

SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, Surveyor

Phone (317) 776-8495

Fax (317) 776-9628

Suite 146

One Hamilton County Square

Noblesville, Indiana 46060-2230

April 23, 1999

TO: Hamilton County Drainage Board

RE: Mary Cox Drain

Attached is a petition and plans for the proposed relocation of the Mary Cox Drain. The relocation is being petitioned by HBO Enterprises, LLC and Coots, Henke and Wheeler Real Estate Partnership. This is being proposed for the construction of the Golf Preserve. The proposal is to vacate the original tile between Sta. 0 and Sta. 10+00. Install an inlet at Sta. 10+00 and replace the existing 8" tile between Sta. 10 and Sta. 24. Outlet into open ditch in its original location as much as possible with 15" tile.

This line will consist of:

15"	Concrete Pipe	1414 ft
18"	CMP	20 ft

The total length of the new tile shall be 1434 feet. The 1000 feet of original drain between Sta 0 and 10+00 shall be vacated. This proposal will remove 1000 feet of the drains total length.

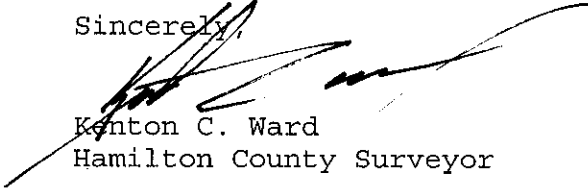
The cost of the relocation is to be paid by the above referenced petitioners. Because the project is to be paid by the petitioner and is within the boundaries of the petitioner's property, the project falls under the requirements as set out in IC 36-9-27-52.5. Therefore, a hearing is not required for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

The petitioner has provided the Performance Bond as follows:

Name of Bonding Co.: Frontier Insurance Company
 Bond #: 104809
 Bond Date: March 25, 1999
 Bond Amount: \$22,552.00
 Bond Term (1 Year Max): _____

I recommend approval by the Board at this time.

Sincerely,



Kenton C. Ward
Hamilton County Surveyor

KCW/kkw

HCDB B99004

Released
7/24/00



BOARD OF COMMISSIONERS
OF THE COUNTY OF HAMILTON



DATE _____

Rock Hill, New York 12775-8000 / Telephone (914) 796-2100

ATTEST: _____
HAMILTON COUNTY AUDITOR

Bond No. 104809

SUBDIVISION PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS, that we BHO Enterprises, LLC DBA
The Golf Preserve
located at 12938 Brighton Court, Carmel, IN 46032
as Principal, and FRONTIER INSURANCE COMPANY, authorized to do business in the
State of Indiana, and having an office at 195 Lake Louise Marie Rd., Rock
Hill, N.Y. 12775-8000, as Surety, are held and firmly bound unto Hamilton County
Highway Department located at 1717 East Pleasant Street
Noblesville, IN 46060 as Obligee, in the penal sum of
Twenty Two Thousand Five Hundred Fifty Two & 00/100
(\$22,552.00-----) for the payment of which sum well and truly to be made, we bind
ourselves, our heirs, administrators, executors, successors and assigns, jointly and
severally, firmly by these presents;

WHEREAS, the above bounden principal has been granted approval by the above
named Obligee for Reconstruction of the Mary Cox Regulated Drain

as set forth at a meeting of the Town of _____ Planning Board
on _____, for final revision.

NOW, THEREFORE, the condition of the above obligation is such, that if the said
Principal shall complete the above improvements in accordance with the plans and
specifications prepared by _____
_____ within the _____ year period from the date hereof; and shall
indemnify and save harmless the Town from all costs and damages which it may suffer by
reason of failure to do so, and fully reimburse and repay the Obligee any outlay and
expense which it may incur in making good any such default, then this obligation shall be
null and void, otherwise to remain in full force and effect.

THE FOREGOING OBLIGATION, however, is limited by the following express conditions,
the performance of which shall be a condition precedent to any rights of claims or recovery
hereunder:

1. Upon the discovery by the Obligee, or by the Obligee's agent or representative, of
any act or omission that shall or might involve a loss hereunder, the Obligee shall
endeavor to give written notice thereof with the fullest information obtainable at the time
to the Surety at its office at Rock Hill, New York.



