

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*

April 28, 2014

To: Hamilton County Drainage Board

Re: Margaret O'Brien Drain, Arm 2 – Concourse at Crosspoint Building 2 Extension

Attached is a petition and plans for the proposed extension of the Margaret O'Brien Drain, Crosspoint Business Park Arm. The petition is being proposed by John Edgeworth of Edgeworth Laskey Properties, LLC for E-L Crosspoint Building 2 LLP. The proposal is to extend a portion of the drain on parcel 15-14-12-00-03-001.108 owned by E-L Crosspoint Building 2 LLP and parcel 15-14-12-00-03-001.008, owned by E-L Crosspoint 1 LLP as part of the Concourse at Crosspoint Building 2 project per plans by American Structurepoint, Job No. 02011-00570 revision date 10/18/2013.

Per the plans, the existing drain will be extended on the site to accommodate land improvements which include parking.

This extension will consist of the following:

17' of 24" RCP

The total length of new drain pipe shall be 17 feet. The new pipe will be installed upstream of existing Str. 71A. The existing drain and Str. 71A is referenced in my previous report to the Board dated June 30, 1986 and approved at hearing on August 11, 1986 as recorded in Drainage Board minutes book 2, page 156.

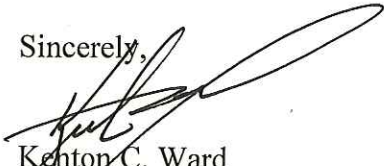
The cost of the project is to be paid by the developer. The developer has provided the Bond as follows:

Name of Bonding Co.: Liberty Mutual Insurance Company  
Bond #: 268004591  
Bond Date: November 14, 2013  
Bond Amount: \$5,902.00

Attached is a Non-enforcement Request. The easement for the drain will continue the same dimensions (25' per half /50' total) as previously approved by the Board for the existing pipe on March 25<sup>th</sup>, 2002 (Inst. No. 200200027354). As part of this project, the developer requests to encroach into the easement with parking. The project has been designed to accommodate emergency flood routing across the site. I recommend approval of the Non-enforcement by the Board.

The project falls under the requirements as set out in IC 36-9-27-52.5. Therefore, the hearing for the petition does not require public notice. I recommend approval of the petition.

Sincerely,



Kenton C. Ward  
Hamilton County Surveyor

KCW/stc

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

**FILED**

**SEP 23 2013**

OFFICE OF HAMILTON COUNTY SURVEYOR

IN RE: \_\_\_\_\_ )  
Hamilton County, Indiana )

PETITION FOR RELOCATION AND RECONSTRUCTION

\_\_\_\_\_ E-L Crosspoing Building 2, LLP (hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the \_\_\_\_\_ Margarage O'Brien \_\_\_\_\_ Drain, and in support of said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the \_\_\_\_\_ Margaret O'Brien \_\_\_\_\_ 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 \_\_\_\_\_ Margaret O'Brien \_\_\_\_\_ 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 \_\_\_\_\_ Margaret O'Brien \_\_\_\_\_ Drain, without cost to other property owners on the watershed of the \_\_\_\_\_ Margaret O'Brien \_\_\_\_\_ 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 \_\_\_\_\_ Margaret O'Brien \_\_\_\_\_ Drain, in conformance with applicable law and plans and specifications on file with the Hamilton County Surveyor.

*E-L Crosspoint Building 2, LLP*  
*By: Edgeworth Laskey Properties, LLC*  
*Its: Managing Partner*  
Signed: \_\_\_\_\_, its Member  
*John D. Edgeworth*  
Printed: \_\_\_\_\_



BOND NO. 268004591

**SITE IMPROVEMENT BOND**

KNOW ALL MEN BY THESE PRESENTS:

That we, Pepper Construction Company of Indiana, LLC  
1850 West 15th Street, Indianapolis, IN 46202 Principal, and  
Liberty Mutual Insurance Company, 175 Berkeley Street, Boston, MA 02116,  
a corporation organized and existing under, and by virtue of, the  
laws of the State of MA as Surety, are held and  
firmly bound unto the Hamilton County Surveyors Office  
One Hamilton County Square, Suite 188, in  
Noblesville, IN 46060-2230  
the penal sum of \_\_\_\_\_

Five Thousand Nine Hundred Two and 00/100 (\$ 5,902.00 ) for the  
payment of which, well and truly to be made, we bind ourselves,  
our heirs, executors and administrators, successors and assigns,  
jointly and severally, firmly by these presents.

WHEREAS, the above bounded Principal has agreed to construct  
certain site improvements to wit:

Drain Easement Work on the Two Concourse at Crosspoint Project, Indianapolis, IN

NOW, THEREFORE, if the above bounded Principal shall well and  
truly perform the work above specified, then this obligation  
shall be null and void; otherwise to remain in full force and  
effect.

