

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, Springmill Streams Arm

Upon review of the Williams Creek Drainage Area, I believe that the Springmill Streams Drain #159 should be made an arm to the Williams Creek Drainage Area as the Springmill Streams Drain is a tributary to the Williams Creek Drain. This would also avoid a double assessment on the tracts currently assessed for the Springmill Streams Drain when the remainder of the Williams Creek (Charles Osborn & JR Collins #2) Drain is assessed for maintenance.

The Springmill Streams Drain was created by the Hamilton County Drainage Board per the Surveyor's report dated September 2, 1982 and approved by the Board on November 1, 1982 (See Drainage Board Minutes Book 1, Page 501). At present the Springmill Streams Drain maintenance assessment affects 97.18 acres and 301 lots. The rate of assessment for the drain is set at \$2.00 per acre for common areas and roads, with a \$20.00 minimum, and \$20.00 per lot. This rate collects \$6,328.64 annually and the balance within the fund is \$19,683.71. There is one outstanding work order for this drain at this time.

Williams Creek, Elliot Creek, and Stultz and Almond Drain run through this subdivision. These drains are included with the maintenance of the subdivision drainage facilities.

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.

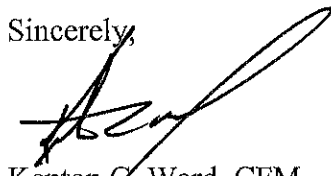
The total annual assessment for this arm will be \$20,878.20.

The current balance of the Springmill Streams Drain shall be kept separate and these funds expended for needed maintenance on the Springmill Streams 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 Springmill Streams Drain will be made into the Williams Creek Drainage Area fund. No further maintenance collections for the Springmill Streams 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

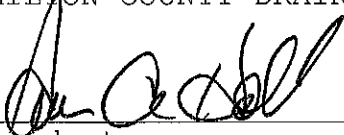
CONCERNING THE MAINTENANCE OF THE

Williams Creek Drainage Area, Springmill Streams Arm

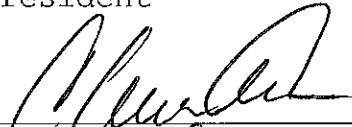
On this 22nd day of August, 2011, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the *Williams Creek Drainage Area, Springmill Streams Arm.*

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.

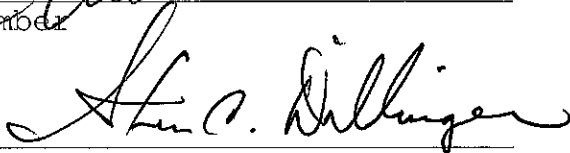
HAMILTON COUNTY DRAINAGE BOARD



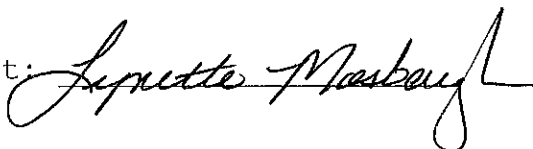
President



Member



Member

Attest: 

Lynette L. Mosbaugh

From: Surveyor
Sent: Wednesday, July 27, 2011 4:03 PM
To: Kenton C. Ward; Lynette L. Mosbaugh
Subject: FW: Williams Creek, Springmill Streams Arm



Pam Louks
Hamilton County Surveyor's Office
One Hamilton County Square Suite 188
Noblesville, IN 46060
317-776-8495

From: JMTHEIS@aol.com [mailto:JMTHEIS@aol.com]
Sent: Wednesday, July 27, 2011 4:00 PM
To: Surveyor
Subject: Williams Creek, Springmill Streams Arm

We am witting this letter in protest to the proposed increased assessment of Williams Creek, Springmill Streams Arm. We have read the surveyors report and proposal. We find nothing in the report that would justify this increased assessment of 225%. The fund that is a result of the present assessment has a balance of \$19,683. As homeowners we believe that we deserve a more complete explanation of this substantial increase.

Jim and Vickie Theis
12965 Brighton Lane
Carmel
Springmill Streams 9th, Lot 224

17-09-27-00-11-008.000

HAMILTON COUNTY DRAINAGE BOARD

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

Raines, Gerald & Cynthia
13037 Portsmouth Dr
Carmel, IN 46032

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 \$20,878.20. 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: 17-09-27-00-05-003.000	Current Acres Benefited to Springmill Streams	Current Assessment to Springmill Streams	Proposed Acres Ben. to Williams Crk, Springmill Streams Arm	Proposed Assessment to Williams Crk, Springmill Streams Arm	Percentage of total assessment
SPRINGMILL RIDGE 3RD LOT 57	One Lot	\$20.00	One Lot	\$65.00	0.31%
Regulated Subd.					
If Springmill Streams is combined with Williams Creek, future assessments will be made to Williams Creek instead of Springmill Streams.					

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.

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Williams Creek Drainage Area, Springmill Streams Arm

NOTICE

To Whom It May Concern and: Raines, Gerald & Cynthia

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Williams Creek Drainage Area, Springmill Streams 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, Springmill Streams 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