

SURVEYOR'S OFFICE  
**H**amilton **C**ounty

*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*

August 5, 2015

To: Hamilton County Drainage Board

Re: William Lehr Drain, Joseph & Brooks Arm  
Noble East & Flagstone Subdivision Relocation

Attached are plans for the proposed relocation of the William Lehr Drain, Joseph & Brooks Arm. The proposal is to relocate and reconstruct the existing tile drain currently on parcel 12-11-10-00-00-023.000 (proposed Noble East Subdivision site) owned by Corby Thompson and Robert Bowen; parcel 12-11-10-00-00-026.000 (proposed Flagstone Subdivision site) owned by Summerwood LLC; parcel 11-11-09-00-00-010.000 (proposed Marion Subdivision site) owned by John J. Brooks; and pipes under the Summer Road right-of-way owned by the City of Noblesville per the 'Noble East, Sec. 1' project plans by Schneider Corporation, Job No. 3400.010, dated revised 04/07/15. The upstream end of this relocation will begin along the east right-of-way line of Summer Road which is approximately Station 92+19 of the drain. The downstream end of this relocation will end at the confluence with the main William Lehr Open Drain located near the east property line of Noble East subdivision which is Station 121+55 of the drain.

This relocation will consist of the following:

3,100' of Open Drain      110' of 8'x 4' Box Culvert      147' of 18" RCP

The newly installed drain will have a length of 3,357 feet. The existing 2,936 feet of tile drain between existing stations 92+19 and 121+55 will be removed and abandoned. This proposal will add 421 feet to the drain's total length.

The 110 feet of box culvert noted above consists of the culvert pipe under Summer Road. The 18" RCP listed above is the section of new tile on the west side of Summer Road connecting to the existing Joseph & Brooks Drain with a manhole, Structure 710, then running north to the west end of the new 8'x4' box culvert under Summer Road where it will outlet.

The Eli Brooks Drain was established in 1893 (See Reviewers Report, December 7, 1893) and reconstructed through the Circuit Court in 1952/3. It was combined with the William Lehr Drain, Booth-White and Joseph Drains in 1967 when it was placed on the maintenance program under the then fairly new 1965 Indiana Drainage Code. The drains are currently on a maintenance program which was approved at hearing on December 4, 1967 (See Hamilton County Drainage Board Minutes Book 1, Page 23).

The cost of the project is to be paid by the developer. The developer shall provide surety upon approval prior to construction.

The easement for the drain in this location shall be a minimum of 25' as measured at right angles from each top of bank of the open ditch and the centerline of pipe. Subdivision non-enforcement requests will be submitted to the Board as each section of the Noble East, Flagstone and Marion Subdivisions abutting the new open drain are ready for secondary plat.

I recommend the Board set a hearing date for September 28, 2015.

Sincerely,



Kenton C. Ward  
Hamilton County Surveyor

KCW/pll

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

FILED

JUN 02 2014

OFFICE OF HAMILTON COUNTY SURVEYOR

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

PETITION FOR RELOCATION AND RECONSTRUCTION

\_\_\_\_\_ Boomerang Development \_\_\_\_\_ (hereinafter Petitioner”),  
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a  
section of the \_\_\_\_\_ William Lehr \_\_\_\_\_ Drain, and in support of  
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the \_\_\_\_\_ William Lehr \_\_\_\_\_ 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 \_\_\_\_\_ William Lehr \_\_\_\_\_ 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 \_\_\_\_\_ William Lehr \_\_\_\_\_ Drain, without cost to other property owners on the watershed of the \_\_\_\_\_ William Lehr \_\_\_\_\_ Drain.

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

Signed \_\_\_\_\_

Printed Carby D. Thompson, Manager  
Boomerang Development, LLC

STATE OF INDIANA     )  
                                  ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
*William Lehr Drain,*  
*Joseph & Brooks Arm, Noble East & Flagstone Subdivision Relocation*

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *William Lehr Drain, Joseph & Brooks Arm, Noble East & Flagstone Subdivision Relocation* came before the Hamilton County Drainage Board for hearing on *September 28, 2015*, on the Reconstruction Report consisting of the report and the Schedule of Damages and Assessments. The Board also received and considered the written objection of an owner of certain lands affected by the proposed Reconstruction, said owner being:

Evidence was heard on the Reconstruction Report and on the aforementioned objections.