Bond No. 104809

2. Legal proceedings for recovery hereunder may not be brought unless begun within twelve (12) months from the date of the discovery of the act or omission of the Principal on account of which claim is made.

3. The Principal shall be made a party of any suit or action for recovery hereunder, and no judgment shall be rendered against the Surety in excess of the penalty of this instrument.

4. No right of action shall accrue hereunder to or for the use or benefit of anyone other than the Obligee, and the Obligee's right hereunder may not be assigned without the written consent of the Surety.

IN WITNESS WHEREOF, this instrument has been executed by the duly authorized representative of the Principal and the Surety.

SIGNED, SEALED AND DATED: March 25, 1999

(seal)

BHO Enterprises, Inc. DBA
The Golf Preserve

Principal

BY: [Signature]

(seal)

FRONTIER INSURANCE COMPANY

BY: [Signature]
Cynthia L. Raftery, Attorney-in-Fact

POWER OF ATTORNEY

Know All Men By These Presents: That FRONTIER INSURANCE COMPANY, a New York Corporation, having its principal office in Rock Hill, New York, pursuant to the following resolution, adopted by the Board of Directors of the Corporation on the 4th day of November, 1985:

"RESOLVED, that the Chairman of the Board, the President, or any Vice President be, and hereby is, authorized to appoint Attorneys-in-Fact to represent and act for and on behalf of the Company to execute bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, and to attach thereto the corporate seal of the Company, in the transaction of its surety business;

"RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed with respect to any bond, undertaking, recognizance or other contract of indemnity or writing obligatory in the nature thereof;

"RESOLVED, that any such Attorney-in-Fact delivering a secretarial certification that the foregoing resolutions still be in effect may insert in such certification the date thereof, said date to be not later than the date of delivery thereof by such Attorney-in-Fact."

This Power of Attorney is signed and sealed in facsimile under and by the authority of the above Resolution.

DOES HEREBY MAKE, CONSTITUTE AND APPOINT:

**Fred Eickhoff Cynthia L. Rafferty Tammy K. Miller
Marianne Uban Judy Scott Ronald Harruff**

of _____, in the State of **Indiana**, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred in its name, place and stead to sign, execute, acknowledge and deliver in its behalf, and as its act and deed, without power of redelegation, as follows:

Bonds guaranteeing the fidelity of persons holding places of public or private trust; guaranteeing the performance of contracts other than insurance policies; and executing or guaranteeing bonds and undertakings required or permitted in all actions or proceedings or by law allowed; IN AN AMOUNT NOT TO EXCEED THREE MILLION FIVE HUNDRED THOUSAND (\$3,500,000.00) DOLLARS; and to bind FRONTIER INSURANCE COMPANY thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of FRONTIER INSURANCE COMPANY, and all the acts of said Attorney(s)-in-Fact pursuant to the authority herein given are hereby ratified and confirmed.

In Witness Whereof, FRONTIER INSURANCE COMPANY of Rock Hill, New York, has caused this Power of Attorney to be signed by its President and its Corporate seal to be affixed this **29th** day of **April**, 19 **97**.

FRONTIER INSURANCE COMPANY



BY: _____

HARRY W. RHULEN, President

State of New York
County of Sullivan

ss.:

On this **29th** day of **April**, 19 **97**

before the subscriber, a Notary Public of the State of New York in and for the County of Sullivan, duly commissioned and qualified, came HARRY W. RHULEN of FRONTIER INSURANCE COMPANY to me personally known to be the individual and officer described herein, and who executed the preceding instrument, and acknowledged the execution of the same, and being by me duly sworn, deposed and said, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of the Company, and the Corporate Seal and signature as an officer were duly affixed and subscribed to the said instrument by the authority and direction of the Corporation, and that the resolution of the Company, referred to in the preceding instrument, is now in force.

In Testimony Whereof, I have hereunto set my hand, and affixed my official seal at Rock Hill, New York, the day and year above written.



