

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*

June 28, 2013

To: Hamilton County Drainage Board

Re: Williams Creek Drain, Epiphany Evangelical Lutheran Church Reconstruction

Attached is a petition, plans, and other information for the proposed reconstruction of the Williams Creek Drain. The reconstruction was petitioned by Epiphany Evangelical Lutheran Church, Inc. The proposal is to replace the existing CMP drain under 156<sup>th</sup> Street to provide a lower outlet point for the development of the church site. The church property is tract 08-09-10-00-00-027.101 which is located in the northeast corner of 156<sup>th</sup> Street and Ditch Road in Washington Township.

The new drain will consist of 81 feet of 36" RCP from Str. 200 to Str. 201, as shown in the construction plans for Epiphany Evangelical Lutheran Church – Phase 1, by Weihe Engineers, dated December 11, 2012, and having job number W12.0262. The existing 45 feet of 12" CMP that is part of the Centennial Section 9 Arm of the Williams Creek Drain will be removed, since the new drain will convey runoff under 156<sup>th</sup> Street. Str. 201 will also provide an outlet point for future development of parcel 08-09-10-00-00-027.001, owned by BCE Associates III, LLC.

The total length of new drain shall be 81 feet. The 45 feet of original CMP drain under 156<sup>th</sup> Street shall be vacated. This proposal will add 36 feet to the Williams Creek Drain overall total length.

The cost of the reconstruction is to be paid by Epiphany Evangelical Lutheran Church, Inc.

The petitioner has provided the Performance Bond as follows:

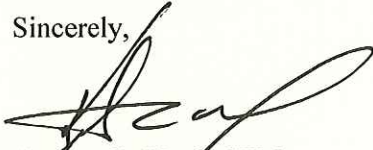
Name of Bonding Company: Liberty Mutual Insurance Company  
Bond #: 015039843  
Bond Date: March 7, 2013  
Bond Amount: \$117,600.00

The easement for this drain shall remain the existing statutory 75 feet from the centerline of the tile or the top of bank of the open ditch, as per IC 36-9-27-33. This reconstruction will require work to be completed in the easement on the following parcels:

<u>Parcel</u>	<u>Owner</u>
08-09-10-00-00-027.001 156 <sup>th</sup> Street ROW	BCE Associates III, LLC. City of Westfield

I recommend the Board set a hearing for this proposed drain reconstruction for August 26, 2013.

Sincerely,



Kenton C. Ward, CFM  
Hamilton County Surveyor

KCW/pll

HAMILTON COUNTY DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN RE: Epiphany Evangelical Lutheran Church Inc. )  
Hamilton County, Indiana )

PETITION FOR RELOCATION AND RECONSTRUCTION

Epiphany Evangelical Lutheran Church Inc. (hereinafter "Petitioner"),  
hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a  
section of the Williams Creek Regulated Drain, and in support of  
said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the Williams Creek Regulated  
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 Centennial Section 9 Arm Williams Creek 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 Centennial Section 9 Arm Williams Cree Drain, without cost to other property owners  
on the watershed of the Centennial Section 9 Arm Williams Creek Drain.

WHEREFORE, Petitioner requests that an Order issued from the Hamilton County  
Drainage Board authorizing relocation and reconstruction of the Centennial Section 9 Arm William  
Drain, in conformance with applicable law and plans and specifications on file with the Hamilton  
County Surveyor.

Signed 

Printed 8/27/12  
Jeremy Mills

**FILED**

**AUG 31 2012**

OFFICE OF HAMILTON COUNTY SURVEYOR

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

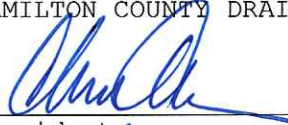
**Williams Creek Drain, Epiphany Evangelical Lutheran Church Reconstruction**

**45 feet of Original CMP under 156<sup>th</sup> Street**

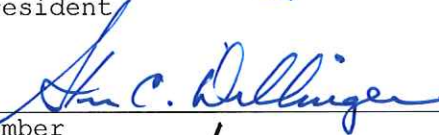
On this 26<sup>th</sup> day of August, 2013, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the **Williams Creek Drain, Epiphany Evangelical Lutheran Church Reconstruction, 45 feet of Original CMP under 156<sup>th</sup> Street.**