Signed and sealed this 14th day of November, 2013

Pepper Construction Company of Indiana, LLC  
Principal

By: \_\_\_\_\_

Liberty Mutual Insurance Company  
Surety

By: Susan Luski  
Attorney-in-Fact Susan Luski

Surety Phone No. (847) 396-7156

**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.**

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6313201

American Fire and Casualty Company  
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company  
West American Insurance Company

**POWER OF ATTORNEY**

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Camille Maitland; Colette R. Chisholm; Desiree Cardlin; George O. Brewster; Gerard S. Macholz; Lee Ferrucci; Nelly Renchliwch; Peter F. Jones; Rita Sagistano; Robert T. Pearson; Susan Lupski; Thomas Bean; Vincent A. Walsh; Virginia M. Lovett

all of the city of Unondale, state of NY each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 9th day of October, 2013.

American Fire and Casualty Company  
The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
West American Insurance Company

By: Gregory W. Davenport  
Gregory W. Davenport, Assistant Secretary



STATE OF WASHINGTON ss  
COUNTY OF KING

On this 9th day of October, 2013, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley  
KD Riley, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

**ARTICLE IV – OFFICERS – Section 12. Power of Attorney.** Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

**ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings.** Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation –** The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization –** By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this NOV 14 2013 day of NOV 14 2013, 2013.



By: David M. Carey  
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

ACKNOWLEDGEMENT OF PRINCIPAL – IF A CORPORATION

STATE OF .....} SS  
COUNTY OF.....}

On this..... day of....., ..... before me personally appeared ..... to be known, who, being by me duly sworn, did depose and say; that he/she resides at ....., that he/she is the ..... of ..... the corporation described in and which executed the within insurance instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that is was so affixed by the Board of Directors of said corporation; and that he/she signed his/her name thereto by like order.

ACKNOWLEDGEMENT FOR PRINCIPAL, IF LIMITED LIABILITY COMPANY

STATE OF .....} SS  
COUNTY OF.....}

On this ..... day of ....., ..... before me personally appeared ..... to me known and known to me to be the ..... of ....., a Limited Liability Company, described in and who executed the foregoing insurance instrument and acknowledged to me that he/she executed the foregoing insurance instrument and acknowledged to me that he/she executed the same as and for the act and deed of said Limited Liability Company.

ACKNOWLEDGMENT OF SURETY COMPANY

STATE OF New York.....} SS  
COUNTY OF Nassau.....}

On this November 14, 2013, before me personally came..... Susan Lupski to me known, who, being by me duly sworn, did depose and say; that he/she resides in Nassau County, State of New York..... at he/she is the Attorney-In-Fact of the Liberty Mutual Insurance Company..... the corporation described in which executed the above instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that is was so affixed by order of the Board of Directors of said corporation; and that he/she signed his/her name thereto by like order; and the affiant did further depose and say that the Superintendent of Insurance of the State of New York, has, pursuant to Section 1111 of the Insurance Law of the State of New York, issued to Liberty Mutual Insurance Company..... (Surety) his/her certificate of qualification evidencing the qualification of said Company and its sufficiency under any law of the State of New York as surety and guarantor, and the propriety of accepting and approving it as such; and that such certificate has not been revoked.

.....  
Notary Public

JACQUELINE McNEIL  
Notary Public, State of New York  
No. 01MC6156390  
Qualified in Nassau County  
Term Expires November 27, 2014

NY acknowledgment



LIBERTY MUTUAL INSURANCE COMPANY  
FINANCIAL STATEMENT — DECEMBER 31, 2012

<b>Assets</b>	<b>Liabilities</b>
Cash and Bank Deposits..... \$ 903,711,694	Unearned Premiums..... \$4,205,141,671
*Bonds — U.S Government..... 1,166,929,471	Reserve for Claims and Claims Expense..... 17,056,420,207
*Other Bonds..... 11,415,194,219	Funds Held Under Reinsurance Treaties..... 1,315,062,091
*Stocks..... 8,104,853,899	Reserve for Dividends to Policyholders..... 2,455,411
Real Estate..... 255,967,320	Additional Statutory Reserve..... 49,768,998
Agents' Balances or Uncollected Premiums..... 3,482,069,753	Reserve for Commissions, Taxes and
Accrued Interest and Rents..... 144,016,763	Other Liabilities..... <u>3,066,051,537</u>
Other Admitted Assets..... <u>14,732,623,458</u>	<b>Total..... \$25,694,899,915</b>
<b>Total Admitted Assets..... <u>\$40,205,366,577</u></b>	Special Surplus Funds..... \$604,621,497
	Capital Stock..... 10,000,000
	Paid in Surplus..... 7,899,471,886
	Unassigned Surplus..... 5,996,373,279
	<b>Surplus to Policyholders..... <u>14,510,466,662</u></b>
	<b>Total Liabilities and Surplus..... <u>\$40,205,366,577</u></b>



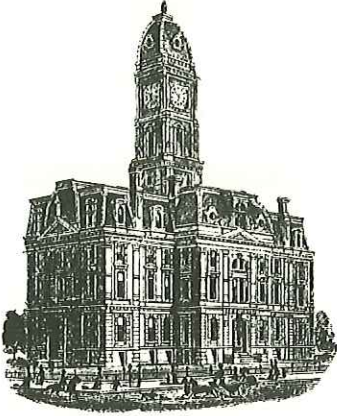
\* Bonds are stated at amortized or investment value; Stocks at Association Market Values.  
The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2012, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 25th day of March, 2013.

