



SURVEYOR'S OFFICE
Hamilton County

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

March 19, 2007

To: Hamilton County Drainage Board

Re: Mud Creek / Sand Creek Drainage Area, Walrond Road #119 Drain Arm

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

On August 11, 1986 the Board held a hearing to establish the drain maintenance assessment for the Walrond Road Drain per my report dated June 9, 1986. (Drainage Board Minutes Book 2, Pages 145 and 146). At present the Walrond Road Drain maintenance assessment affects 6.3 acres and 30 lots. The rate of assessment for the drain was set at \$2.00 per acre, \$30.00 per lot with a \$10.00 minimum. This rate collects \$912.60 annually and the balance within the fund is \$4,743.27.

The current maintenance assessment would increase as per the rates set for the Mud Creek / Sand Creek Drainage Area which are as follows:

1. Maintenance assessment for roads and streets be set at \$10.00 per acre.
2. Maintenance assessment for agricultural tracts be set at \$2.00 per acre and \$15.00 minimum.
3. Maintenance assessment for non-platted residential tracts be set at \$2.00 per acre and \$15.00 minimum.

4. Maintenance assessment for commercial, institutional and multi-family residential tracts be 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.

At this time the Walrond Road Drain is double assessed with the Booth Snead Drain also. This double assessment will end upon approval of this proposal.

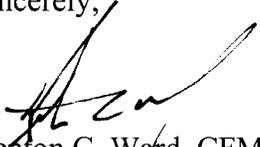
The total annual assessment for this arm will be \$2,013.00. Collections for this arm will begin in 2008.

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

Future assessments for the drainage area of the Walrond Road Drain will be made into the Mud Creek/Sand Creek Drainage Area fund. No further maintenance collections for the Walrond Road Drain shall be made.

I recommend that the Board set a hearing for this consolidation for April 23, 2007.

Sincerely,



Kenton C. Ward, CFM
Hamilton County Surveyor

KCW/llm

FINDINGS AND ORDER

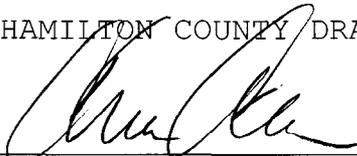
CONCERNING THE MAINTENANCE OF THE

Mud Creek/Sand Creek Drainage Area, Walrond Road Arm

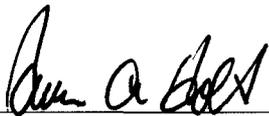
On this **23rd day of April 2007**, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Mud Creek/Sand Creek Drain, Walrond Road Arm**

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: 

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

Mud Creek/Sand Creek Drainage Area, Walrond Road Arm

NOTICE

To Whom It May Concern and: Worth, Allen J. & Katherine C.

Notice is hereby given of the hearing of the Hamilton County Drainage Board on the **Mud Creek/Sand Creek Drainage Area, Walrond Road Drain Arm** on **April 23, 2007** at **9:05 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

MUD CREEK/SAND CREEK DRAINAGE AREA, WALROND ROAD ARM

NOTICE

Notice is hereby given pursuant to Section 405 of the 1965 Indiana Drainage Code that this Board, prior to final adjournment on **April 23, 2007** 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

OFFICE OF
HAMILTON COUNTY DRAINAGE BOARD

Notice of Hearing to Establish Annual Assessments for the Periodic Maintenance of the Mud Creek/Sand Creek Drain, Walrond Road Arm.

Worth, Allen J & Katherine C
12610 Walrond Rd
Fishers, IN 46037

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 drain is \$2,013.00 and that the schedule shows you are the owner of the following lands:

Parcel	Description	Acres Benefited	Current Walrond Road Assmt.	Proposed Mud Creek/Sand Creek Assmt.	% of Total
13-11-27-00-05-002.000	Walrond Road 4th 28	One Lot	\$30	\$65	3.23%
	Regulated Subd.				

A hearing will be held by the Drainage Board in Commissioner's Court at 9:05 A.M. on April 23, 2007 on the Surveyor's maintenance report and the schedule of assessments. The law requires that objections 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