Evidence has been heard. Objections were presented and considered. The Board then adopted an order of action. The Board now finds that the costs of continued maintenance to the portion of the above drain exceed the benefits to the real estate benefited by the portion of the drain to be abandoned and issues this order vacating the above section of the **Williams Creek Drain, Epiphany Evangelical Lutheran Church Reconstruction, 45 feet of Original CMP under 156<sup>th</sup> Street.**

HAMILTON COUNTY DRAINAGE BOARD



\_\_\_\_\_  
President



\_\_\_\_\_  
Member



\_\_\_\_\_  
Member

Attest: 

STATE OF INDIANA )  
 ) ss:  
COUNTY OF HAMILTON )

BEFORE THE HAMILTON COUNTY  
DRAINAGE BOARD  
NOBLESVILLE, INDIANA

IN THE MATTER OF THE  
RECONSTRUCTION OF THE  
**Williams Creek Drain, Epiphany Evangelical Lutheran Church  
Reconstruction**

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the **Williams Creek Drain, Epiphany Evangelical Lutheran Church Reconstruction** came before the Hamilton County Drainage Board for hearing **on August 26, 2013**, 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 **Williams Creek Drain, Epiphany Evangelical Lutheran Church Reconstruction** 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

# FILSON EARTHWORK COMPANY, INC.

## PROPOSAL

P.O. Box 538  
Noblesville, IN 46061  
Phone: 317.774.3180

TO: Turner Construction  
Jody Sharp  
9190 Priority Way W. Dr., Ste 210  
Indianapolis, IN 46240

Page 1 of 5 Pages DATE: November 21, 2012  
JOB NAME: **Epiphany Evangelical Lutheran** 714-289C  
**DRY POND OPTION**  
156<sup>th</sup> St. & Ditch Rd., Westfield  
PHONE: 573-2828 FAX: 573-2822

We hereby submit specifications and estimates for:

359,363

• STAKING & LAYOUT	\$ 7,989.00 ✓
SITE EXCAVATION	\$ 88,021.00 ✓
PAVEMENT STONE (6")	✓ \$ 24,267.00 14.45/ton
STORM SEWER	\$ 98,034.00 ✓
SANITARY SEWER	\$ 29,976.00 ✓
WATER MAIN	\$ 77,082.00 ✓
WATER SERVICE	\$ 39,188.00 ✓ + \$1,200
EROSION CONTROL	\$ 7,311.00 ✓
• TEMPORARY SEEDING	\$ 4,050.00
• EROSION CONTROL BLAKET	\$ 12,580.00
• TRAFFIC CONTROL in addition to ? 6 months worth	\$ 3,459.00 ✓
CONDUITS	\$ 7,987.00 - 6,743
Telesising Storm Sewer + SSD's \$1,315.00 ✓	
<b>TOTAL BASE BID</b>	<b>\$399,944.00</b> (7,157) AS-2

NOTE:

1. Addendum #1 is included in this quote. + Post Bid Addendum #1
2. Sales Tax is excluded from this quote.

~~\$409,281.00~~  
 \$345,372  
 \$397,163  
 Reno → 4,850  
 350,22

We propose to furnish material and labor – complete in accordance with these specifications, for the sum of: Three hundred ninety-nine thousand nine hundred forty-four and 00/100....(\$399,944.00)

Payable as follows:

Monthly progress payments based on percentage of completion. A 2% service charge will be added monthly to invoices past 30 days. All invoices past 30 days are subject to lien rights.

All material is guaranteed to be as specified. All work 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 estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Date: 11.21.12  
Authorized Signature: *Aaron Hughes*  
Aaron Hughes

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal: \_\_\_\_\_ Date: \_\_\_\_\_