*T. Mikolajewski*

Assistant Secretary



*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*

**To: Hamilton County Drainage Board**

**August 22, 2014**

**Re: Margaret O'Brien: Concourse at Crosspoint Bldg. 2 Ext.**

Attached are as-builts, certificate of completion & compliance, and other information for Concourse at Crosspoint Bldg. 2 Ext. 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 April 28, 2014. The report was approved by the Board at the hearing held April 28, 2014. (See Drainage Board Minutes Book 15, Pages 393-394)  
 The changes are as follows:  
 12" RCP was shortened from 17 feet to 12 feet.  
 The length of the drain due to the changes described above is now **12 feet**.

The non-enforcement was approved by the Board at its meeting on April 28, 2014 and recorded under instrument #2014015446.

The following sureties were guaranteed by Liberty Mutual Insurance Co. and released by the Board on its September 8, 2014 meeting.

**Bond-LC No:** 268004591  
**Insured For:** Work in Drain Easement  
**Amount:** \$5902.00  
**Issue Date:** November 14, 2013

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

Sincerely,

Kenton C. Ward, CFM  
 Hamilton County Surveyor

KCW/slm



CERTIFICATE OF COMPLETION AND COMPLIANCE

FILED

AUG 21 2014

To: Hamilton County Surveyor

Re: CONOURSE AT CROSSPOINT BUILDING #2  
MARGARET O'BRIEN DRAIN EXTENSION

OFFICE OF HAMILTON COUNTY SURVEYOR

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.
5. 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: Nathan D. Harris Date: 8/19/2014

Type or Print Name: NATHAN D. HARRIS

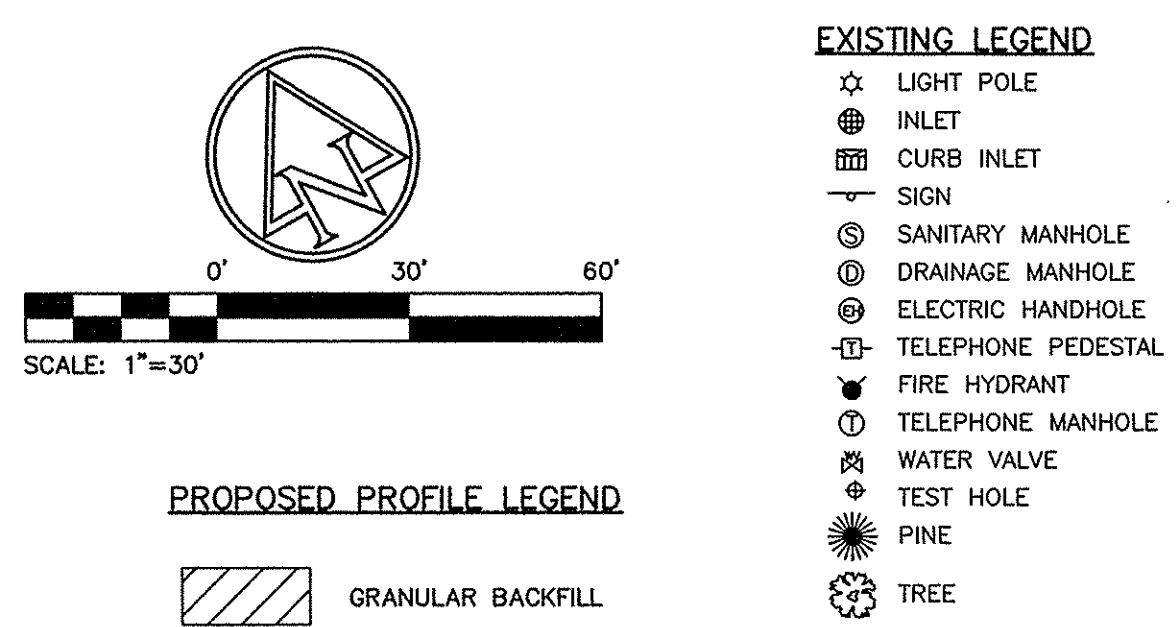
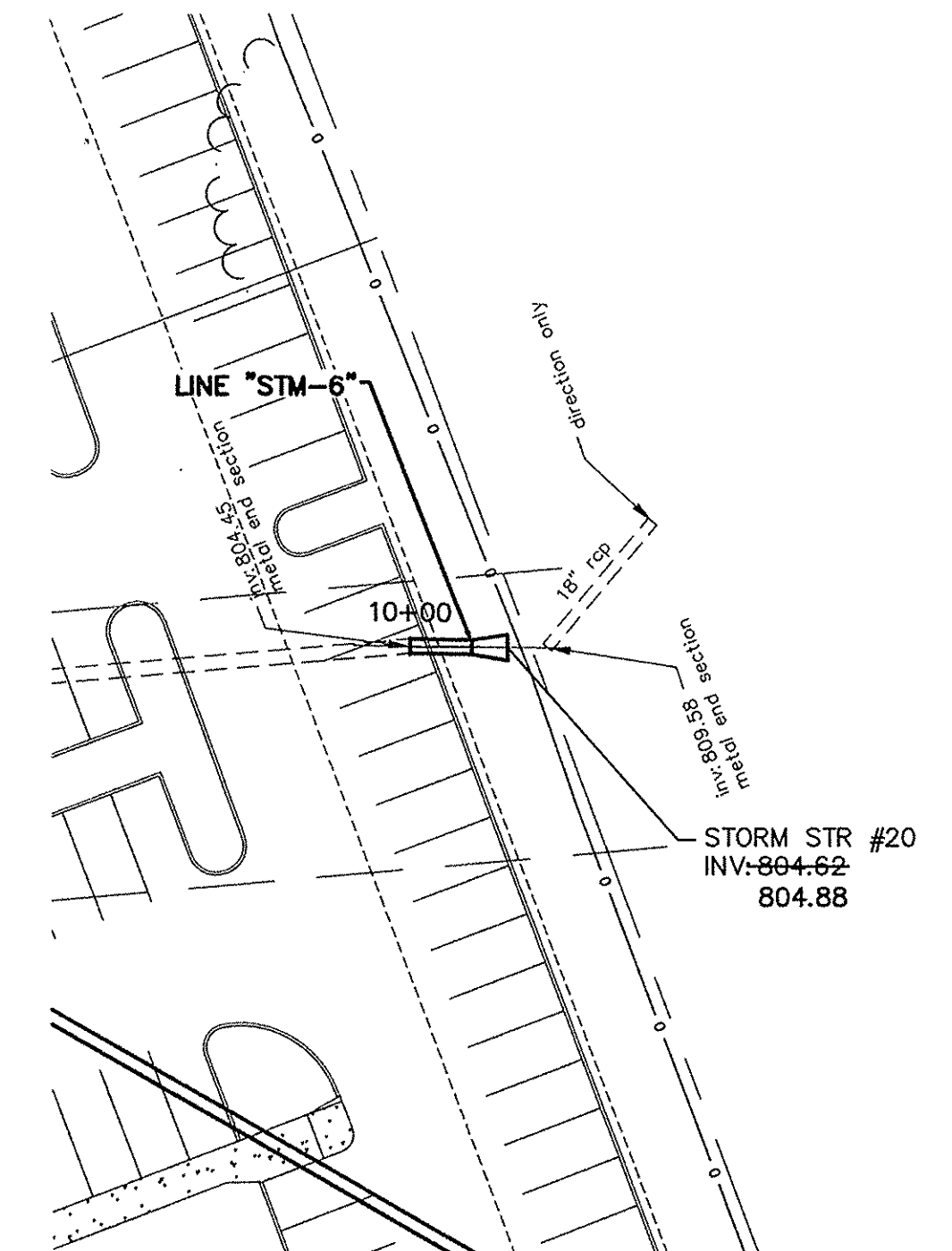
