

Phone (317) 776-8495 Fax (317) 776-9628 Suite 188 Oue Hamilton County Square Noblesville, Indiana 46060-2230

June 4, 2004

To: Hamilton County Drainage Board

Re: Springs of Cambridge Drain, Fox Hollow Section 2 Arm

Attached is a petition filed by Precedent Residential Development LLC along with a non-enforcement request, plans, calculations, quantity summary and assessment roll for the Fox Hollow Section 2 Arm, Springs of Cambridge Drain to be located in Fall Creek 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	6,753 ft.	15" RCP	497	ft.	21" RCP	496 ft.
12" RCP	314 ft.	18" RCP	239	ft.	24" RCP	348 ft

The total length of the drain will be 8,647 feet.

The retention pond located in RCA # 1 in Section 1 of Fox Hollow at Geist is to be considered part of the regulated drain. Only the inlet and outlet will be maintained as part of the regulated drain. The maintenance of the pond, such as mowing, will be the responsibility of the Homeowners Association. The Board will however retain jurisdiction for ensuring the storage volume for which the 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 (right of way) 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: Rear of lots 80, 81, 83 – 85, 50, 56, 57, 51, 43 – 49, 54, 55, 60 and 61.

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 \$ 5.00 per acre for common areas, \$30.00 for platted lots, \$ 5.00 per acre for roadways, with a \$ 30.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$ 1,351.22.

The petitioner has submitted surety for the proposed drain at this time. Surety shall be submitted prior to the approval of the Hamilton County Board of Commissioners/commencement of construction. The sureties, which are in the form of a Performance Bond, are as follows:

Agent: Bond Safeguard Insurance Co. Date: January 5, 2004 Number: 5009570 For: Storm Sewers and Subsurface Drains Amount: \$149,201.50

Agent: Bond Safeguard Insurance Co. Date: January 5, 2004 Number: 5009571 For: Erosion Control Amount: \$ 23,375.00

Parcels assessed for this drain may be assessed for the Bee Camp Drain at sometime in the future.

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 Fox Hollow at Geist, Section 2 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for July 26, 2004.

Kenton C. Ward ' Hamilton County Surveyor

KCW/llm

FINDINGS AND ORDER

CONCERNING THE MAINTENANCE OF THE

Springs of Cambridge Drain, Fox Hollow at Geist Section 2 Arm

On this 26th day of July, 2004, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Springs of Cambridge Drain, Fox Hollow at Geist Section 2 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 Y DRAINAGE BOARD

President

Member

Member

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PRECEDENT DEVELOPMENT

LETTER OF TRANSMITTAL

Date:	January 5, 2004
То:	Steve Cash Hamilton County Surveyor
From:	Fred Leimberger Precedent Development
Re:	Fox Hollow, Section 2
Via:	Hand Delivery

Steve:

Enclosed are the following documents for Fox Hollow, Section 2:

٠	Bond No. 5009572	Monuments & Markers	\$	780.00
٠	Bond No. 5009571	Erosion Control	\$2	3,375.00
٠	Bond No. 5009570	Storm Sewers and Subsurface Drains	\$14	9,201.50
٠	Certified Engineer's	Estimate verifying the above bond amounts		,

Please let me know if there is any additional items or documents you need. I believe all the items in you September 30, 2003 review letter have been addressed. We are anticipating starting this project sometime this month and would like to get the approved plans and have a preconstruction meeting.

Please let me know the status of the plan approval. I can be reached at 714-2452.