# FILSON EARTHWORK COMPANY, INC.

## SPECIFICATIONS

Page 2 of 5

### STAKING & LAYOUT:

Stake for Filson Earthwork Company Inc. site & utility needs 1 LS

### SITE EXCAVATION:

Strip topsoil & stockpile	248,624 sf
Cut/fill building pad to subgrade	2,410 cy
Roll/compact building pad subgrade	10,600 sf
Cut/fill sidewalk to subgrade	432 cy
Roll/compact sidewalk subgrade	7,857 sf
Cut/fill dumpster pad to subgrade	4 cy
Roll/compact dumpster pad subgrade	260 sf
Cut/fill light duty pavement to subgrade	2,202 cy
Roll/compact light duty pavement subgrade	34,611 sf
Cut/fill heavy duty pavement to subgrade	358 cy
Roll/compact heavy duty pavement subgrade	13,134 sf
Cut/fill ROW pavement to subgrade	235 cy
Roll/compact ROW pavement subgrade	7,477 sf
Cut/fill asphalt paths to subgrade	223 cy
Roll/compact asphalt paths subgrade	11,900 sf
Excavate for dry detention basin	11,408 cy
Rough grade pond	73,254 cy
Cut in swales	1,441 lf
Backfill topsoil in lawn areas	1,760 cy
Rough grade topsoil	93,551 sf
Build berm with surplus topsoil & spoils	4,276 cy

#### NOTE:

- Excluded from this quote:
  - staking
  - foundation / curb excavation
  - drainage fill under slabs, walks & pavement
  - removal of spoils generated by other trades
  - landscaping / fine grading / seeding
  - traffic control barrels & signs
- This quote is based on losing all of the surplus topsoil and excavation spoils ( $\pm$  4,276 cy) on the berm areas to the north and east sides of the property. ADD \$40,430.00 to haul off spoils.

### PAVEMENT STONE:

Install 6" of #53 stone at all asphalt pavement areas 1,680 T

#### NOTE:

- Paving contractor to top dress & fine grade.

### STORM SEWER:

Tie in to existing structure	1 ea
Provide traffic control	allow
Sawcut pavement	40 lf
Remove pavement	120 sf
Excavate & install 36" RCP	81 lf
Excavate & install STR 201	1 ea
Excavate & install 24" RCP	298 lf
Excavate & install STR 202	1 ea
Excavate & install 6" HDPE	6 lf
Excavate & install 24" FES	1 ea
Excavate & install 24" FES	1 ea
Excavate & install 24" HDPE	35 lf
Excavate & install STR 204	1 ea

# FILSON EARTHWORK COMPANY, INC.

## SPECIFICATIONS

Page 3 of 5

### STORM SEWER continued:

Excavate & install 10" HDPE	8 lf
Excavate & install Aqua Swirl AS-4	1 ea
Excavate & install 24" HDPE	75 lf
Excavate & install STR 205	1 ea
Excavate & install 15" HDPE	181 lf
Excavate & install STR 208	1 ea
Excavate & install 18" HDPE	309 lf
Excavate & install STR 206	1 ea
Excavate & install 15" HDPE	139 lf
Excavate & install STR 207	1 ea
Excavate & install 12" FES	1 ea
Excavate & install 12" RCP	94 lf
Excavate & install STR 213	1 ea
Excavate & install 12" FES	1 ea
Excavate & install 12" RCP	94 lf
Excavate & install STR 211	1 ea
Install Neenah R-1772	2 ea
Install Neenah R3405	1 ea
Install Neenah R4342	5 ea
Install Neenah R3286-8V	1 ea
Install custom grate	1 ea
Excavate & install 6" SSD	1,441 lf
Install 6" 45°	8 ea
Install 6" risers	8 ea
Excavate & install 4" spider drains	120 lf
Install 6" wyes	2 ea
Excavate & install 8" HDPE	315 lf
Install 8" wyes	1 ea
Install 8" tee wyes	8 ea
Install 8" 45°	4 ea
Install cleanouts	3 ea
Install #8 stone	998 T
Install granular bedding & backfill	125 T
Install flowable fill	30 cy
Install concrete cap	5 cy
Install rip rap	80 T
Haul off spoils	56 loads <i>Credit</i>

NOTE:

- Exclusions:
  - Permits, bonds & fees
  - Downspout adaptors
  - Asphalt milling & patching
- This quote is based on open cutting 156<sup>th</sup> St. for installations.
- ADD \$5,628.00 to haul off spoils. DEDUCT \$7,157.00 for AS-2 option.