The Board, having considered the evidence and objections, and, upon motion duly made, seconded and unanimously carried, did find and determine that the costs, damages and expenses of the proposed Reconstruction will be less than the benefits accruing to the owners of all land benefited by the Reconstruction.

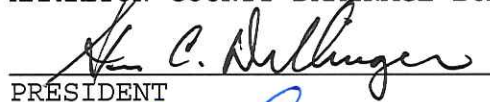
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included or omitted from the Schedule of Assessments.

The Board further finds that it has jurisdiction of these proceedings and that all required notices have been duly given or published as required by law.

Wherefore, it is ORDERED, that the proposed Reconstruction of the *William Lehr Drain, Joseph & Brooks Arm, Noble East & Flagstone Subdivision Relocation* be and is hereby declared established.

Thereafter, the Board made inspection for the purpose of determining whether or not the lands of any owners had been erroneously included or excluded from the Schedule of Assessments. The Board finds on the basis of the reports and findings at this hearing as follows:

HAMILTON COUNTY DRAINAGE BOARD

  
PRESIDENT

  
Member

  
Member

ATTEST:   
Executive Secretary

Ww Lehr Reconst. (Brooks Arm) in Noble East, See  
& Flagstone.

5-Jun-15

FYI

Weihe Construction Estimate		
earthmoving bid	\$	78,750.00
wing walls estimate		36,000.00
flowable fill estimate		8,000.00
box culvert bid		116,204.00
lower waterline to accommodate 4' deep culvert		22,152.00
tree clearing 80' wide		38,258.00
Roudebush Grading		59,132.00
erosion control/seeding/silt fence bid		
Schneider Engineering Estimate		
design/staking ditch		6,000.00
design/staking box culvert		6,000.00
<b>Total for Legal Drain ditch reconstruction</b>	<b>\$</b>	<b>370,496.00</b>
<b>Culvert portion</b>		<b>188,356.00</b>
<b>Ditch portion</b>		<b>182,140.00</b>



15215 Stony Creek Way  
 Noblesville, IN 46060  
 Phone: (317) 776-2966  
 Fax: (317) 776-3050

## PROPOSAL

<b>Submitted to:</b> Boomerang Development 11911 Lakeside Drive Fishers IN 46038  <b>Phone:</b> 849-7607 <b>Fax:</b>  <b>Attention:</b> Chris Werth	<b>Date:</b> 9/4/2014 <b>Revised:</b> 12/19/2014 <b>Job Name:</b> <b>Noble East Section 1</b> <b>Rev 2</b> 4/22/2015 <b>Location:</b> Summer Rd, Noblesville <b>Rev 3</b> 7/14/2015 <b>Engineer:</b> Schneider <b>Plan Date:</b> 7/16/2014 <b>Revised:</b> 4/7/2015 <span style="background-color: #c6e0b4;">Sanitary Sheets 6/19/2015</span> <b>Estimated By:</b> BR, LW      HCSS NOBLEEAST1R1
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**Description of Estimate:**  
 Site Work, Sanitary Sewer, Storm Sewer, Subsurface Drain, Waterline & Lime Stabilization.

