Drain:	Long Branch Drain
Improvement-Arm:	The Sanctuary at 116 <sup>th</sup> Street Section 3 Arm
Date Approved:	January 28, 2008
Dra	ain Input Checklist
• Create Regulated Drain Record in	Posse
Drain Type Outlet (Tab) Outlet (Tab) Outlet Attached Location Twp Certification Drain Number • Enter Improvement Arm in Posse (Construction Amount = Storm Dr. • Scan Documents • Scan Documents Surveyor's Report Engineer's Estimate Bonds Findings and Order Petition	Image: Second state sta
Create Posse Inspection Job	
• Enter into Watershed Summary Sp	readsheet
• Check for Vacation of Drain & Ma	p Changes
• Check Drainage Easement Classifi	cation
• Sum drain length & Validate in GI	S
• Enter New Watershed Length into	Posse
• Create Boundary of Improvement i	n GIS



Surveyor of Hamilton County Phone (317) 776-8495 Fax (317) 776-9628

Suite 188 One Hamilton County Square Noblesville, Indiana 46060-2230

November 30, 2007

TO: Hamilton County Drainage Board

RE: Long Branch Drain, The Sanctuary at 116<sup>th</sup> Street Section 3 Arm.

Attached is a petition filed by Platinum Properties, LLC along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for The Sanctuary at 116<sup>th</sup> Street Section 3 Arm, Long Branch Drain to be located in Clay Township. I have reviewed the submittals and petition and have found each to be in proper form.

I have made a personal inspection of the land described in the petition. Upon doing so, I believe that the drain is practicable, will improve the public health, benefit a public highway, and be of public utility and that the costs, damages and expenses of the proposed drain will probably be less than the benefits accruing to the owners of land likely to be benefited. The drain will consist of the following:

6" SSD	6,292 ft.	18" RCP	166 ft.	Open Channel	533 ft.
12" RCP	1,055 ft.	21" RCP	109 ft.	L	
15" RCP	707 ft.	24" RCP	395 ft.		

The total length of the drain will be 9,257 feet.

The open channel listed above is in two (2) segments. The first segment is 243 feet between Structure 3729 and Structure 3730. The second segment is approximately 290 feet in length and runs from Structure 3734 to the main Long Branch Drain at the southeast corner of Common Area Block "L" of The Sanctuary at 116<sup>th</sup> Street, Section 2B plat.

The retention pond (existing lake) located in Common Area Block "P" is to be considered part of the regulated drain. Pond maintenance shall include the inlet, outlet, sediment removal and erosion control along the banks as part of the regulated drain. The maintenance of the pond (existing lake) such as mowing and aquatic vegetation control will be the responsibility of the Homeowners Association. The Board will also retain jurisdiction for ensuring the storage volume for which the pond (existing lake) was designed will be retained, thereby, allowing no fill or easement encroachments. The subsurface drains (SSD) to be part of the regulated drain are those located under the curbs and those main lines between lots or in rear yards. Only the main SSD lines, which are located within the easement and/or right of ways, are to be maintained as regulated drain. Laterals for individual lots will not be considered part of the regulated drain. The portion of the SSD which will be regulated other than those under curbs are as follows:

176 feet along the common property line of lot 108/106 and connecting to Structure 3726.

I have reviewed the plans and believe the drain will benefit each lot equally. Therefore, I recommend each lot be assessed equally. I also believe that no damages will result to landowners by the construction of this drain. I recommend a maintenance assessment of \$10.00 per acre for common areas and platted lots, \$10.00 per acre for roadways, with a \$65.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$2,146.60.

The petitioner has submitted surety for the proposed drain at this time. The sureties which are in the form of a Performance Bond are as follows:

Agent: Bond Safeguard Insurance Company	Agent: Bond Safeguard Insurance Company
Date: September 4, 2007	Date: September 4, 2007
Number: 5029324	Number: 5029332
For: Storm Sewers	For: Sub Surface Drains
Amount: \$176,444.40	Amount: \$39,985.20

I believe this proposed drain meets the requirements for Urban Drain Classification as set out in IC 36-9-27-67 to 69. Therefore, this drain shall be designated as an Urban Drain.

I recommend that upon approval of the above proposed drain that the Board also approve the attached non-enforcement request. The request is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for The Sanctuary at 116<sup>th</sup> Street Section 3 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for January 28, 2008.

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/pll

This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

#### STATE OF INDIANA

#### COUNTY OF HAMILTON )

TO: HAMILTON COUNTY DRAINAGE BOARD
% Hamilton County Surveyor
One Hamilton County Square, Suite 188
Noblesville, IN. 46060-2230

)

In the matter of	The Sanctuary at 116th Street	Subdivision, Section
Three	Drain Petition.	