NANCY V. PIERRO
Notary Public State of New York
Sullivan County Clerk's No. 2395
Commission Expires July 8, 2000

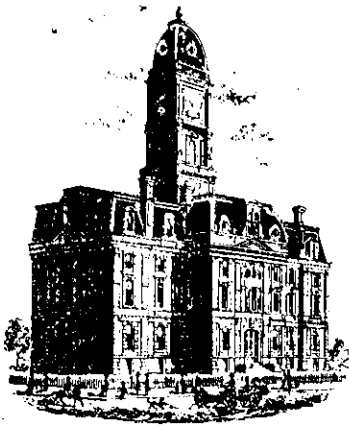
CERTIFICATION

I, JOSEPH P. LOUGHLIN, Secretary of FRONTIER INSURANCE COMPANY of Rock Hill, New York, do hereby certify that the foregoing Resolution adopted by the Board of Directors of this Corporation and the Powers of Attorney issued pursuant thereto, are true and correct, and that both the Resolution and the Powers of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the facsimile seal of the corporation this **25th** day of **March**, 19 **99**.



JOSEPH P. LOUGHLIN, Secretary



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

October 3, 2000

Re: Mary Cox Drain: The Golf Preserve Relocation

Attached are as-builts, certificate of completion & compliance, and other information for the Golf Preserve Relocation of the Mary Cox Drain. 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 that will alter the plans submitted with my report for this drain-dated April 23, 1999. The changes are as follows:

Structure: T.C.: I.E.: Pipe: Length: Original Plans: Difference:

1a		825.15				
1	827.1	824.99	15	340	322	18
1	827.1	824.9				
2	831.79	824.9	15	377	363	14
2	831.79	824.9				
3	828.88	824.73	15	560	576	-16
3	828.88	824.83				
4		824.99	15	38	150	-112

Concrete Pipe

Totals:

15	1315

Other Drain:	
18" cmp	18


The length of the tile drain due to the changes described above is now **1333 feet**. The total length of the drain is now **5733 feet**.

The non-enforcement was approved by the Board at its meeting on January 10, 2000 and recorded under instrument #2000-00004019.

The bond or letter of credits from Frontier Insurance Company number 104809; dated March 25, 1999; in the amount of \$22,552.00; was released July 24, 2000.

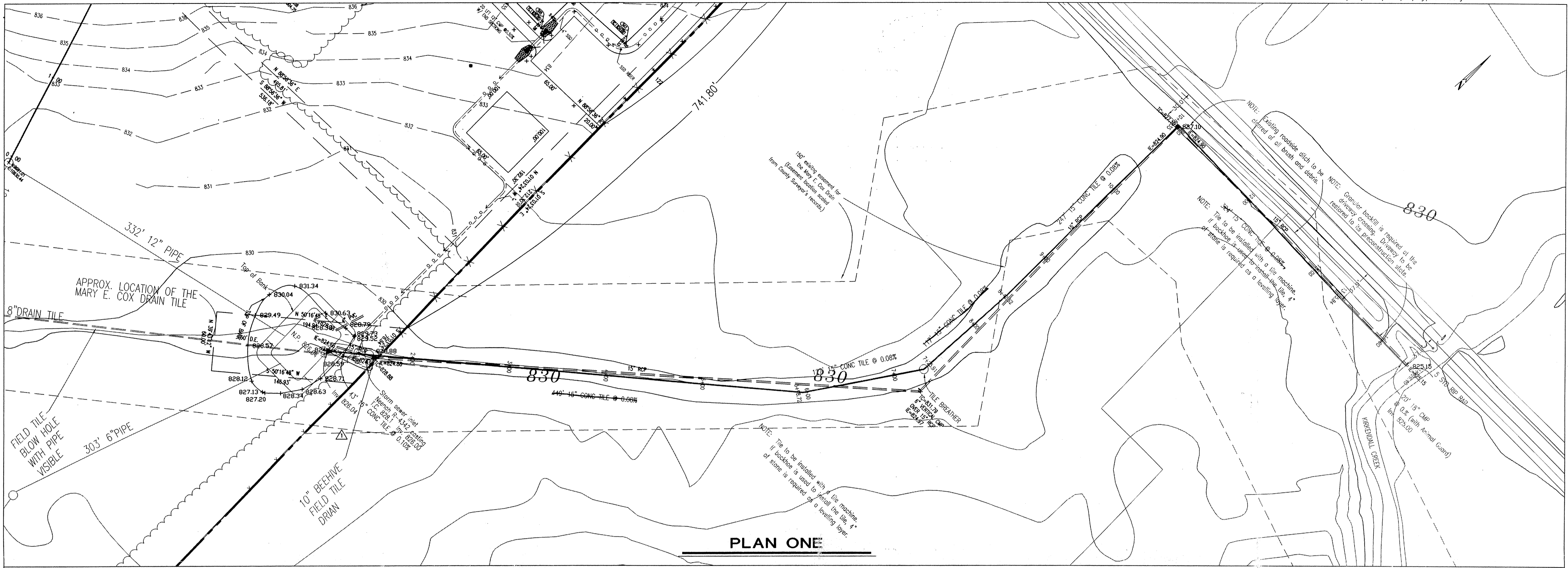
I recommend the Board approve the drain's construction as complete and acceptable.