Item No.	Estimate Breakdown	Sub-Total
1	<b>Construction Entrance / Concrete Washout</b> Construction Entrance - 1 (Ea) 200 ton, Concrete Washout - 1 (Ea) - 1 Debris Removal Existing Inlet Protection - 5 Ea Includes Porta Let - 6 Month Rental <b>** Does not include any other erosion items (Silt Fence, Blanket, Seeding etc..)</b>	\$ 7,272.00
2	<b>Demolition</b> Demolition of existing field tile. Storm pipe under Summer Rd Grout existing field tile to be abandoned in place under Summer Rd. <b>Includes sand backfill under pavement</b>	\$ 19,595.00
3	<b>Clearing - NOT INCLUDED</b>	N.A.
4	<b>Earthwork</b> Price based on striping pads and streets an average depth of 0.5'. <span style="background-color: #ffff00;">Site does not balance, 99,000 cyds heavy.</span> Includes finish grading of pads, streets, and rear yard swales. Includes rock check dams and sediment basins Does not include filter strip construction <b>**Does not include clay liner at ponds - see alternate below**</b>	\$ 427,202.00
4.1	<span style="background-color: #ffff00;">Mass Earthwork Future Section 2</span> Strip Pads and ROW <b>Excess material from section 1 to be used to balance section 2</b> Does not include subgrade prep of streets, finish grading of swales	\$ 220,135.00
5	<b>Sanitary Sewer</b> 10" SDR 26 - 2,122 LF 8" SDR 26 - 1,824 LF 8" SDR 35 - 1,070 LF 6" SDR 26 Laterals - 3,141 LF Sanitary Manholes - 22 EA <span style="background-color: #c6e0b4;">Includes sand bedding, and sand backfill under pavement only</span> <b>** DOES NOT include rock excavation</b>	removed sand & 1 manhole 7/14/15 Deduct \$494,023.00 -\$64,228.00 \$429,795.00
6	<b>Storm Sewer</b> 12" RCP - 1001 LF, 15" RCP - 1,408 LF, 18" RCP - 1,663 LF, 21" RCP - 609 LF, 24" RCP - 172 LF, 27" RCP - 245 LF Includes storm curb inlets, manholes, and outfall structure Includes End Sections and Rip Rap. Includes trash guard at upstream end section	\$ 280,396.00
6.1	<b>Storm Sewer - Box Culvert</b> 110 LF of 4' x 8' Box Culvert Includes ganular backfill under pavement <b>DOES NOT include Wing walls.</b> (Budget in about \$36,000 to pour in place wing walls ) <b>DOES NOT include ANY flowfill under pavement</b>	\$ 116,204.00
7	<span style="background-color: #ffff00;">Onsite Waterline (C900 DR 14)</span> Installation of 2,335 LF of 12" C900, 2,010 LF of 8" C900 and 205 LF of 4" C900 Fire hydrants - 11 EA Gate Valves - 18 EA <b>**DOES NOT include water services / meter pits**</b> Includes sand backfill in R/W.	\$ 278,235.00
7.1	<b>Waterline - Lower existing 12" main on Summer Rd</b> Lower existing 12" DI along Summer Rd at (2) locations for box culvert and storm sewer installations. Includes sand backfill in R/W.	\$ 22,152.00
8	<b>Subsurface Drain - Curb Inlet Leaders</b> Curb Inlet 20' stub outs - 880 LF	\$ 8,749.00
9	<b>Subsurface Drain - Rear yard and Swale on Summer Rd</b> 6" Double Wall Perforated SSD - 4,782 LF	\$ 40,982.00
10	<b>Subsurface Drain - House Laterals -</b> 4" Subsurface drain lot laterals - 74 Ea	\$ 3,941.00

**TOTAL \$ 1,854,658.00**



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**ADD ALTERNATES**

1A	<b>Lime Stabilization</b> <i>Kiln Dust Stabilization of Local Streets</i>	15,865 yd2 @ \$3.50 yd2	ADD \$	55,527.50
2A	<b>Lime Stabilization</b> <i>Kiln Dust Stabilization of Acel/Decel Lanes and passing blister</i>	1,340 yd2 @ \$6.00 yd2	ADD \$	8,040.00
3A	<b>24" Clay Liner for Ponds</b> <i>Includes 24" Clay liner at ponds from normal pool elevation to bottom elevation of pond</i>		ADD \$	63,275.00
4A	<b>Dewatering for Sanitary sewer</b> <i>(2604 lf, wells at 75' OC)</i>		ADD \$	220,107.00
5A	<b>Dewatering for Pond Excavation</b> <i>(3,700 lf, wells at 100' OC)</i>		ADD \$	250,780.00

**DEDUCT ALTERNATES**

1D	<b>Onsite Waterline</b> <i>Install C900 DR 18 PIPE IN LIEU of DR 14</i>		DEDUCT \$	(12,306.00)
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**We hereby propose to furnish labor and materials - complete in accordance with the above specifications for the sum of:**

**One Million Eight Hundred Fifty-Four Thousand Six Hundred Fifty-Eight Dollars and Zero Cents >> \$ 1,854,658.00**

With payment to be made as follows: Monthly.

All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the original estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner must carry fire, tornado and other necessary insurance. Our workers are fully covered by worker's compensation insurance.