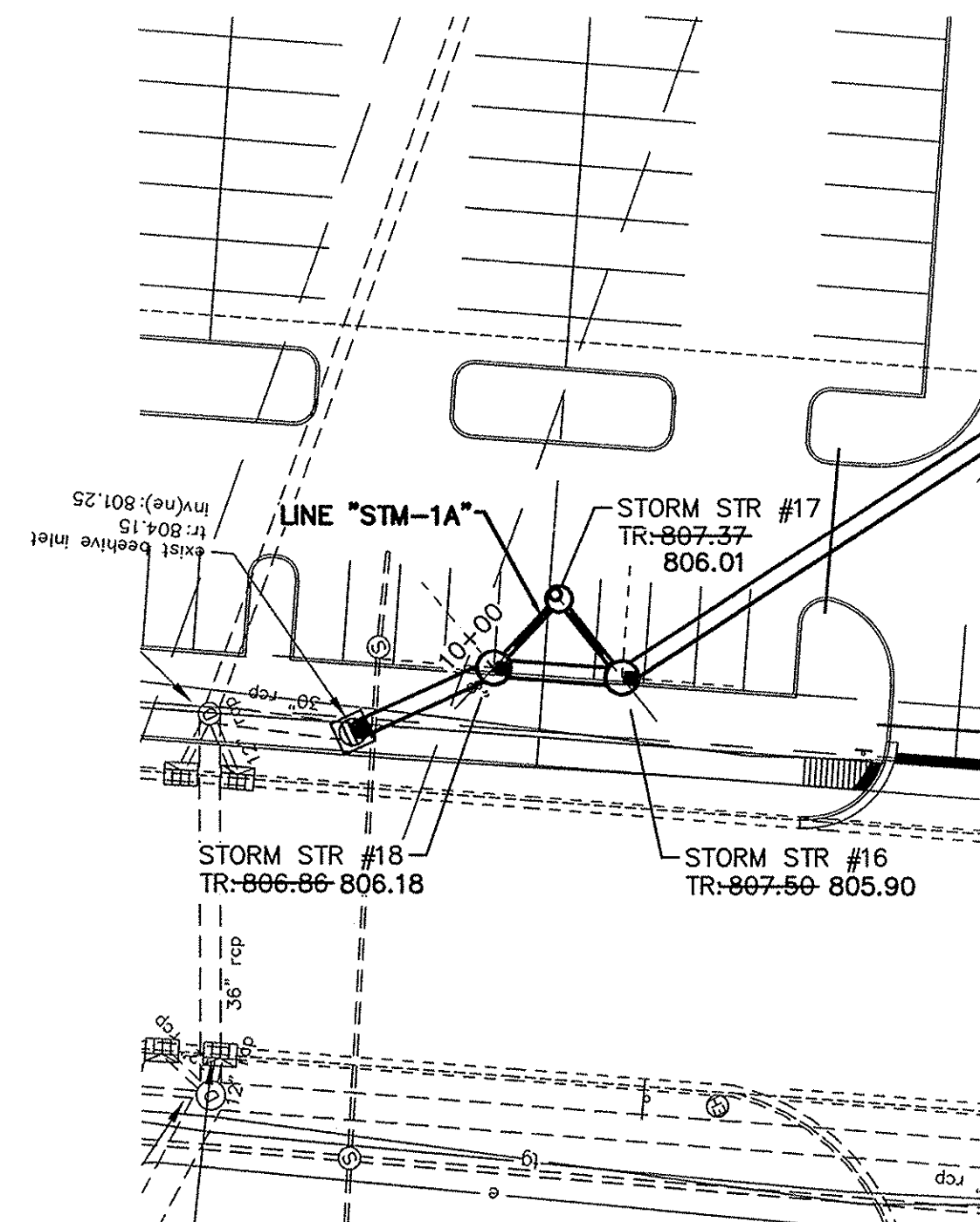
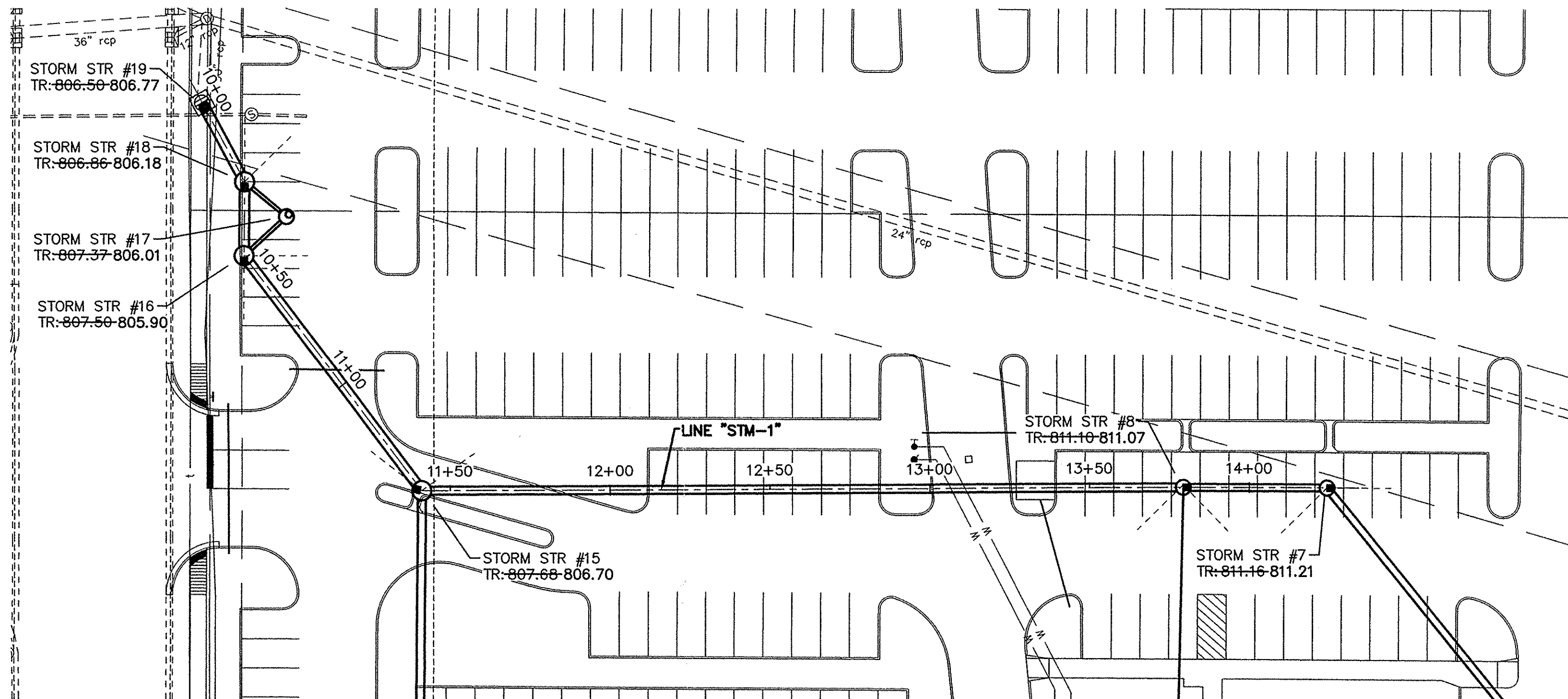
Business Address: 7260 SHADELAND STATION  
INDIANAPOLIS, IN 46256

Telephone Number: 317-547-5580

INDIANA REGISTRATION NUMBER

LS21200023

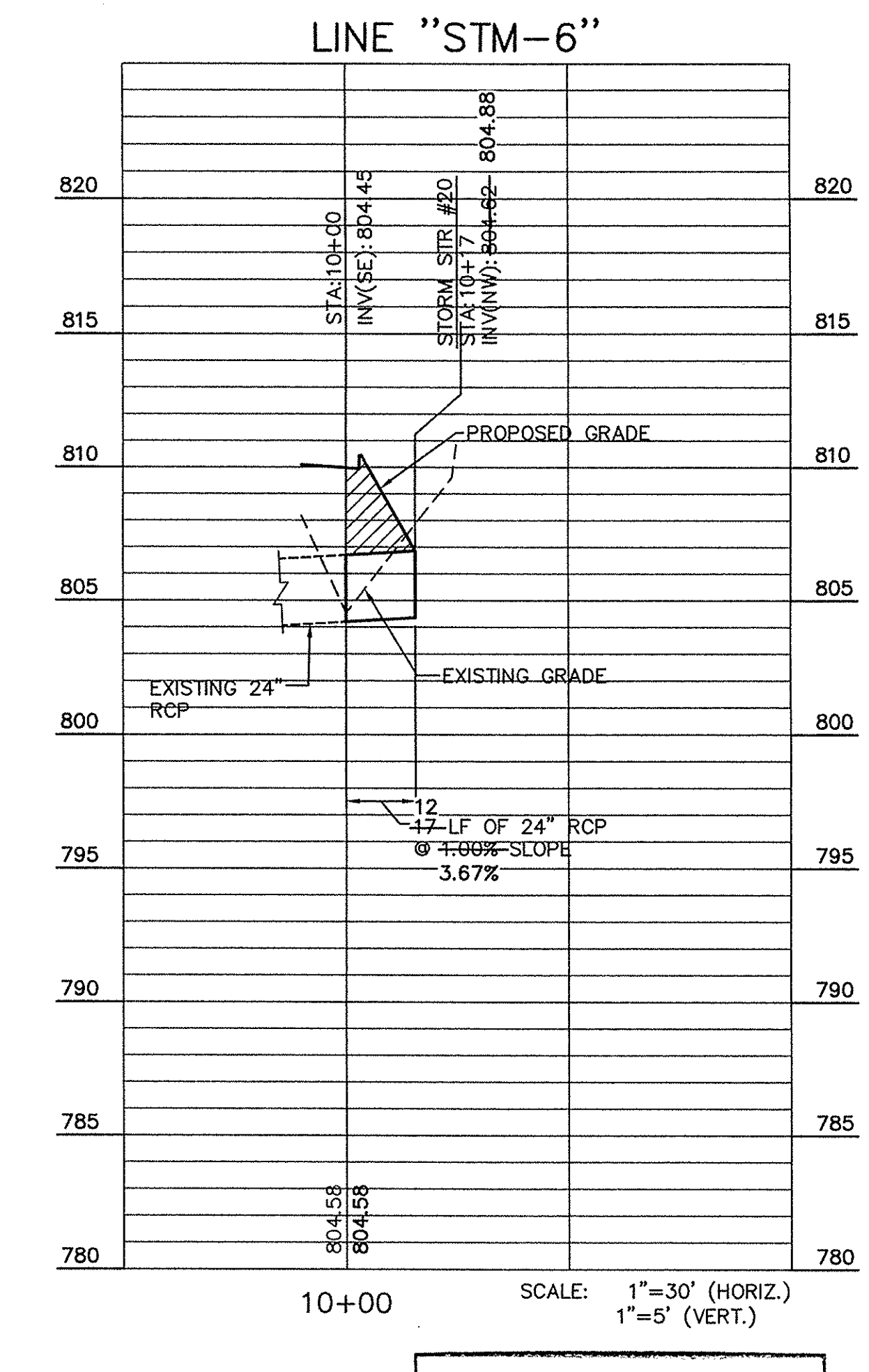
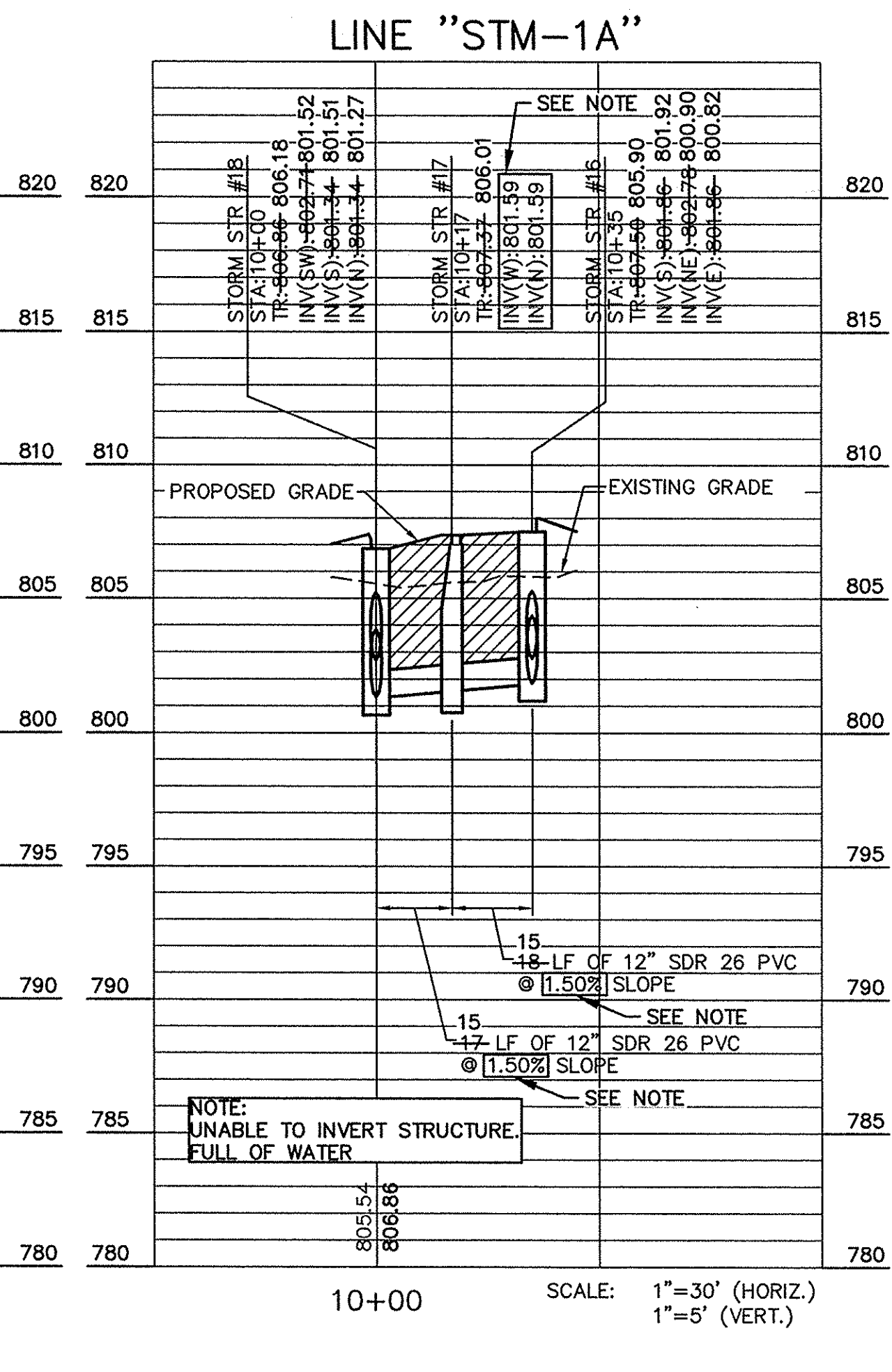