### SANITARY SEWER:

Tie in to force main	1 ea
Excavate & install manhole	1 ea
Install check valve	1 ea
Install curb stop	1 ea
Directional bore 1 1/4" poly	80 lf
Excavate & install 1 1/4" poly	676 lf
Excavate & install E/One DH152-129 lift station	1 ea



# FILSON EARTHWORK COMPANY, INC.

## SPECIFICATIONS

Page 4 of 5

### SANITARY SEWER continued:

Excavate & install 6" SDR35	353 lf
Install 6" wyes	8 ea
Install 6" 45	9 ea
Install cleanouts	6 ea
Install cleanout pits	6 ea
Install #8 stone	119 T
Install granular backfill	226 T
Haul off spoils	19 loads <i>Credit.</i>

#### NOTE:

- Exclusions:
  - permits, bonds & fees
  - electrical supply to lift station
- This quote is based on open trenching the portion of force main on site and not directional drilling.
- ADD \$1,739.00 to haul off spoils.

### WATER MAIN:

Connect to existing main	1 ea
Directional bore 12" poly	120 lf
- install Harvey adaptors	2 ea
- install water stops	2 ea
Install 12" solid sleeve	1 ea
Excavate & install 12" DIP	640 lf
Install 12"x 6" hydrant tees	3 ea
Install 6" anchor couplings	3 ea
Install 6" gate valve	3 ea
Install valve boxes	3 ea
Excavate & install fire hydrants	3 ea
Install 12" cross	1 ea
Install 12" gate valve	6 ea
Install valve box	6 ea
Install 12"x 6" reducer	1 ea
Install 12" mega lugs	16 ea
Install thrust blocks	7 ea
Install granular bedding & backfill	247 T
Flush & test main	allow
Chlorinate / de-chlorinate main	allow
Haul off spoils	13 loads

#### NOTE:

- Exclusions: permits, bonds & fees.
- This quote is based on directional boring the main under the street. If jack & bore is required, price adjustment will be required.
- ADD \$1,190.00 to haul off spoils.

### WATER SERVICE: (Stub to within 5' of building) - *domestic stub into Bldg.? Included*

Excavate for tap	1 ea
Install 12"x 6" tap sleeve	1 ea
Install 6" tap valve	1 ea
Tap main	1 ea
Install valve box	1 ea
Excavate & install 6" C900 <i>1 1/2"</i>	165 lf
Excavate & install 6" fire <i>2"</i> domestic meter vault	1 ea
Excavate & install C-900	197 lf
Install 6" 11 1/4°	1 ea

# FILSON EARTHWORK COMPANY, INC.

## SPECIFICATIONS

Page 5 of 5

### WATER SERVICE continued:

Install 6" tee	1 ea
Install 6" anchor couplings	2 ea
Install 6" gate valve	1 ea
Install valve box	1 ea
Excavate & install fire hydrant	1 ea
Install 6" 90°	2 ea
Install 6" mega lugs	13 ea
Excavate & install 2" poly tubing	350 lf
Install thrust blocks	3 ea
Install granular backfill	165 T
Flush & test lines	allow
Haul off spoils	6 loads <i>credit</i>

#### NOTE:

1. Exclusions: permits, bonds & fees.
2. ADD \$1,200.00 to install 6" riser 1' into building at 1' above finish floor. *Flange + Spigot.?*
3. If copper tubing is required, ADD \$5,221.00 to base bid.
4. ADD \$824.00 to haul off spoils.

*No cost on Domestic into Bldg.*

### EROSION CONTROL:

Install construction entrance	500 sy / 180 T
Install silt fence	2,709 lf
Install inlet protection	8 ea

#### NOTE:

1. Exclusions:
  - a. seeding
  - b. erosion control blanket
  - c. concrete washout

### TEMPORARY SEEDING:

Seed disturbed areas	± 8 acres
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#### NOTE:

1. This is based on (1) seeding only.
2. ADD \$6,944.00 for mulching with blown straw.

### EROSION CONTROL BLANKET:

Install erosion control blanket	7,300 sy
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### TRAFFIC CONTROL:

Provide signs & barrels per Traffic Maintenance Plan for 6 months duration	1 LS
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#### NOTE:

1. ADD \$576.00/month for any duration over 6 months. *Add 1 month per schedule.*

### CONDUITS: (From west side of Ditch Rd. to building & transformer)

<i>Breakout cost for Bore + Trench</i> Directional bore 4" conduits + 2" telephone? <i>✓</i> #2858 <i>N/A</i>	165 lf
Excavate & install 4" conduits + 2" telephone? <i>✓</i> #5129	1,085 lf
Install 4" sweeps	6 ea
Install E-lok couplers	6 ea
Install #8 stone	48 T
Relocate spoils on site	32 cy

*o Bore 4" conduits from transformer into Bldg. #1,814  
# Turn up 2" telephone conduit up into Bldg.*

HCD3-2013-00037



Interchange Corporate Center  
450 Plymouth Road, Suite 400  
Plymouth Meeting, PA 19462-1644  
Ph. (610) 832-8240



**CHANGE RIDER**

To be attached to and form a part of surety bond number 015039843, dated the 7th day of March, 2013, issued by Liberty Mutual Insurance Company, a Massachusetts stock insurance company, as surety (the "Surety"), on behalf of Turner Construction Company, as principal (the "Principal"), in favor of Hamilton County Board of Commissioners, One Hamilton County Square, Noblesville, IN 46060, as obligee (the "Obligee").

The Principal and the Surety hereby consent to changing the attached bond as follows:

Amend Improvements to read

From: Storm Sewer

To: Storm Sewer; Project Name - Epiphany Evangelical Lutheran Church; Project No. 121230.

This change is effective 17th day of June, 2013. The attached bond shall be subject to all of its terms, conditions and limitations except as herein modified.

IN WITNESS WHEREOF, said Principal and Surety have caused these presents to be duly signed and sealed this 17th day of June, 2013.

WITNESS / ATTEST:

Maurice Honey

Turner Construction Company  
(Principal)

By: Richard A. Blair (Seal)  
Name: Richard A. Blair  
Title: Vice President, General Manager

**LIBERTY MUTUAL INSURANCE COMPANY**  
(Surety)

By: Alice McLaughlin (Seal)  
Attorney-in-Fact  
Alice McLaughlin

ACCEPTED:

\_\_\_\_\_  
(Obligee)

By: \_\_\_\_\_ (Seal)  
Name:  
Title:

Date: \_\_\_\_\_

**CORPORATE ACKNOWLEDGMENT**

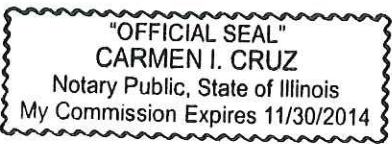
Form 152

STATE OF Illinois

COUNTY OF Cook

On this 17th day of June, 2013, before me personally  
came Richard A. Blair to me known, who, being by me  
duly sworn, did depose and say that she/he resides in Chicago, IL  
that she/he is the Vice President and General Manager of the  
Turner Construction Company

the corporation described in and which executed the above instrument that she/he knows  
the seal of said corporation; that the seal affixed to said instrument is such corporate seal;  
that it was so affixed by order of the Board of Directors of said corporation, and that  
she/he signed her/his name thereto by like order.

(SEAL) 

Carmen I. Cruz  
NOTARY



**CORPORATE ACKNOWLEDGMENT**

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 17<sup>th</sup> day of JUNE, 2013, before me personally  
 came ALICE McLAUGHLIN to me known, who, being by me  
 duly sworn, did depose and say that she/he resides in NUTLEY, NEW JERSEY  
 that she/he is the ATTORNEY IN FACT of the  
LIBERTY MUTUAL INSURANCE COMPANY the corporation described in  
 and which executed the above instrument that she/he knows the seal of said corporation;  
 that the seal affixed to said instrument is such corporate seal; that it was so affixed by  
 order of the Board of Directors of said corporation, and that she/he signed her/his name  
 thereto by like order.

(SEAL)

Sherryanne DePirro

SHERRYANNE DEPIRRO  
 A NOTARY PUBLIC OF NEW JERSEY  
 MY COMMISSION EXPIRES 02/10/2017



LIBERTY MUTUAL INSURANCE COMPANY  
 FINANCIAL STATEMENT — DECEMBER 31, 2012

Assets		Liabilities	
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 .....	3,066,051,537
Other Admitted Assets.....	<u>14,732,623,458</u>	<b>Total .....</b>	<b>\$25,694,899,915</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>Total Admitted Assets.....</b>	<b><u>\$40,205,366,577</u></b>	<b>Surplus to Policyholders .....</b>	<b><u>14,510,466,662</u></b>
		<b>Total Liabilities and Surplus .....</b>	<b><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