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### Bid Qualifications

Submitted to: <i>Boomerang Development</i> 11911 Lakeside Drive Fishers IN 46038 Phone: 849-7607 Fax: Attention: Chris Werth	Date:	9/4/2014	Revised:	12/19/2014
	Job Name:	<b>Noble East Section 1</b>	Rev 2	4/22/2015
	Location:	Summer Rd, Noblesville	Rev 3	7/14/2015
	Engineer:	Schneider		
	Plan Date:	7/16/2014	Revised:	4/7/2015
			Sanitary Sheets	6/19/2015
	Estimated By:	BR, LW		HCSS NOBLEEAST1R1

**Bid Inclusions:**

- 1 Price subject to change if not excepted within 30 days from the date of this proposal unless otherwise stated.
- 2 Due to PVC resin companies declaring "Force Majeure", PVC pricing is not guaranteed and may delay delivery. We will work closely with suppliers to lock in pricing for your project if selected as your contractor.
- 3 Bid includes sanitary, storm, and waterline maintenance bonds.
- 4 Price subject to change if not excepted within 30 days from the date of this proposal.
- 5 Includes temporary stone entry/concrete washout area

**Bid Exclusions:**

- 1 Estimate does not include utility relocation.
- 4 Estimate does not include any abnormal dewatering which would constitute a pump larger than 3 inches.
- 5 Estimate does not include any bush hogging of vegetation to facilitate construction staking.
- 6 Estimate does not include utility conduits. Utility conduits can be installed for an additional \$13.00 plus the cost of conduit per linear trench foot.
- 7 Soft areas in the proposed sub-grade which require undercutting shall be performed at an additional cost.
- 8 Estimate does not include sales tax. Tax Exempt Certificate Required
- 9 Estimate does not include any construction staking.
- 10 Estimate does not include any erosion control
- 11 Bid does not include 7% Indiana State Sales Tax, tax exempt certificate required
- 12 Bid does not include Common, Davis Beacon, or prevailing wage rates
- 13 **DOES NOT INCLUDE ANY MAJOR DEWATERING OTHER THAN 3" PUMP**

**Lime Stabilization Notes:**

- 1c Coordination of utility locates prior to lime stabilization to be performed by others.
- 2c Field measurement after lime stabilization is complete will determine final contract price, based on the above unit cost.
- 3c Bid based on use of Quick Lime as stabilizing material at 16" depth.
- 4c Bid based on one mobilization to site. Additional mobilizations at \$3,500.00/ea.
- 5c Undercutting and/or re-liming of non-reactive areas to be performed at additional cost.
- 6c Price does not include lime stabilization of initial subgrade after topsoil stripping operations. If initial subgrade fails proof-roll by Owner or Owner's representative, and additional lime stabilization of unsuitable subgrade is determined to be required, then a change order will be necessary to proceed with original scope of work.
- 7c
- 8c Lime stabilization is temperature dependent for ideal results. WCI will not guarantee the results of stabilization performed below 40 degrees F. or if subgrade is frozen.

**Acceptance Of Proposal**

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. This proposal may be withdrawn if not accepted within 30 days.

Accepted By \_\_\_\_\_

Date \_\_\_\_\_



**SUBDIVISION BOND**

Bond No.: 2193501

Principal Amount: \$127,824.40

KNOW ALL MEN BY THESE PRESENTS, that we  
RH of Indiana, L.P.  
9025 N. River Road, Ste. 100, Indianapolis, IN 46240  
as Principal, and  
North American Specialty Insurance Company  
650 Elm Street, Manchester, NH 03101 a NH  
Corporation, as Surety, are held and firmly bound unto  
City of Noblesville,  
16 S. 10th Street, Ste. 155, Noblesville, IN 46060  
as Obligee, in the penal sum of  
One Hundred Twenty Seven Thousand Eight Hundred Twenty Four Dollars  
and 40/100 (Dollars) (\$ 127,824.40), 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, RH of Indiana, L.P. has agreed to construct in  
Noble East Section I Subdivision, in Noblesville, IN the following  
improvements:

Noble East Section I - Summer Road Box Culvert  
\_\_\_\_\_  
\_\_\_\_\_

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 5th day of May, 2015

RH of Indiana, L.P.  
Principal  
By: [Signature]

North American Specialty Insurance Company  
Surety  
By: [Signature]  
Kelly A. Gardner Attorney-in-Fact





HCDB-2015-00024

SUBDIVISION BOND

Bond No.: 2193497

Principal Amount: \$94,500.00

KNOW ALL MEN BY THESE PRESENTS, that we  
RH of Indiana, L.P.  
9025 N. River Road, Ste. 100, Indianapolis, IN 46240

as Principal, and  
North American Specialty Insurance Company  
650 Elm Street, Manchester, NH 03101 a NH