Petitioner is the owner of all lots in the land affected by the proposed new regulated drain. The drainage will affect various lots in <u>The Sanctuary at 116th Street</u>, a subdivision in Hamilton County, Indiana. The general route of such drainage shall be in existing easements and along public roads as shown in the plans on file in the Surveyor's Office.

Petitioner believes that the cost, damages and expenses of the proposed improvement will be less than the benefits which will result to the owners of the land likely to be benefited thereby. Petitioner believes the proposed improvements will:

- (a) improve public health
- (b) benefit a public street
- (c) be of public utility

Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

The Petitioner also agrees to the following:

- 1. To provide the Drainage Board a Performance Bond or Non-Revocable Letter of Credit for the portion of the drainage system which will be made a regulated drain. The bond will be in the amount of 120% of the Engineer's estimate. The bond will be in effect until construction of 100% of the system is completed and so certified by the Engineer.
- 2. The Petitioner shall retain an Engineer throughout the construction phase. At completion of the project the Petitioner's Engineer shall certify that the drainage system which is to be maintained as a regulated drain has been constructed as per construction plans.
- 3. The Petitioner agrees to request in writing to the County Surveyor any changes from the approved plan and must receive written authorization from the County Surveyor prior to implementation of the change. All changes shall be documented and given to the Surveyor to be placed in the Drain file.
- 4. The Petitioner shall instruct his Engineer to provide a reproducible print on a 24" x 36" Mylar of the final design of the Drainage System. This shall be submitted to the County Surveyor prior to the release of the Performance Bond.
- 5. The Petitioner shall comply with the Erosion Control Plan as specified on the construction plans. Failure to comply with the Erosion Control Plan shall be determined by the Board as being an obstruction to the drainage system. The County Surveyor shall immediately install or repair the needed measures at Petitioners cost as per IC 36-9-27-46.

The Petitioner further requests that the Drain be classified as an Urban Drain as per IC 36-9-27-69(d).

#### **RECORDED OWNER(S) OF LAND INVOLVED**

Signed	/	

Paul Shoopman

Printed Name

7-24-06

Date

Signed

Printed Name

Printed Name

Date

Date

Signed

Date

Signed

Printed Name

#### STATE OF INDIANA

#### COUNTY OF HAMILTON )

TO: HAMILTON COUNTY DRAINAGE BOARD
% Hamilton County Surveyor
One Hamilton County Square, Suite 188
Noblesville, IN. 46060-2230

)

In the matter of	The Sanctuary at 116th Street	Subdivision, Section
Three	Drain Petition.	

Petitioner is the owner of all lots in the land affected by the proposed new regulated drain. The drainage will affect various lots in <u>The Sanctuary at 116th Street</u>, a subdivision in Hamilton County, Indiana. The general route of such drainage shall be in existing easements and along public roads as shown in the plans on file in the Surveyor's Office.

Petitioner believes that the cost, damages and expenses of the proposed improvement will be less than the benefits which will result to the owners of the land likely to be benefited thereby. Petitioner believes the proposed improvements will:

- (a) improve public health
- (b) benefit a public street
- (c) be of public utility

Petitioner agrees to pay the cost of construction of the drainage system and requests periodic maintenance assessments by the Board thereafter.

The Petitioner also agrees to the following:

- To provide the Drainage Board a Performance Bond or Non-Revocable Letter of Credit for the portion of the drainage system which will be made a regulated drain. The bond will be in the amount of 120% of the Engineer's estimate. The bond will be in effect until construction of 100% of the system is completed and so certified by the Engineer.
- 2. The Petitioner shall retain an Engineer throughout the construction phase. At completion of the project the Petitioner's Engineer shall certify that the drainage system which is to be maintained as a regulated drain has been constructed as per construction plans.
- 3. The Petitioner agrees to request in writing to the County Surveyor any changes from the approved plan and must receive written authorization from the County Surveyor prior to implementation of the change. All changes shall be documented and given to the Surveyor to be placed in the Drain file.
- 4. The Petitioner shall instruct his Engineer to provide a reproducible print on a 24" x 36" Mylar of the final design of the Drainage System. This shall be submitted to the County Surveyor prior to the release of the Performance Bond.
- 5. The Petitioner shall comply with the Erosion Control Plan as specified on the construction plans. Failure to comply with the Erosion Control Plan shall be determined by the Board as being an obstruction to the drainage system. The County Surveyor shall immediately install or repair the needed measures at Petitioners cost as per IC 36-9-27-46.