**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. 5985045

American Fire and Casualty Company  
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company  
West American Insurance Company

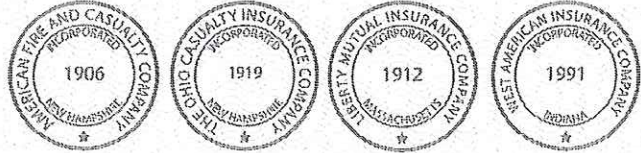


**POWER OF ATTORNEY**

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, Alice McLaughlin; Maria L. Spadaccini; Mary R. McKee; Sandra K. Wolf; Sherryanne M. DePirro

all of the city of Woodcliff Lake, state of NJ 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 7th day of February, 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 7th day of February, 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 17<sup>th</sup> day of June, 20 13.



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

Not valid for mortgage, note, loan, letter of credit, bank deposit, 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.

HCDB-2013-00037



Interchange Corporate Center  
450 Plymouth Road, Suite 400  
Plymouth Meeting, PA 19462-1644  
Ph. (610) 832-8240

**CHANGE RIDER**

To be attached to and form a part of surety bond number 015039843, dated the 7th day of March, 2013, issued by Liberty Mutual Insurance Company, a Massachusetts stock insurance company, as surety (the "Surety"), on behalf of Turner Construction Company, as principal (the "Principal"), in favor of Hamilton County Board of Commissioners, One Hamilton County Square, Noblesville, IN 46060, as obligee (the "Obligee").

The Principal and the Surety hereby consent to changing the attached bond as follows:

Amend Improvements to read

From: Storm Sewer

To: Storm Sewer; Project Name - Epiphany Evangelical Lutheran Church; Project No. 121230.

This change is effective 17th day of June, 2013. The attached bond shall be subject to all of its terms, conditions and limitations except as herein modified.

IN WITNESS WHEREOF, said Principal and Surety have caused these presents to be duly signed and sealed this 17th day of June, 2013.

WITNESS / ATTEST:

Maurice Henney

Turner Construction Company  
(Principal)

By: Richard A. Blair (Seal)  
Name: Richard A. Blair  
Title: Vice President, General Manager

**LIBERTY MUTUAL INSURANCE COMPANY**  
(Surety)

By: Alice McLaughlin (Seal)  
Attorney-in-Fact  
Alice McLaughlin

ACCEPTED:

\_\_\_\_\_  
(Obligee)

By: \_\_\_\_\_ (Seal)  
Name:  
Title:

Date: \_\_\_\_\_





HCDB-2013-00037

**SUBDIVISION BOND**

Bond No.: 015039843

Principal Amount: \$117,600.00

KNOW ALL MEN BY THESE PRESENTS, that we Turner Construction Company, as Principal; and Liberty Mutual Insurance Company, an MA Corporation, as Surety, are held and firmly bound unto Hamilton County Board of Commissioners, One Hamilton County Square, Noblesville, IN. 46060, as Oblige, in the penal sum of (\$117,600.00) One Hundred Seventeen Thousand Six Hundred & No/100 Dollars lawful money of the United States of America, for the payment of which will and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Turner Construction Company has agreed to construct in Section 10, Twp. 18, Range 3 East Subdivision, in Hamilton County, IN the following improvements:  
Storm Sewer.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvement herein described, and shall save the Oblige 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 until released by the Oblige, and the Surety, upon receipt of a resolution of the Oblige indicating that the improvements have not been installed or completed per the requirement of the Oblige, will complete the improvements or pay to the Oblige such amount up to the Principal amount of this bond which will allow the Oblige to complete the improvements.

Upon approval by the Oblige, this instrument may be proportionately reduced as the public improvements are completed, but only by doing a rider to this original bond.

Signed, sealed and dated, this 7th day of March, 2013.

Turner Construction Company  
Principal

Liberty Mutual Insurance Company  
Surety

By: Richard A. Blair

By: Alice McLaughlin

Name and Title: Richard A. Blair, Vice President, General Manager

Name and Title: Alice McLaughlin, Attorney in Fact

Hold bond until Westfield Public Works approves release.