Thank you,

Fred Leimberger Precedent Development

Precedent Development 9339 Priority Way West Drive, Suite 100 Indianapolis, Indiana 46240 317-805-1283 Fax 317-805-1177 This copy is from the Digital Archive of the Hamilton County Surveyor's Office; Noblesville, In 46060

BOND

Bond No. _____5009570

KNOW ALL MEN BY THESE PRESENTS, that we, <u>Precedent Residential Development, LLC</u> of <u>9339 Priority Way W. Drive, #100, Indianapolis, IN 46240</u> as Principal, and <u>Bond Safeguard Insurance Company</u>, a corporation organized under the laws of the State of <u>Illinois</u>, having its principal office in the City of <u>Lombard, IL</u>, as Surety, are held and firmly bound unto<u>Board of Hamilton County Commissioners, Hamilton County</u>, <u>Indiana</u>, in the sum of <u>One Hundred Forty Nine Thousand, Two Hundred One and 50/100</u> Dollars (\$<u>149,201.50</u>) lawful money of the United States, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounden Principal has been granted a permit for <u>Fox Hollow at Geist</u>, <u>Section 2 – Storm Sewers and Subsurface Drains</u>

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that is the above Principal shall indemnity and save harmless the <u>Board of Hamilton County Commissioners</u>, <u>Hamilton County, Indiana</u> against loss to which the <u>Board of Hamilton County</u> <u>Commissioners, Hamilton County, Indiana</u> may be subject by reason of said Principal's breach of any ordinance, rule or regulation relating to the above described license or permit, then this obligation shall be null and void, otherwise to remain in full force and effect.

The term of this bond is for a period beginning on the 5^{th} day of <u>January</u>, 20 <u>04</u> and ending on the <u> 5^{th} </u> day of <u>January</u> 20 <u>05</u>.

No cause of action shall lie against the surety unless commenced within two years from the date the cause of action accrues against the principal.

Signed, sealed and dated this <u>5th</u> day of <u>January</u> 20 <u>04</u>.

Precedent Residential Development, LLC Louglas B. Wagner

Bond Safeguard Insurance Company M. Shelfon, Attorney-In-Fact

POWER OF ATTORNEY

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:

Philip R. Peterson, Daniel T. Touw,

Stuart Peterson, Donald C. Arbogast, Jr., Liana M. Shelton, Norma J. Lerch

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 30 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 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

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"
JANET L. COPPOCK
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 8/14/05
*****

June	- L. Coopark
//	Janet L. Coppock
/	Matan D. C.C.

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	Day of <u>anuary</u> 20 04
AN ILLINOIS INSURANCE	Donald D. Buchanan
This copy is from the Digital Arenive of the Hamilton Coun	Donald D. Buchanan
This copy is fold the Digital Additive of the Hamilton Court	

#### BOND

Bond No. <u>500</u>9571

KNOW ALL MEN BY THESE PRESENTS, that we, <u>Precedent Residential Development, LLC</u> of <u>9339 Priority Way W. Drive, #100, Indianapolis, IN 46240</u> as Principal, and <u>Bond Safeguard Insurance Company</u>, a corporation organized under the laws of the State of <u>Illinois</u>, having its principal office in the City of <u>Lombard, IL</u>, as Surety, are held and firmly bound unto<u>Board of Hamilton County Commissioners, Hamilton County</u>, <u>Indiana</u>, in the sum of <u>Twenty Three Thousand, Three Hundred Seventy Five and 00/100</u> Dollars (\$23,375.00) lawful money of the United States, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounden Principal has been granted a permit for <u>Fox Hollow at Geist</u>, <u>Section 2 – Erosion Control</u>

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that is the above Principal shall indemnity and save harmless the <u>Board of Hamilton County Commissioners</u>, <u>Hamilton County, Indiana</u> against loss to which the <u>Board of Hamilton County</u> <u>Commissioners, Hamilton County, Indiana</u> may be subject by reason of said Principal's breach of any ordinance, rule or regulation relating to the above described license or permit, then this obligation shall be null and void, otherwise to remain in full force and effect.

The term of this bond is for a period beginning on the <u>5th</u> day of <u>January</u>, 20<u>04</u> and ending on the <u>5th</u> day of <u>January</u> 20<u>05</u>.

No cause of action shall lie against the surety unless commenced within two years from the date the cause of action accrues against the principal.

Signed, sealed and dated this <u>5th</u> day of <u>January</u> 20 <u>04</u>.

Precedent Residential Development, LLC Lougho B.