The Petitioner further requests that the Drain be classified as an Urban Drain as per IC 36-9-27-69(d).

### RECORDED OWNER(S) OF LAND INVOLVED

Signed.

Steve Broermann Printed Name

9-18-07 Date

Signed

Printed Name

Printed Name

Signed

Signed

Date

Printed Name

Date

Date

8/28/2007

	Section	Section	Section	Section	
Line Item	-	2A	ω	4A	Total
Sanitary Sewers	\$169,425	\$17,727	\$184,841	\$26,336	\$398,330
Sanitary Laterals	\$45,869	\$17,954	\$27,960	\$30,000	\$121,782
Storm Sewers	\$177,322	\$4,178	\$147,037	\$70,927	\$399,464
Sub-surface Drains	\$42,011	\$5,145	\$33,321	\$10,957	\$91,435
Water Mains	\$148,237	\$19,194	\$77,641	\$38,991	\$284,063
Water Laterals	\$30,716	\$2,548	\$18,614	\$8,802	\$60,681
Preliminary Erosion Control	\$3,803	\$0	\$4,077	\$0	\$7,880
Lake Liner	\$1,854	0\$	\$5,09 <sup>8</sup>	\$0	\$6,952
Strip Topsoil	\$12,684	\$778	\$10,250	\$9,114	\$32,826
Mass Earthwork	\$70,879	\$8,553	\$52,531	\$39,743	\$171,706
Finish Grading	\$62,411	\$5,871	\$36,341	\$14,625	\$119,247
Total	\$765,210	\$81,949	\$597,710	\$249,496	\$1,694,366

Sanctuary at 116th Street Breakdown by Section

5:16 PM

	ISEWERS - U	NIT COSTS	stand a second and a
	Sanctuary 1,2A,	3,4A	
Depth	Quantity *	Unit Cost	Total Cost
12" Pipe (LF)	1950	\$16.25	\$31,68
12" End Sect. (EA)	3	\$800.00	\$2,40
12" Trash G. (EA)		\$0.00	¢2,40 \$
15" Pipe (LF)	1628	\$18.00	\$29,30
15" End Sect. (EA)	6	\$850.00	\$5,10
15" Trash G. (EA)		\$0.00	\$0,10
18" Pipe (LF)	635	\$20.00	\$12,70
18" End Sect. (EA)	3	\$900.00	\$2,70
18" Trash G. (EA)		\$0.00	φ2,70
21" Pipe (LF)	446	\$22.50	\$10,03
21" End Sect. (EA)	2	\$950.00	
21" Trash G. (EA)	2	1 · · · · ·	\$1,90
24" Pipe (LF)	1213	\$0.00	\$ #00.75
24" End Sect. (EA)	2		\$32,75
24" Trash G. (EA)	2	\$1,050.00	\$2,100
27" Pipe (LF)		\$0.00	\$(
27" End Sect. (EA)	0	\$0.00	\$0
27" Life Sect. (EA) 27" Trash G. (EA)	0	\$0.00	\$0
30" Pipe (LF)		\$0.00	\$(
30" End Sect. (EA)	526	\$38.00	\$19,988
	1	\$1,200.00	\$1,200
30" Trash G. (EA)		\$0.00	\$(
33" Pipe (LF)	0	\$0.00	\$0
33" End Sect. (EA)	0	\$0.00	\$0
33" Trash G. (EA)		\$0.00	\$0
36" Pipe (LF)	664	\$45.00	\$29,880
36" End Sect. (EA)	1	\$1,600.00	\$1,600
36" Trash G. (EA)		\$0.00	\$0
42" Pipe (LF)	227	\$50.00	\$11,350
42" End Sect. (EA)	1	\$1,894.00	\$1,894
42" Trash G. (EA)		\$0.00	\$0
48" Pipe (LF)	0	\$0.00	\$0
48" End Sect. (EA)	0	\$0.00	\$0
48" Trash G. (EA)		\$0.00	\$0
Inlets			
(EA)	25	\$1,450.00	\$36,250
Std.			· · · · · · · · · · · · · · · · · · ·
Manhole (EA)	33	\$1,629.00	\$53,757
Large			·····
Manhole (EA)	18	\$2,400.00	\$43,200
Double Inlet			
Manhole (EA)	0	\$0.00	\$0
Connect to			
Existing Structrure	0	\$0.00	\$0
Sand Backfill			ψυ
& Bedding	4125	\$8.50	\$35,063
Open Road	1120	\$8.50	\$35,005
Cut	2	\$15,000.00	¢20.000
# 8 Stone	٤	φ10,000.00	\$30,000
(TN)	126	ere on	#0.040
Rip Rap	136	\$15.00	\$2,040
(TN)	95	\$27.00	\$2,565
	MO (	\$27.00.1	47 565
((1))		ψ21.00	ψ2,000

Valenti Held Contractor/Developer, Inc.

7/24/2007

	ce drains - i		
Sa	anctuary 1,2A,3,	4A	
	Quantity *	Unit Cost	Total Cost
4" SSD	LF		
Under Curb	0	\$0.00	\$0
6" SW SSD	LF		
Under Curb	0	\$0.00	\$C
6" SW SSD	LF		
Rear Yard Swale	0	\$0.00	\$C
6" HW SSD	LF		
Under Curb	16384	\$5.20	\$85,197
6" HW SSD	LF	<del></del>	+++++++++++++++++++++++++++++++++++++++
Alleys	381	\$5.75	\$2,191
Custom	LF		
Subsurface Drain	0	\$0.00	\$0
Riser	EA		¥*
Assembly	0	\$0.00	\$0
	EA		<del>\</del>
Lot Laterals	96	\$42.16	\$4,047
TOTAL		>	\$91,435

#### Valenti Held Contractor/Developer, Inc.

WATE	<u>R MAINS - UNI</u>	T COSTS	
	Sanctuary 1,2A,3	.4A	
Depth	Quantity *	Unit Cost	Total Cost
3" Main (LF)	0	\$0.00	\$0
3" Gate Valve(EA)		\$0.00	\$0 \$0
3" Blow-Off(EA)	1	\$0.00	\$0 \$0
6" Main (LF)	2127	\$19.00	\$40,413
6" Gate Valve(EA)	17	\$975.00	\$16,575
6" Blow-Off(EA)		\$0.00	\$0
8" Main (LF)	6003	\$23.50	\$141,071
8" Gate Valve(EA)	10	\$1,125.00	\$11,250
8" Blow-Off(EA)		\$0.00	\$0
10" Main (LF)	0	\$0.00	\$0
10" Gate Valve(ÉA)	0	\$0.00	\$0 \$0
10" Blow-Off(EA)	-	\$0.00	\$0 \$0
12" Main (LF)	0	\$0.00	\$0 \$0
12" Gate Valve(EA)	0	\$0.00	\$0 \$0
12" Blow-Off(EA)		\$0.00	\$0 \$0
16" Main (LF)	0	\$0.00	
16" Gate Valve(ÉA)	0	\$0.00	\$0
16" Blow-Off(EA)		\$0.00	\$0 \$0
20" Main (LF)		\$0.00	\$0
20" Gate Valve(ÉA)		\$0.00	\$0 \$0
20" Blow-Off(EA)		\$0.00	\$0 \$0
Fire Hydrants (EA)	14	\$2,200.00	\$30,800
Hydrant Lateral	0	\$0.00	450,000 \$0
FH Aux Valves (EA)		\$0.00	\$0 \$0
Connect to Existing Stub	0	\$0.00	\$0 \$0
Tap Existing Main	2	\$4,577.00	\$9,154
Air Release Valves		φ+,577.00	ψ9,104
(EA)	0	\$0.00	\$0
Sand Backfill		\$0.00	ψυ
(TN)	3990	\$8.50	\$33,915
Stone Backfill	0000	φ0.50	400,910
(TN)	59	\$15.00	\$885
		ψ10.00	4000
??" DIRECTIONAL BORE	o	l l	<b>\$</b> 0
			\$0
De-Chlorination	8130	\$0.00	\$0
		φυ.υθ	
Other			\$0
		—•	
TOTAL		>	\$284,063
			ψ204,005

#### Valenti Held Contractor/Developer, Inc.

7/24/2007



## HCDB-2007-06053 SUBDIVISION BOND

Bond No.: 5029331

Principal Amount: \$6.750.00

KNOW ALL MEN BY THESE PRESENTS, that we <u>Platinum Properties</u>, 9757 Westpoint Dr., Suite 600, Indianapolis, IN 46256 as Principal, and <u>Bond Safeguard Insurance Company</u>, 1919 S. Highland Ave., Bldg. A – Suite 300, Lombard, IL 60148 an Illinois Corporation, as Surety, are held and firmly bound unto <u>Hamilton County Board of Commissioners</u>, One Hamilton County Square, Noblesville, IN 46060, as Obligee, in the penal sum of <u>Six Thousand Seven Hundred Fifty and No/100</u> (Dollars) (\$6,750.00), lawful money of the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, <u>Platinum Properties</u> has agreed to construct in <u>Sanctuary at 116<sup>th</sup> Street</u>, <u>Section 3</u>, in <u>Hamilton County</u>, <u>IN</u> the following improvements:

#### **Monumentation**

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements herein described, and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void, otherwise to remain in full force and effect, and the Surety, upon receipt of a resolution of the Obligee indicating that the improvements have not been installed or completed, will complete the improvements or pay to the Obligee such amount up to the Principal amount of this bond which will allow the Oblige to complete the improvements.

Upon approval by the Obligee, this instrument may be proportionately reduced as the public improvements are completed.

Signed, sealed and dated, this 4th day of September, 2007

Platinum Properties Principal

Bond Safeguard Insurance Company Surety

thatBeck

Heather A. Beck, Attorney-in-Fact

#### POWER OF ATTORNEY AO 52928 Bond Safeguard INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, that BOND SAFEGUARD INSURANCE COMPANY, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: \_\_James I. Moore, Irene Diaz, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan,

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of BOND SAFEGUARD INSURANCE COMPANY on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$1,000,000.00, One Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, BOND SAFEGUARD INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7<sup>th</sup> day of November, 2001.



BOND SAFEGUARD INSURANCE COMPANY

David E. Campbell President

#### ACKNOWLEDGEMENT

BY

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of BOND SAFEGUARD INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL" MAUREEN K. AYE Notary Public, State of Illinois My Commission Expires 09/21/09

Maureen K. Aye Notary Public

#### CERTIFICATE

I, the undersigned, Secretary of BOND SAFEGUARD INSURANCE COMPANY, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 4th \_Day of \_\_ September

Donald D. Buchanan Secretary



This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060



State of: <u>ILLINOIS</u> County of: <u>DuPage</u>

On September 4, 2007, before me, <u>Jennifer J. McComb</u>, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Heather A. Beck, known to me to be Attorney-in-Fact for Bond Safeguard Insurance Company the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires: September 27, 2009 OFFICIAL SEAL JENNIFER J MCCOMB NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:09/23/09 Mccomb, Notary Public ennifer J.

## SUBDIVISION BOND

Bond No.: 5029332

17603-2007-00054

Principal Amount: \$39,985.20

KNOW ALL MEN BY THESE PRESENTS, that we <u>Platinum Properties</u>, 9757 Westpoint Dr., Suite 600, Indianapolis, IN 46256 as Principal, and <u>Bond Safeguard Insurance Company</u>, 1919 S. Highland Ave., Bldg. A – Suite 300, Lombard, IL 60148 an <u>Illinois</u> Corporation, as Surety, are held and firmly bound unto <u>Hamilton County Board of Commissioners</u>, One Hamilton County Square, Noblesville, IN 46060, as Obligee, in the penal sum of <u>Thirty Nine Thousand Nine Hundred Eighty Five and 20/100</u> (Dollars) (\$39,985.20), lawful money of the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, <u>Platinum Properties</u> has agreed to construct in <u>Sanctuary at 116<sup>th</sup> Street</u>, <u>Section 3</u>, in <u>Hamilton County</u>, <u>IN</u> the following improvements:

#### Sub Surface Drains

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements herein described, and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void, otherwise to remain in full force and effect, and the Surety, upon receipt of a resolution of the Obligee indicating that the improvements have not been installed or completed, will complete the improvements or pay to the Obligee such amount up to the Principal amount of this bond which will allow the Obligee to complete the improvements.

Upon approval by the Obligee, this instrument may be proportionately reduced as the public improvements are completed.

Signed, sealed and dated, this 4th day of September, 2007

**Platinum Properties** Principal

Bond Safeguard Insurance Company Surety

leather A. Beck, Attorney-in-Fact

## POWER OF ATTORNEY AO 52929 Bond Safeguard INSURANCE COMPANY

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surely, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$1,000,000.00, One Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, BOND SAFEGUARD INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7<sup>th</sup> day of November, 2001.



BOND SAFEGUARD INSURANCE COMPANY

David E. Campbell President

#### ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL" MAUREEN K. AYE Notary Public, State of Illinois My Commission Expires 09/21/09

$\mathcal{M}$	amr	Ceyl	
	Maureen K. Aye Notary Public	J.	

#### CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this <u>4th</u>	Day ofSeptember20 07
AN ILLNOIS INSURANCE INSURANCE COMPANY	Donald D. Buchaman
	Donald D. Buchanan

nald D. Buchanar Secretary

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State of: <u>ILLINOIS</u> County of: <u>DuPage</u>

On September 4, 2007, before me, <u>Jennifer J. McComb</u>, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Heather A. Beck, known to me to be Attorney-in-Fact for Bond Safeguard Insurance Company the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires: September OFFICIAL SEAL JENNIFER J MCCOMB NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:09/23/09 Jennifer J. McComb, Notary Public



#### SUBDIVISION BOND

HCDB 2007-00055 Bond No.: 5029324

Principal Amount: \$176,444.40

KNOW ALL MEN BY THESE PRESENTS, that we <u>Platinum Properties</u>, 9757 Westpoint Dr., Suite 600, Indianapolis, IN 46256 as Principal, and <u>Bond Safeguard Insurance Company</u>, 1919 S. Highland Ave., Bldg. A – Suite 300, Lombard, IL 60148 an <u>Illinois</u> Corporation, as Surety, are held and firmly bound unto <u>Hamilton County Board of Commissioners</u>, One Hamilton County Square, Noblesville, IN 46060, as Obligee, in the penal sum of <u>One Hundred Seventy Six Thousand Four Hundred Forty and 40/100</u> (Dollars) (\$176,444.40), lawful money of the United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, <u>Platinum Properties</u> has agreed to construct in <u>Sanctuary at 116<sup>th</sup> Street</u>, <u>Section 3</u>, in <u>Hamilton County</u>, <u>IN</u> the following improvements:

#### Storm Sewers

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements herein described, and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void, otherwise to remain in full force and effect, and the Surety, upon receipt of a resolution of the Obligee indicating that the improvements have not been installed or completed, will complete the improvements or pay to the Obligee such amount up to the Principal amount of this bond which will allow the Obligee to complete the improvements.

Upon approval by the Obligee, this instrument may be proportionately reduced as the public improvements are completed.

Signed, sealed and dated, this 4th day of September, 2007

Platinum Properties Principal

Bond Safeguard Insurance Company Surety

eather WB By:

leather A. Beck, Attorney-in-Fact

### POWER OF ATTORNEY AO 5292 Bond Safeguard INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, that BOND SAFEGUARD INSURANCE COMPANY, an Illinois Corporation with its principal office in Lombard, Illinois, does hereby constitute and appoint: <u>James I. Moore, Irene Diaz, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan</u>,

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$1,000,000.00, One Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7<sup>th</sup> day of November, 2001.



BOND SAFEGUARD INSURANCE COMPANY

David E. Campbell President

#### ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL" MAUREEN K. AYE Notary Public, State of Illinois My Commission Expires 09/21/09

Maureen K. Aye Notarv Public

#### CERTIFICATE

I, the undersigned, Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, An Illinois Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this <u>4th</u>	Day of September 07
COMPANY COMPANY COMPANY	Jonald D. Buchanan
	Donald D. Buchanan

Secretary

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State of: <u>ILLINOIS</u> County of: <u>DuPage</u>

On September 4, 2007, before me, Jennifer J. McComb, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Heather A. Beck, known to me to be Attorney-in-Fact for Bond Safeguard Insurance Company the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument on behalf of the said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires: September 23, OFFICIAL SEAL JENNIFER J MCCOMB NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:09/23/09 Jennifer J. McComb, Notary Public

#### FINDINGS AND ORDER

#### CONCERNING THE MAINTENANCE OF THE

Long Branch Drain, The Sanctuary at 116<sup>th</sup> Street Section 3 Arm

On this **28th** day of January 2008, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Long Branch Drain, The Sanctuary at 116<sup>th</sup> Street Section 3 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

Presi

Male

Member Member

Attest: Seputte Mastoned

#### CERTIFICATE OF COMPLETION AND COMPLIANCE

#### To: Hamilton County Surveyor

Re: Sanctuary at 116th Street - Section Three Storm As-builts 4455 W. 1215t Street, Carmel, IN. I hereby certify that:

- 1. I am a Registered Land Surveyor or Engineer in the State of Indiana.
- 2. I am familiar with the plans and specifications for the above referenced subdivision.
- 3. I have personally observed and supervised the completion of the drainage facilities for the above referenced subdivision.
- 4. The drainage facilities within the above referenced subdivision to the best of my knowledge, information and belief have been installed and completed in conformity with all plans and specifications.
- The drainage facilities within the above referenced subdivision to the best of my knowledge, information and belief have been correctly represented on the Record Drawings, Digital Record Drawings and the Structure Data Spreadsheet.