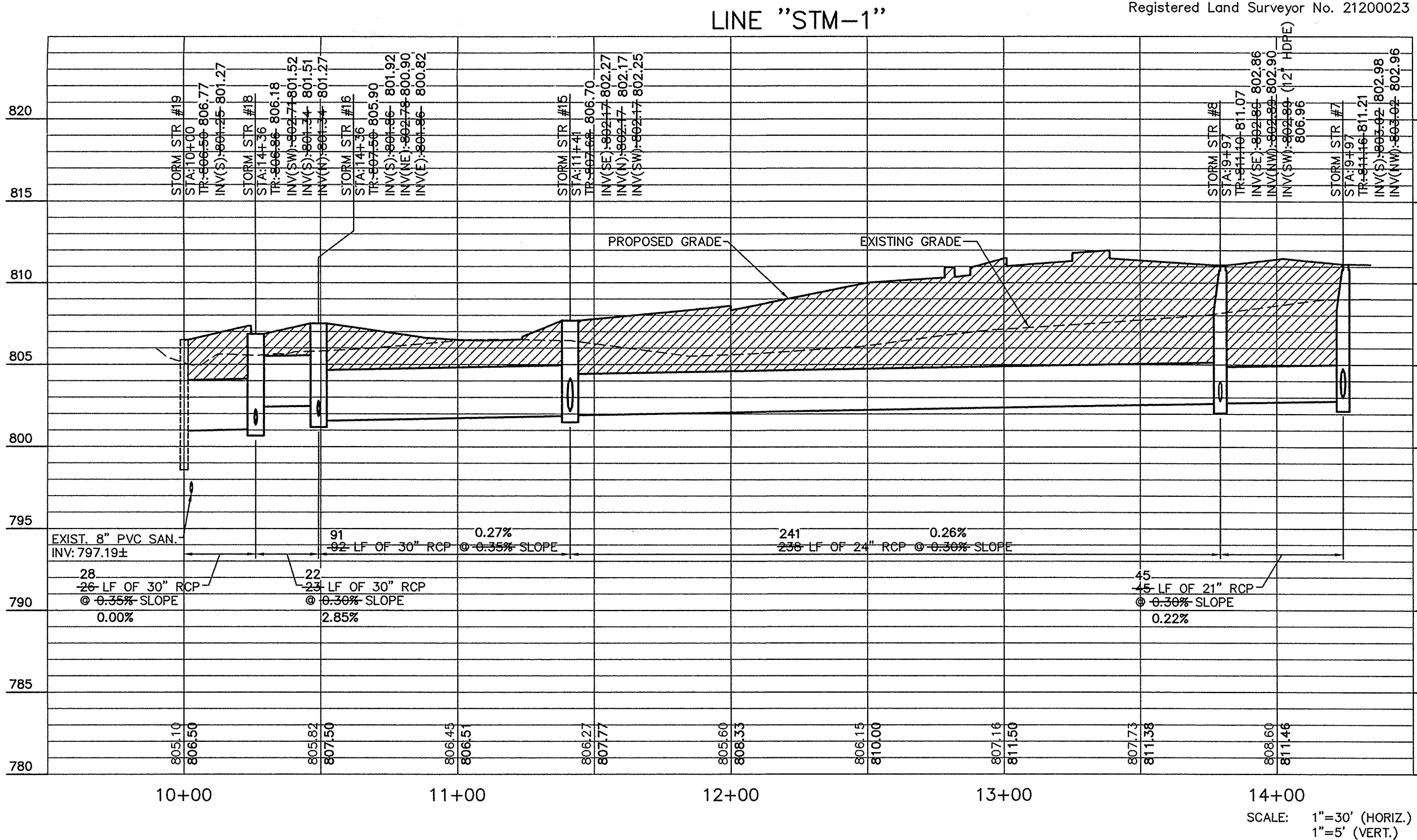
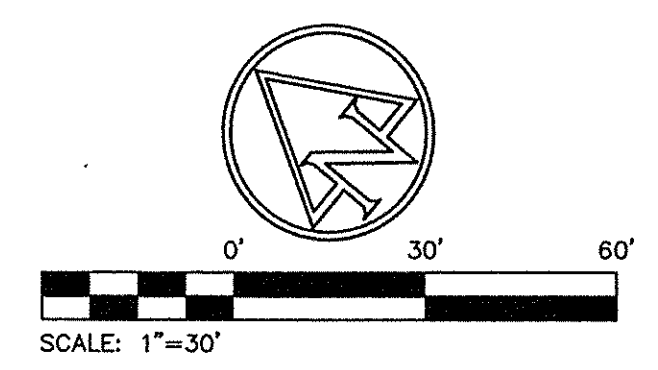
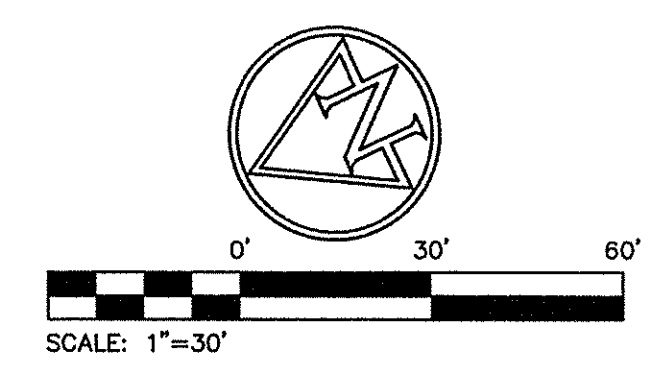




# STORM AS-BUILT

**STORM SEWER AS-BUILT STATEMENT**  
 As-Built information for storm sewer rims are based upon above ground evidence of the existing storm sewer system. The strike through data shown on the Storm Sewers are the proposed elevations for all the structures to be placed. Said information has been replaced by the as-built information per elevations collected in the field on June 10, 2014.

*Nathan D. Harris*  
 Nathan D. Harris  
 Registered Land Surveyor No. 21200023



7260 SHADELAND STATION  
 INDIANAPOLIS, IN 46256-3857  
 TEL. 317.547.5580 FAX 317.543.0270  
 www.structurepoint.com

AMERICAN STRUCTUREPOINT INC.

CERTIFIED BY \_\_\_\_\_

PREPARED FOR:  
**EDGEWORTH LASKEY PROPERTIES, LLC**  
 8470 ALLISON POINTE BOULEVARD, SUITE 128  
 INDIANAPOLIS, INDIANA

PROJECT:  
**CONCOURSE AT CROSSPOINT BUILDING 2**  
 10194 CROSSPOINT BOULEVARD  
 FISHERS, INDIANA 46254

DATE: 05-18-2012  
 DRAWN BY: PED  
 CHK'D BY: BNS  
 JOB NO. 02011.00570

REVISIONS

SHEET NO.  
**C3.2**  
 OF

201401236-SV-2014-08-17\_C3.2.dwg