Corporation, as Surety, are held and firmly bound unto  
Hamilton County Board of Commissioners,  
1 Hamilton County Square, Ste. 188, Noblesville, IN 46060

as Obligee, in the penal sum of  
Ninety Four Thousand Five Hundred Dollars and 00/100

(Dollars) (\$ 94,500.00 ), 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, RH of Indiana, L.P. has agreed to construct in  
Noble East Section I Subdivision, in Noblesville, IN the following  
improvements:

Noble East Section I - William Lehr Drain 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 5th day of May, 2015

RH of Indiana, L.P.  
Principal

By: *[Signature]*

North American Specialty Insurance Company  
Surety

By: *[Signature]*  
Kelly A. Gardner Attorney-in-Fact



NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY  
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Schaumburg, Illinois each does hereby make, constitute and appoint: Kelly A. Gardner

Its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, the following surety bond:

Principal: RH of Indiana, L.P.

Bond Number: 2193497

Obligee: Hamilton County Board of Commissioners

Bond Amount: See Bond Form

Bond Description: Noble East Section I - William Lehr Drain Reconstruction

Provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the amount of:

FIFTY MILLION (\$50,000,000) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 9<sup>th</sup> of May, 2012:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature 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 binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By [Signature]  
Steven P. Anderson, Senior Vice President of Washington International Insurance Company  
& Senior Vice President of North American Specialty Insurance Company

By [Signature]  
David M. Layman, Vice President of Washington International Insurance Company  
& Vice President of North American Specialty Insurance Company



IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 25th day of May 20 12.

North American Specialty Insurance Company  
Washington International Insurance Company

State of Illinois  
County of Cook ss:

On this 25th day of May 20 12, before me, a Notary Public personally appeared Steven P. Anderson, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and David M. Layman, Vice President of Washington International Insurance Company and Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



[Signature]  
Donna D. Sklens, Notary Public

I, Jeffrey Goldberg, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 5th day of May, 2015.

[Signature]  
Jeffrey Goldberg, Vice President & Assistant Secretary of Washington International Insurance Company & Assistant Secretary of North American Specialty Insurance Company

State of Illinois }  
                                      } ss.  
County of Dupage }

On May 5, 2015, before me, Melissa Schmidt, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Kelly A. Gardner known to me to be Attorney-in-Fact of North American Specialty 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 in 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 May 14, 2016

*Melissa Schmidt*  
Melissa Schmidt, Notary Public

Commission No. 697161



BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

*William Lehr Drain, Joseph & Brooks Arm  
Noble East & Flagstone Subdivision Relocation*

NOTICE

To Whom It May Concern and: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notice is hereby given of the hearing of the Hamilton County Drainage Board concerning the reconstruction of the **William Lehr Drain, Joseph & Brooks Arm, Noble East & Flagstone Subdivision Relocation** on **September 28, 2015 at 9:05 A.M.** in Commissioners Court, Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Construction and maintenance reports of the Surveyor and the Schedule of Assessments proposed by the Drainage Board have been filed and are available for public inspection in the office of the Hamilton County Surveyor.

Hamilton County Drainage Board

Attest: Lynette Mosbaugh

ONE TIME ONLY

STATE OF INDIANA     )  
                              ) SS                   BEFORE THE HAMILTON  
                              )  
COUNTY OF HAMILTON )                   DRAINAGE BOARD

IN THE MATTER OF **William Lehr Drain, Joseph & Brooks Arm**  
**(Noble East & Flagstone)**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **September 28, 2015** adopted the reconstruction report of the Surveyor and the Amended Schedule of damages and assessments including annual assessment for periodic maintenance, finding that the costs, damages and expense of the proposed improvement would be less than the benefits which will result to the owner of lands benefited thereby.

The Board issued an order declaring the proposed improvement established. Such findings and order were marked filed and are available for inspection in the Office of the Hamilton County Surveyor.

If judicial review of the findings and order of the Board is not requested pursuant to Article VIII of the 1965 Indiana Drainage Code as amended within twenty (20) days from the date of publication of this notice, the findings and order shall become conclusive.

HAMILTON COUNTY DRAINAGE BOARD

BY: Steven C. Dillinger  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY