

**Gasb 34 Footages for Historical Cost
Drain Length Log**

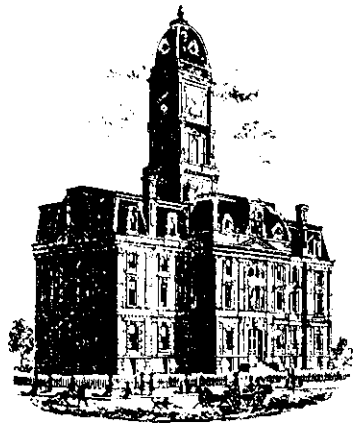
Drain-Improvement: Metz or Klingensmith ; Cherry Tree Est. Sec. 4 Relocation

Drain Type:	Size:	Length	Length (DB Query)	Length Reconcile	If Applicable	
					Price:	Cost:
Open		-198	-198	φ	\$19.55 lf	-\$3870.90

Sum: -198 -\$3870.90

Final Report: _____

Comments:



SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor

Phone (317) 776-8495

Fax (317) 776-9628

Suite 188

One Hamilton County Square

Noblesville, Indiana 46060-2230

TO: Hamilton County Drainage Board

December 1, 2004

RE: Metzker & Klingensmith Regulated Drain – Emily Vestal

Attached is a petition and plans for the proposed relocation and reconstruction of the Metzker & Klingensmith Drain also known as Emily Vestal. The relocation and reconstruction is being proposed by Platinum Properties LLC. The proposal is to relocate and reconstruct the drain from the north property line to the south property line of Platinum Properties Tract, Number 17-10-22-00-00-013.000. The reconstruction is in relation to the Cherry Creek Estates Subdivision.

A total length of 1,800 feet of open drain is being reconstructed in placed with new flowline profile and cross-section as shown on the plans by Weihe Engineers dated November 25, 1995. This section of ditch is located between approximately stations 150+00 and 132+00 as shown on the plans.

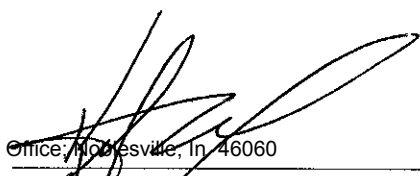
The oxbows which were located within the original drain between Sta. 13+67 and Sta. 33+65 shall be removed. The proposal will be a reduction of 198 feet to the drains total length due to the straightening.

The cost of the relocation and reconstruction is to be paid by Platinum Properties LLC. Because the project is to be paid by the petitioner and is within the boundaries of the petitioner's property, the project falls under the requirements as set out in IC 36-9-27-52.5. Therefore, a noticed hearing is not required for the petition.

The petitioner has provided the performance bond as follows:

Name of Bonding Co.: Bond Safeguard Insurance Company
 Bond Date: October 6, 2004
 Bond Number: 5012771
 For: Vestal Ditch Reconstruction
 Amount: \$105,000.00

I recommend approval by the Board at this time.



 Kenton C. Ward
 Hamilton County Surveyor

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

IN RE: _____)
Hamilton County, Indiana)

PETITION FOR RELOCATION AND RECONSTRUCTION

Platinum Properties, LLC (hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the Emily Vestal Drain, and in support of

said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Emily Vestal Drain runs.
2. Petitioner plans to develop its real estate with roads, buildings, utilities, storm drains, sanitary sewers and other structures.
3. Petitioner's proposed development of its real estate will require relocation and reconstruction of a portion of the Emily Vestal Drain, as specifically shown on engineering plans and specifications filed with the Hamilton County Surveyor.
4. The work necessary for the proposed relocation and reconstruction will be undertaken at the sole expense of the Petitioner and such work will result in substantial improvement to the Emily Vestal Drain, without cost to other property owners on the watershed of the Emily Vestal Drain.
5. Proposed relocation and reconstruction will not adversely affect other land owners within the drainage shed.
6. Petitioner requests approval of the proposed relocation and reconstruction under IC 36-9-27-52.5.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County Drainage Board authorizing relocation and reconstruction of the Emily Vestal Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