*[Handwritten initials]*



CORPORATE ACKNOWLEDGMENT

Form 152

STATE OF Illinois

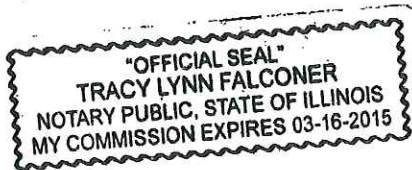
COUNTY OF Cook

On this 11th day of March, 2013, before me personally came Richard A. Blair to me known, who, being by me duly sworn, did depose and say that she/he resides in Chicago, IL that she/he is the Vice President & General Manager of the Turner Construction Company

the corporation described in and which executed the above instrument that she/he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that she/he signed her/his name thereto by like order.

(SEAL)

Tracy Lynn Falconer
NOTARY





**CORPORATE ACKNOWLEDGMENT**

Form 152

STATE OF NEW JERSEY

COUNTY OF BERGEN

On this 7th day of March, 2013, before me personally came ALICE McLAUGHLIN to me known, who, being by me duly sworn, did depose and say that she/he resides in NUTLEY, NEW JERSEY that she/he is the ATTORNEY IN FACT of the LIBERTY MUTUAL INSURANCE COMPANY the corporation described in and which executed the above instrument that she/he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that she/he signed her/his name thereto by like order.

(SEAL)

Esther Caban  
Notary Public of New Jersey  
My Commission Expires  
February 18, 2014



LIBERTY MUTUAL INSURANCE COMPANY  
 FINANCIAL STATEMENT — DECEMBER 31, 2011

Assets		Liabilities	
Cash and Bank Deposits.....	\$ 696,606,839	Unearned Premiums.....	\$3,762,485,913
*Bonds — U.S Government.....	910,151,865	Reserve for Claims and Claims Expense.....	15,817,904,502
*Other Bonds.....	11,794,792,561	Funds Held Under Reinsurance Treaties.....	1,249,980,610
*Stocks.....	8,216,137,875	Reserve for Dividends to Policyholders.....	4,656,284
Real Estate.....	268,420,606	Additional Statutory Reserve.....	77,791,575
Agents' Balances or Uncollected Premiums.....	3,191,269,641	Reserve for Commissions, Taxes and	
Accrued Interest and Rents.....	151,164,670	Other Liabilities.....	<u>2,885,589,205</u>
Other Admitted Assets.....	<u>12,166,299,092</u>	<b>Total .....</b>	<b><u>\$23,798,408,089</u></b>
<b>Total Admitted Assets.....</b>	<b><u>\$37,394,843,149</u></b>	Special Surplus Funds.....	\$1,036,917,657
		Capital Stock.....	10,000,000
		Paid in Surplus.....	7,732,061,653
		Unassigned Surplus.....	4,817,455,750
		<b>Surplus to Policyholders .....</b>	<b><u>13,596,435,060</u></b>
		<b>Total Liabilities and Surplus .....</b>	<b><u>\$37,394,843,149</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, 2011, 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 5th day of April, 2012.

*T. Mikolajewski*

Assistant Secretary

**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. 5657587

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

Liberty Mutual Insurance Company  
Peerless 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 Ohio, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, that Peerless Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, 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, Alice McLaughlin; Maria L. Spadaccini; Mary R. McKee; Sandra K. Wolf; Sherryanne M. DePirro

all of the city of Woodcliff Lake, state of NJ 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 20th day of November, 2012.



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

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

STATE OF WASHINGTON ss  
COUNTY OF KING

On this 20th day of November, 2012, 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, Peerless Insurance 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, West American Insurance Company and Peerless Insurance Company, which resolutions are now in full force and effect reading as follows:

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I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless 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 7th day of March, 2013.



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

Not valid for mortgage, note, loan, letter of credit, bank deposit, 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.

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD  
IN THE MATTER OF

*Williams Creek Drain,  
Epiphany Evangelical Lutheran Church Reconstruction*

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 **Williams Creek Drain, Epiphany Evangelical Lutheran Church Reconstruction** on **August 26, 2013** at **9:15 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 Williams Creek Drain, Epiphany Evangelical  
Lutheran Church Reconstruction**

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **August 26, 2013** 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: Christine Altman  
PRESIDENT

ATTEST: Lynette Mosbaugh  
SECRETARY