Signature: Actually Date: 8/5/09
Type or Print Name:ames E. Shields Jr.
Business Address: 10505 N. College Ave.
Indianapolis, IN 46280
Telephone Number: 317 - 846-6611
NO. PE10201333 STATE OF NO. PE10201333 STATE OF NO. PE10201333 STATE OF NO. PE10201333 STATE OF NO. PE10201333 STATE OF



*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

*Fax* (317) 776-9628 **To: Hamilton County Drainage Board** 

**January 27, 2009** 

LLW

### Re: Long Branch Drain: The Sanctuary at 116<sup>th</sup> Street Section 3

Attached are as-builts, certificate of completion & compliance, and other information for The Sanctuary at 116<sup>th</sup> Street Section 3. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

During construction, changes were made to the drain, which will alter the plans submitted with my report for this drain-dated November 30, 2007. The report was approved by the Board at the hearing held January 28, 2008. (See Drainage Board Minutes Book 11, Pages 18-23) The changes are as follows:

Structure:	Length:	Size	Material:	Up Invert:	Dn_Invert	Grade:	Changes:
3706-3705	25	12	RCP	894.24	893.34	3.6	-6
3705-3704	80	12	RCP	893.24	889.83	4.26	-5
3704-3703	276	24	RCP	878.76	875.31	1.25	
3703-3702	62	24	RCP	875.21	875.19	0.05	-25
3710-3709	24	12	RCP	898.57	898.25	1.33	
3709-3708	46	15	RCP	898.25	897.94	0.67	-6
3714-3713	37	12	RCP	901.09	900.73	0.97	
3713-3712	86	12	RCP	900.73	899.32	1.64	
3712-3711	167	15	RCP	899.32	897.95	0.82	-14
3721-3720	38	12	RCP	900.44	900.14	0.79	
3720-3719	107	12	RCP	900.14	898.86	1.2	-6
3719-3718	37	15	RCP	898.86	898.74	0.32	
3718-3717	135	15	RCP	898.74	898.06	0.5	-12
3717-3716	19	15	RCP	898.06	897.92	0.74	
3726-3725	92	15	RCP	899.31	898.57	0.8	
3725-3724	100	15	RCP	898.57	898.55	0.02	-3
3724-3723	37	15	RCP	898.55	898.53	0.05	
3723-3722	158	18	RCP	898.53	897.87	0.42	-8
3733-3732	42	12	RCP	892.94	892.5	5.37	
3732-3731	80	12	RCP	892.5	888.95	4.43	-4
3731-3730	74	12	RCP	888.95	884.98	1.05	-21
3738-3737	25	12	RCP	897.81	895.88	5.96	-6

3737-3736	97	12	RCP	895.88	890.07	5.99	-1
3736-3735	262	12	RCP	890.07	881.53	3.26	
3735-3734	32	15	RCP	881.53	881.46	0.22	-7
<b>RCP Pipe T</b>	RCP Pipe Totals: Other Drain Totals:		SSD Totals:				
			Open				
12	977		Ditch	582		Streets	5920
15	665					Lot 108/106	176
18	158						
24	338						
Total:	2138		Total:	582		Total:	6096

The length of the drain due to the changes described above is now **8816 feet**. It should be noted that the pipe between structures 3729,3728, and 3727 was not installed.

The non-enforcement was approved by the Board at its meeting on January 28, 2008 and recorded under instrument # 2009073373.

The following sureties were guaranteed by Bond Safeguard Insurance Co. and released by the Board on its August 10, 2009 meeting.

Bond-LC No: 5029324 Insured For: Storm Sewers Amount: \$176,444.40 Issue Date: September 4, 2007 Bond-LC No: 5029332 Insured For: Subsurface Drain Amount: \$39,985.20 Issue Date: September 4, 2007

I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

Kenton C. Ward, CFM Hamilton County Surveyor

KCW/slm

# <u>GENERAL NOTES</u>

1) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING, OR VERIFYING THAT ALL PERMITS AND APPROVALS ARE OBTAINED FROM THE RESPECTIVE CITY, COUNTY, AND STATE AGENCIES PRIOR TO STARTING CONSTRUCTION.

2) IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO DETERMINE THE EXACT LOCATION OF AL EXISTING UTILITIES IN THE VICINITY OF THE CONSTRUCTION AREA PRIOR TO STARTING

3) IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO NOTIFY AND COORDINATE CONSTRUCTIO WITH ALL RESPECTIVE UTILITIES.

4) ALL QUANTITIES GIVEN ON THESE PRINTS, VERBALLY OR IN THE SCOPE OF WORK SECTION ARE ESTIMATES AND SHALL BE CONFIRMED BY THE BIDDING CONTRACTORS.

5) OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS FOR EXCAVATIONS FINAL RULE 29 CFR PART 1926, SUBPART "P" APPLIES TO ALL EXCAVATIONS EXCEEDING FIVE (5) FEET IN DEPTH.

6) IN ADDITION, EXCAVATION EXCEEDING TWENTY (20) FEET IN DEPTH REQUIRE THE DESIGN OF A TRENCH SAFETY SYSTEM BY A REGISTERED PROFESSIONAL ENGINEER.

7) IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER AND CONTRACTOR TO MAINTAIN QUALITY CONTROL THROUGHOUT THIS PROJECT.

8) TEMPORARY TRAFFIC CONTROL DURING CONSTRUCTION TO CONFORM TO APPLICABLE LOCAL STANDARDS

9) THE ENGINEER AND/OR OWNER DISCLAIM ANY ROLE IN THE CONSTRUCTION MEANS AND METHODS ASSOCIATED WITH THE PROJECT AS SET FORTH IN THESE PLANS.

10) ANY FIELD TILES ENCOUNTERED DURING EXCAVATION SHALL BE REPAIRED AND CONNECTED TO NEW STORM SEWERS AND POSITIVE DRAINAGE PRESERVED.

11) IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER THAT ALL LANDSCAPE REQUIREMENTS ARE MET AND CONFORM TO APPLICABLE LOCAL STANDARDS.

12) A PORTION OF THE SITE DOES LIE IN A SPECIAL FLOOD HAZARD AREA AS ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY - NATIONAL FLOOD INSURANCE PROGRAM, WHEN PLOTTED BY SCALE ON FLOOD INSURANCE RATE MAP #1800081 0205 F. DATED FEBRUARY 19.

13) BEARINGS, DIMENSIONS AND EASEMENTS ARE SHOWN FOR REFERENCE ONLY. SEE RECORD SURVEYS & PLAT FOR EXACT INFORMATION.

14) THIS SITE DOES NOT CONTAIN ANY WETLANDS AT SHOWN ON THE U.S. DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE; CARMEL, INDIANA, NATIONAL WETLANDS INVENTORY MAP DATED 1990.

# BENCHMARK INFORMATION

BM BOO 54 - A DNR DISK IS LOCATED 1.0 MILE NORTHEAST OF ZIONSVILLE: 0.2 MILE EAST ALONG WEST 121ST STREET FROM ITS JUNCTION WITH STATE ROAD 421. AT THE INTERSECTION OF DAUGHERTY DRIVE AND WEST 121ST STREET, IN THE NORTHEAST 1/4 OF THE INTERSECTION. AT THE ENTRANCE TO THE EAGLE VILLAGE SUBDIVISION: SET IN THE TOP OF A CONCRETE POST, LEVEL WITH THE GROUND: A DEPARTMENT OF NATURAL RESOURCES BRASS ONTROL STATION TABLET STAMPED "BOO 54 1989" ELEV .: 901.14 FEET (1929 DATUM) ELEV .: 900.76 FEET (1988 DATUM)

PLANS PREPARED FOR: PAUL SHOOPMAN BUILDING GROUP 8227 NORTHWEST BLVD., SUITE 190 INDIANAPOLIS, IN 46278 (317) 415-0459 PHONE (317) 415–0466 FAX CONTACT PERSON: PAUL SHOOPMAN

# **OPERATING AUTHORITIES:**

CITY OF CARMEL WATER DEPARTMENT 130 1ST AVENUE S.W. CARMEL, INDIANA 46032 PAUL PAGE 317/571-2442

CITY OF CARMEL FIRE DEPARTMENT TWO CIVIC SQUARE CARMEL, INDIANA 46032 GARY HOYT 317/571-2600

CITY OF CARMEL ONE CIVIC SQUARE CARMLE, INDIANA 46032 PLANNING DIRECTOR: MATT GRIFFIN 317/571-2417 DEPT. OF ENGINEERING: DICK HILL 317/571-2441 ASST. BUILDING COMMISSINER: JIM BLANCHARD 317/571-2444

VECTREN P.O. BOX 1700 NOBLESVILL, INDIANA 46061-1700 CHUCK SHUPPERD 317/776-5535

HAMILTON COUNTY SURVEYOR'S OFFICE ONE HAMILTON SQUARE, SUITE 188 HAMILTON COUNTY JUDICIAL CENTER NOBLESVILLE, INDIANA 46060 GREG HOYES 317/776-8495

CLAY TOWNSHIP REGIONAL WASTE DISTRICT 10701 N. COLLEGE AVE., SUITE A INDIANAPOLIS, INDIANA 46280 RYAN HARTMAN 317/844-9200

INDIANAPOLIS DEPT. METRO. DEVELOPMENT 604 N. SHERMAN DRIVE INDIANAPOLIS, INDIANA 46201 317/327-8700

CEHEN CONTRACT

AT&T 5858 NORTH COLLEGE INDIANAPOLIS, INDIANA 46220 JEFF RICE 317/252-4274