Signed Tim Walter
Tim Walter
Printed _____

FILED
APR 02 2004


Platinum Properties

October 4, 2004

Kenton C. Ward, Surveyor
Hamilton County Surveyor's Office
One Hamilton County Square Suite 188
Noblesville, In 46060-2230

RE: Cherry Creek Estates Section 4
Vestal Ditch Reconstruction Engineers Estimate


Dear Matt:

Please accept the following estimate for the construction cost for the ditch reconstruction on the plans for the above referenced project. The general construction items and cost are as follows:

- Ditch excavation and rough grading\$51,500.00
- Fine grading, erosion control blanket and seeding.....\$53,500.00

Based on the above items the total construction cost is estimated to be \$105,000.00. If you have any questions please feel free to contact me at (317) 818-2906.

Sincerely,



Timothy J. Walter, P.E.
No. 19900152

Cc: File.

FILED

OCT 08 2004

OFFICE OF HAMILTON COUNTY SURVEYOR



SUBDIVISION BOND

HCDB-2004-00084

Bond No.: 5012771

Principal Amount: \$105,000.00

KNOW ALL MEN BY THESE PRESENTS, that we **Platinum Properties, LLC, 9551 Delegates Row, Indianapolis, IN 46240** as Principal, and **Bond Safeguard Insurance Company, 1919 S. Highland Ave., Bldg. A-Suite 300, Lombard, IL 60148** an Illinois Corporation, as Surety, are held and firmly bound unto **Hamilton County Board of Commissioners, One Hamilton County Square, Noblesville, IN 46060**, as Obligee, in the penal sum of **One Hundred Five Thousand and No/100 (Dollars) (\$105,000.00)**, 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, **Platinum Properties, LLC** has agreed to construct in **Cherry Creek Estates Section 4** Subdivision, in **Noblesville, IN** the following improvements:

Vestal Ditch Reconstruction

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.

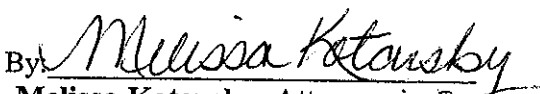
Upon approval by the Obligee, this instrument may be proportionately reduced as the public improvements are completed.

Signed, sealed and dated, this **6th** day of **October**, 2004

Platinum Properties, LLC
Principal

Bond Safeguard Insurance Company
Surety

By: 

By: 
Melissa Kotovsky, Attorney-in-Fact

POWER OF ATTORNEY

Bond Safeguard

AO 26703 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: Michael J. Scheer, James I. Moore, Christine Woods, Irene Diaz, Bonnie Kruse, Stephen T. Kazmer, Dawn L. Morgan, Peggy Faust, Kelly A. Jacobs, Elaine Marcus, Jennifer J. McComb, Melissa Kotovsky

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, 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 \$500,000.00, Five Hundred Thousand 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 7th day of November, 2001.



BOND SAFEGUARD INSURANCE COMPANY

BY [Signature] 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.

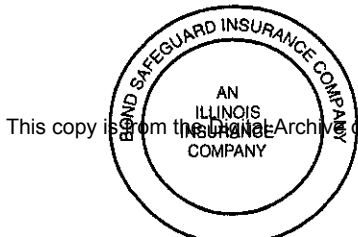


[Signature] Janet L. Coppock Notary Public

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 6th Day of October, 20 04



[Signature] Donald D. Buchanan Secretary

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



STATE OF ILLINOIS }
 } S.S.
COUNTY OF COOK }

On **October 6, 2004**, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared **Melissa Kotovsky**, known to me to be Attorney-in-Fact of **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, and known to me to be the person who executed the said instrument on behalf of the said 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 on February 5, 2008

Heather A. Beck, Notary Public