Bond/Safeguard Insurance Company Líahá M. Sheitoň, Attorney-In-Fačt

#### **POWER OF ATTORNEY**

AO 25563

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:

Philip R. Peterson, Daniel T. Touw,

# Stuart Peterson, Donald C. Arbogast, Jr., Liana M. Shelton, Norma J. Lerch

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 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

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" JANET L. COPPOCK NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 8/14/05

June	1. L. Coppark,
//	Janet L. Coppock
	Motory Dublis

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	5th Day of bruary 20 04
HEQUARD INSURANOR CO	
	Donald D. Buchanan
COMPANY This copy is from the Digital Archive of the Ham	ilton County Surveyor's Office; Noblesville, In 46060 Secretary



# **CONSULTING ENGINEERS • LAND SURVEYORS**

David J. Stoeppelwerth, P.E., P.L.S. President, C.E.O.

Curtis C. Huff, P.L.S. Vice-President, C.O.O.

R.M. Stoeppelwerth, P.E., P.L.S. President Emeritus

#### CERTIFICATE OF COMPLETION AND COMPLIANCE

To: Hamilton County Surveyor

Re: Fox Hollow at Geist, Section Two

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.

Signature:	py W Darling Date: August 5, 2004
	Jeffory W. Darling
Business Address:	Stoeppelwerth & Associates, Inc.
<u></u>	9940 Allisonville Road, Fishers, Indiana 46038

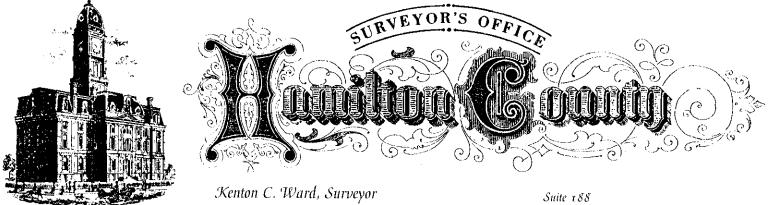
Telephone Number: (317) 849-5935

SEAL

INDIANA REGISTRATION NUMBER

900017





Phone (317) 776-8495 Fax (317) 776-9628

To: Hamilton County Drainage Board

August 31, 2005

One Hamilton County Square Noblesville, Indiana 46060-2230

# **Re: Springs of Cambridge Drain: Fox Hollow at Geist Section 2**

Attached are as-builts, certificate of completion & compliance, and other information for Fox Hollow at Geist Section 2. 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 June 4, 2004. The report was approved by the Board at the hearing held July 26, 2004. (See Drainage Board Minutes Book 7, Pages 509-11) The changes are as follows:

				Up			
Structure:	Length:	Size	Material:	Invert:	Dn_Invert	Grade:	Changes:
138-137	132	12	RCP	835.52	835.03	0.37	-2
137-136	28	15	RCP	835.03	834.93	0.36	
136-135	182	15	RCP	827.69	822.09	3.08	-1
146-145	178	21	RCP	830.09	829.06	0.58	-2
145-144	128	21	RCP	825.69	822.2	2.73	-3
143-141	150	15	RCP	828.55	828.21	0.23	-1
141-140	47	18	RCP	828.21	828.07	0.3	
140-139	161	18	RCP	828.07	822.03	3.75	-3
134-133	133	15	RCP	827.98	827.53	0.34	-2
133-132	28	18	RCP	827.53	827.44	0.32	
132-131	46	21	RCP	827.44	827.36	0.17	
131-130	126	21	RCP	827.36	826.16	0.95	
130-129	17	21	RCP	826.16	825.59	0.4	
129-128	151	24	RCP	825.59	825.45	0.09	
128-127	28	24	RCP	825.45	825.43	0.07	
127-126	166	24	RCP	825.43	822.02	2.05	-3
142-130	178	12	RCP	826.89	826.16	0.41	-2
6" SSD Streets:			<b>RCP</b> Pipe	Totals:		6" SSD L	
Wading Crane Ave	634.5		12	310		56-33*	296
Soaring Eagle Ln	536		15	510		81-19*	188
Wild Turkey Row	862.5		18	236		85-83	191
Totalx2:	4066		21	495		61-60	152

	24	345	48-45	409
	Total:	1896	43-44	99
ection 1			Total:	1335

* Ending Lot is located in Section 1

The length of the drain due to the changes described above is now 7,297 feet.

The non-enforcement was approved by the Board at its meeting July 26, 2004 on and recorded under instrument #200400052049.

The following sureties were guaranteed by Bond Safeguard Insurance Company and released by the Board on its August 8, 2005 meeting.

Bond-LC No: 5009570 Insured For: Storm Sewers, SSD Amount: \$149,201.50 Issue Date: January 5, 2004

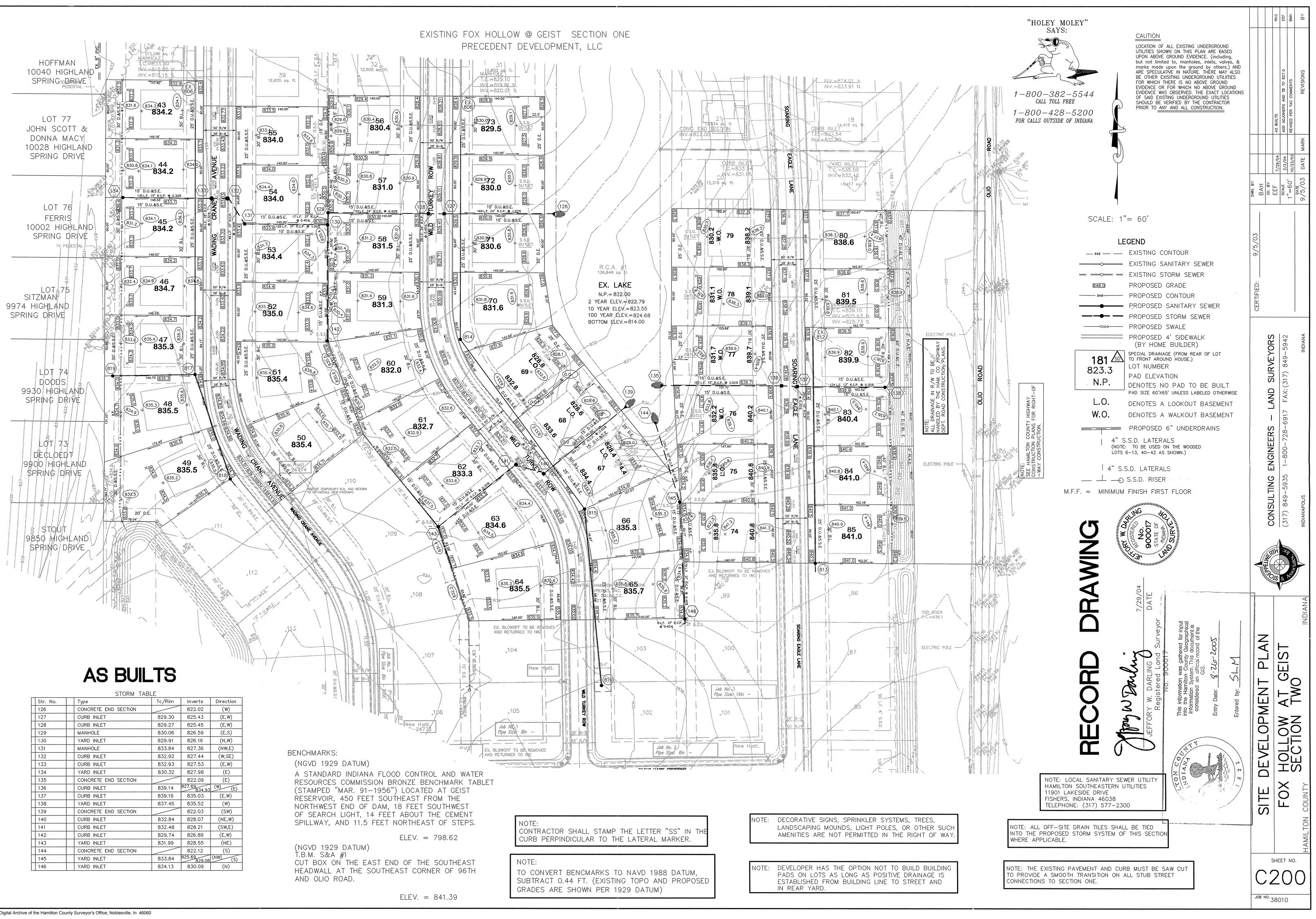
Bond-LC No: 5009571 Insured For: Erosion Control Amount: \$23,375 Issue Date: January 5, 2004

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

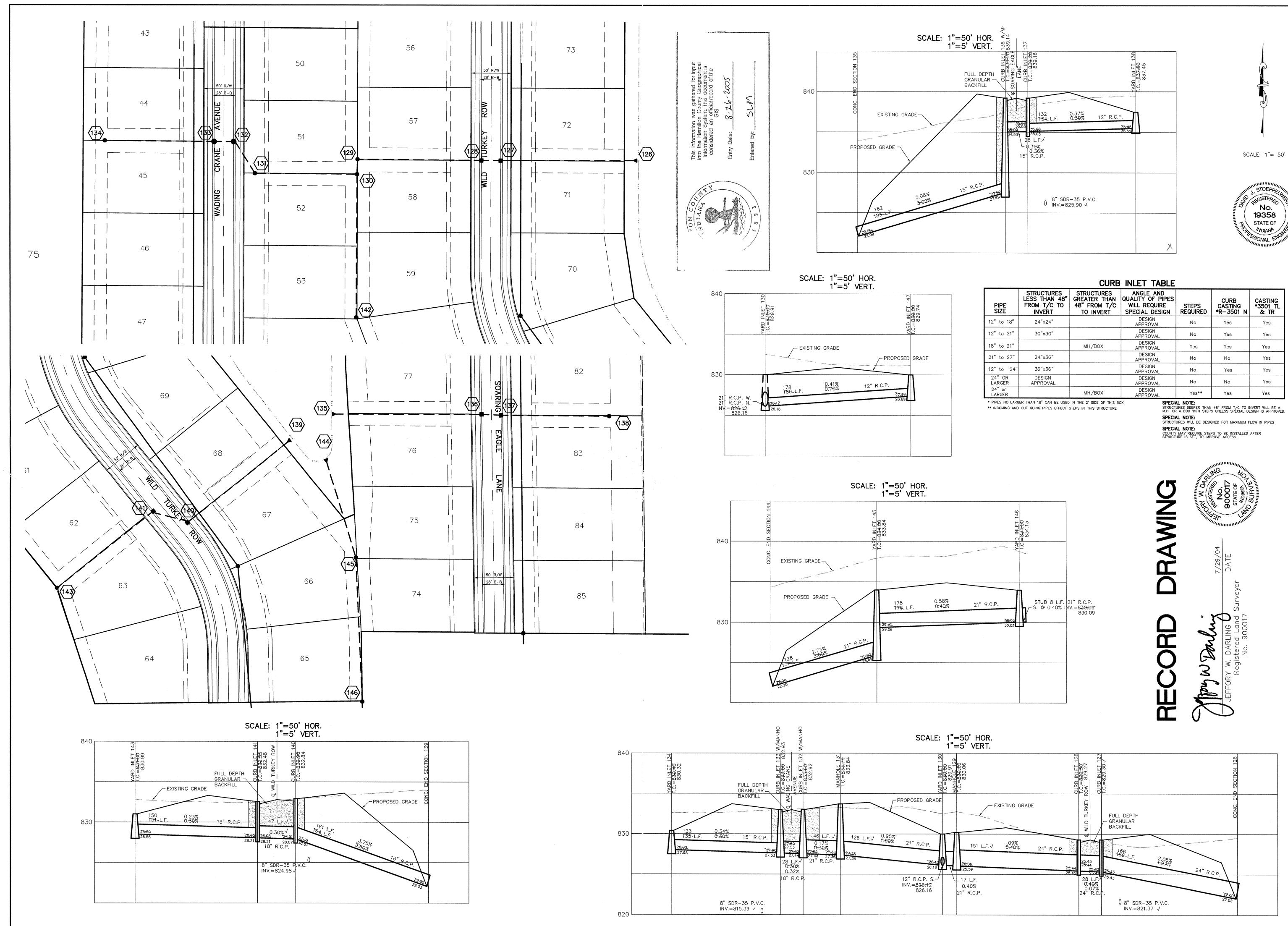
Sincerely,

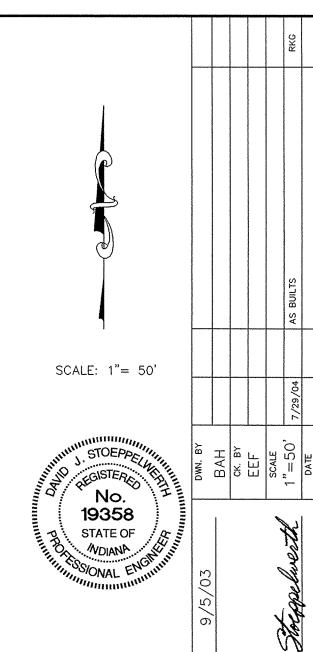
Kenton C. Ward, Hamilton County Surveyor

KCW/slm



STORM TABLE											
Γ	Str. No.		Туре	Tc/Rim	Inverts	Direction					
Γ	126		CONCRETE END SECTION		822.02	(W)					
	127		CURB INLET	829.30	825.43	(E,W)					
	128		CURB INLET	829.27	825.45	(E,W)					
	129		MANHOLE	830.06	826.59	(E,S)					
	130		YARD INLET	829.91	826.16	(N,W)					
	131		MANHOLE	833.84	827.36	(NW,E)					
	132		CURB INLET	832.92	827.44	(W,SE)					
	133		CURB INLET	832.93	827.53	(E,W)					
	134		YARD INLET	830.32	827.98	(E)					
	135		CONCRETE END SECTION		822.09	(E)					
	136		CURB INLET	839.14	827.69 834.93	(W) (E)					
	137		CURB INLET	839.16	835.03	(E,W)					
	138		YARD INLET	837.45	835.52	(W)					
	139		CONCRETE END SECTION		822.03	(SW)					
	140		CURB INLET	832.84	828.07	(NE,W)					
	141		CURB INLET	832.48	828.21	(SW,E)					
	142		CURB INLET	829.74	826.89	(E,W)					
	143		YARD INLET	831.99	828.55	(NE)					
	144		CONCRETE END SECTION		822.12	(S)					
	145		YARD INLET	833.84	825.69 829.06	(NW) (S)					
	146		YARD INLET	834.13	830.09	(N)					





PIPE SIZE	STRUCTURES LESS THAN 48" FROM T/C TO INVERT	STRUCTURES GREATER THAN 48" FROM T/C TO INVERT	ANGLE AND QUALITY OF PIPES WILL REQUIRE SPECIAL DESIGN	STEPS REQUIRED	CURB CASTING *R-3501 N	CASTING *3501 TL & TR
12" to 18"	24"×24"		DESIGN APPROVAL	No	Yes	Yes
12" to 21"	30"×30"		DESIGN APPROVAL	No	Yes	Yes
18" to 21"		мн/вох	DESIGN APPROVAL	Yes	Yes	Yes
21" to 27"	24"x36"		DESIGN APPROVAL	No	No	Yes
12" to 24"	36"×36"		DESIGN APPROVAL	No	Yes	Yes
24"OR LARGER	DESIGN APPROVAL		DESIGN APPROVAL	No	No	Yes
24" or LARGER		мн/вох	DESIGN APPROVAL	Yes**	Yes	Yes