Sincerely,

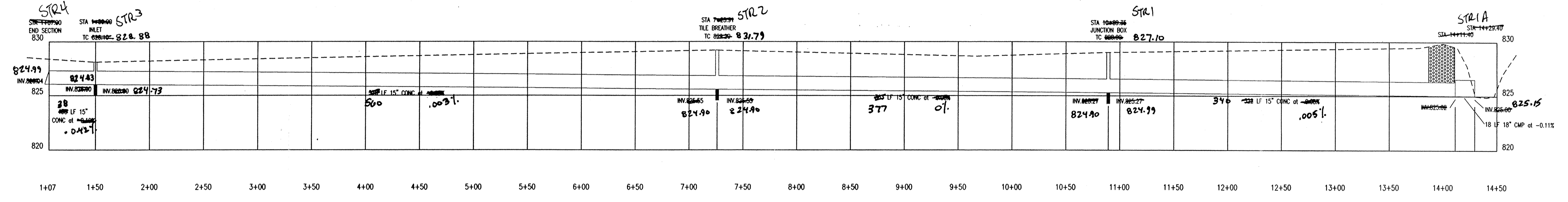


Kenton C. Ward,
Hamilton County Surveyor

KCW/slm



PLAN ONE



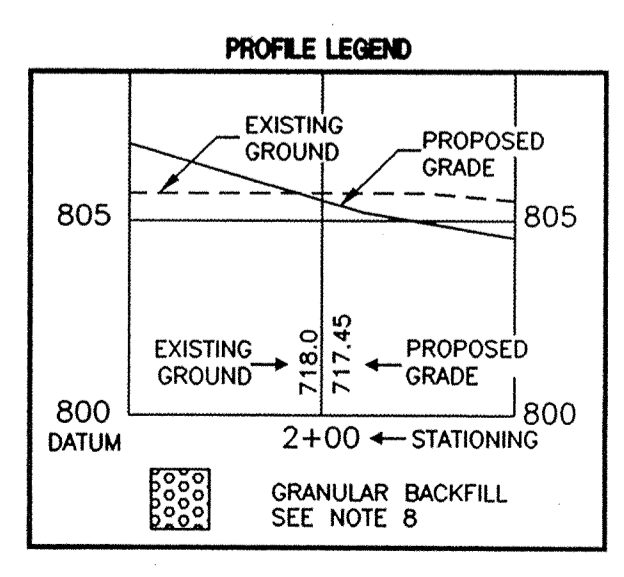
PROFILE ONE

As Built

12/3/99
BE Hogen

STORM SEWER PLAN AND PROFILE NOTES:

- 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.
- IN ADDITION, EXCAVATIONS EXCEEDING TWENTY (20) FEET IN DEPTH REQUIRE THE DESIGN OF A TRENCH SAFETY SYSTEM BY A REGISTERED PROFESSIONAL ENGINEER.
- ALL STRUCTURES SHALL HAVE CASTINGS, JOINTS, LIFT RINGS, STEPS AND PIPE CONNECTIONS WELL GROUNDED, TROWELED SMOOTH AND BRUSH FINISHED PER HAMILTON COUNTY REQUIREMENTS.
- ALL STRUCTURES (IE: MANHOLES, INLETS) SHALL HAVE POURED FLOW LINES AND BENCH WALLS. THE FLOW LINES AND BENCHWALLS SHALL BE TROWELED SMOOTH AND BRUSH FINISHED.
- FIELD ADJUSTMENTS OF TOP OF CASTING (T.O.C.) OF STRUCTURES MAY BE REQUIRED TO MEET FIELD CONDITIONS. ADJUSTMENTS EXCEEDING FIVE TENTHS (0.5) OF A FOOT MUST BE APPROVED BY THE ENGINEER TO DETERMINE THE INTEGRITY OF THE STRUCTURE. AT NO COST TO THE OWNER.
- STORM STRUCTURES WITH INLET CASTINGS SHALL BE SET TO MAINTAIN A POSITIVE DRAINAGE FLOW INTO THE STRUCTURE.
- STORM PIPE INVERTS AT OUTLET STRUCTURES (IE: END SECTIONS), AND PIPE LENGTHS MAY REQUIRE FIELD ADJUSTMENTS TO MEET ACTUAL FIELD CONDITIONS.
- FULL DEPTH GRANULAR BACKFILL SHALL BE REQUIRED UNDER AND WITHIN (5) FEET OF ALL PAVED AREAS, INCLUDING CURBS, EDGE OF PAVEMENT, AND SIDEWALKS.



HAMILTON COUNTY INDIANA
 This information was gathered for input into the Hamilton County Geographical Information System. This document is considered an official record of the GIS.
 Entry Date: 12/3/99
 Entered by: SLM

DON'T DIG BLIND
 CAUTION: LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON ABOVE GROUND EVIDENCE (INCLUDING, BUT NOT LIMITED TO, MANHOLES, SLEETS, VEHES, AND MARKS MADE ON THE GROUND BY OTHERS) AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF SAID EXISTING UNDERGROUND UTILITIES SHOULD BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.
 1-800-382-5544
 1-800-428-5200
 FOR CALLS OUTSIDE OF INDIANA

DEC 06 1999
 OFFICE OF HAMILTON COUNTY SURVEYOR
 PROJECT NUMBER: 0980516-2000

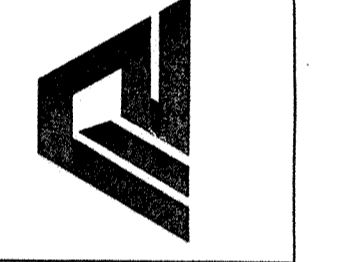
OFFSITE STORM SEWER PLAN AND PROFILE
 THE GOLF PRESERVE
 BHO Enterprises L.L.C., dba The Golf Preserve
 12938 Brighton Court
 Carmel, Indiana 46032
 PHONE: (317) 375-0988
 FAX: (317) 574-8284

CERTIFIED BY:
 BRUCE HAGEN
 REGISTERED
 No. 920299
 STATE OF INDIANA
 PROFESSIONAL ENGINEER

Drawn By:
 Checked By:
 Quality Assurance:
 Scale:
 1" = 50'
 FILED
 DEC 06 1999
 OFFICE OF HAMILTON COUNTY SURVEYOR
 PROJECT NUMBER: 0980516-2000

Revision	Date	Description
1	08-07-99	ADD POND, REVISE STORM PROFILE

PAUL I. CRIFE, INC.
 7172 GRAHAM ROAD
 INDIANAPOLIS, INDIANA 46250
 (317) 842-6777 FAX (317) 841-4798
 E-Mail: paul@pcrife.com



ARCHITECTS
 ENGINEERS
 LANDSCAPE ARCHITECTS
 TRANSPORTATION ENGINEERS
 LAND PLANNERS
 LAND SURVEYORS