williams Creek, Saddle Creek Arm.

Bohannon, Mark A & Dawn K  
14246 Autumn Woods Dr  
Carmel, IN 46074

Under the Indiana Drainage Code, all land which drains directly, or indirectly, may be assessed for either maintenance cost or reconstruction cost within the drain. In making the calculation for each parcel, the Drainage Board must calculate the percentage of the cost attributable to each parcel of land benefitted. From time to time the assessments may be increased or changed. The chart below contains your existing assessment, the proposed assessment, and your percentage of the total annual maintenance contribution to the costs attributable to providing drainage to your land.

The Drainage Board has received a maintenance report and schedule of assessments which affects your land. You are hereby notified that the maintenance report of the County 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 County Surveyor.

The Surveyor has estimated that the annual cost of periodically maintaining the entire drain is \$15,483.42. The schedule of assessments shows you are the owner of tracts within the drainage shed. The following is your pro rata share for each tract and the proposed annual assessment for those tracts. This assessment is not a charge for services associated with regulating the quality of storm water within your city or town.

Description: 17-09-21-00-09-026.000	Current Acres Benefited to Saddle Creek	Current Assessment to Saddle Creek	Proposed Acres Ben. to Williams Creek	Proposed Assessment to Williams Crk, Saddle Creek Arm	Percentage of total assessment
Saddle Creek 7th Lot 255	One Lot	\$30.00	One Lot	*	0.19%
Regulated Subd.					
*The assessment for this subdivision will be under the O.F. Henley combination report as a subdivision whose drainage system will be part of the regulated drain.					

A public hearing will be held by the Drainage Board in Commissioner's Court at 9:25 A.M. on August 22, 2011 on the Surveyor's maintenance report and the proposed schedule of assessments. The law requires that any objection must be written and filed not less than five (5) days before the above hearing on the ground that benefits assessed are excessive. Written evidence in support of objections may also be filed. The failure of any owner to file an objection constitutes a waiver of his right to thereafter object on such ground to any final action of the Board. On or before the hearing date the Surveyor or any owner of lands named in the schedule of assessments may cause written evidence to be filed in support of or in rebuttal to any objection filed.

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

*For a copy of the Surveyor's Report to the Drainage Board and a copy of the map, if applicable, please go to [www.hamiltoncounty.in.gov/drainageboardnotices](http://www.hamiltoncounty.in.gov/drainageboardnotices).*

## HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the  
Williams Creek, Saddle Creek Arm.

Doane, Thomas A & Twyla L  
14457 Chariots Whisper Dr  
Carmel, IN 46074

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Description: 17-09-21-00-16-001.000	Current Acres Benefited to Saddle Creek	Current Assessment to Saddle Creek	Proposed Acres Ben. to Williams Creek	Proposed Assessment to Williams Crk, Saddle Creek Arm	Percentage of total assessment
Saddle Creek 12th Lot 396	One Lot	\$30.00	One Lot	*	0.19%
Regulated Subd.					
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## HAMILTON COUNTY DRAINAGE BOARD

## Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Williams Creek, Saddle Creek Arm.

Marrocco, William C  
1569 Esprit Dr  
Carmel, IN 46074

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Description: 17-09-21-00-08-020.000	Current Acres Benefited to Saddle Creek	Current Assessment to Saddle Creek	Proposed Acres Ben. to Williams Creek	Proposed Assessment to Williams Crk, Saddle Creek Arm	Percentage of total assessment
Saddle Creek 6th Lot 186	One Lot	\$30.00	One Lot	*	0.19%
Regulated Subd.					
*The assessment for this subdivision will be under the O.F. Henley combination report as a subdivision whose drainage system will be part of the regulated drain.					

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BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

*Williams Creek Drainage Area, Saddle Creek Arm*

NOTICE

To Whom It May Concern and: Bohannon, Mark A & Dawn K  
Doane, Thomas A & Twyla L  
Marrocco, William C

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Williams Creek Drainage Area, Saddle Creek Arm** on **August 22, 2011** 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, Saddle Creek Arm*

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **August 22, 2011** 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