

Kingsmill - Section 3

Bonds: $44420 = \$120,670.00$

Total bond amount split 2 ways:

John Osborn drain	3,060'
Springmill Run drain	<u>4,193'</u>
Total Footage	7,253'

John Osborn drain:
 $3060 / 7253 = 0.42 = 42\%$

Springmill Run drain:
 $4193 / 7253 = 0.58 = 58\%$

$42 + 58 = 100$

Cost Per Improvement:

John Osborn drain:
 $120,670.00 * 42\% = \$50,681.40$

Springmill Run drain:
 $120,670.00 * 58\% = \$69,988.60$

$\$50,681.40 + \$69,988.60 = \$120,670.00$



SURVEYOR'S OFFICE

Hamilton County

Kenton C. Ward, Surveyor

Suite 146

776-8495

One Hamilton County Square

Noblesville, Indiana 46060-2230 ~~January 8, 1996~~

TO: Hamilton County Drainage Board

RE: John Osborn Drain, Kingsmill Section 3 Arm

Attached is a petition, non-enforcement request, plans, calculations, quantity summary and assessment roll for the Kingsmill Section 3 Arm John Osborn Drain. 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	4264 feet	21"	RCP	260 feet
12"	RCP	71 feet	24"	RCP	241 feet
15"	RCP	763 feet	27"	RCP	531 feet
18"	RCP	1123 feet			

The total length of the drain will be 7,253 feet.

The retention pond (lake) located in Block A is not 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 (lake) 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.

Only the main SSD lines which are located within the right of way are to be maintained as regulated drain. Laterals for individual lots will not be considered part of the regulated drain.

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 \$25.00 per lot, \$2.00 per acre for roadways, with a \$ 25.00 minimum. With this assessment the total annual assessment for this drain/this section will be \$ 725⁰⁰.

Parcels assessed for this drain may be assessed for the Williams Creek, Osborn-Collins or Springmill Run 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. This request is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plat for Kingsmill Section 3 as recorded in the office of the Hamilton County Recorder.

I recommend the Board set a hearing for this proposed drain for February 1996.

Kenton C. Ward
Hamilton County Surveyor
KCW/no

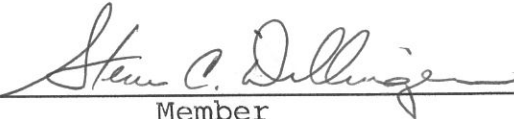
FINDINGS AND ORDER
CONCERNING THE MAINTENANCE OF THE
John Osborn Drain-Kingsmill Section 3 Arm

On this 26th day of February 1996. the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the John Osborn Drain-Kingsmill Section 3 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 assessments will be less than the benefits to the landowners and issues this order declaring that this Maintenance Fund be established.

HAMILTON COUNTY DRAINAGE BOARD



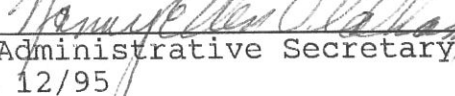
President



Member



Member

ATTEST: 
Administrative Secretary

Revised 12/95



POWER OF ATTORNEY



SAFECO INSURANCE COMPANY OF AMERICA
GENERAL INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

No. 7591

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint
**ELLEN, L. COPE; PATRICIA THURMOND; JENNIFER L.B ROWN; GARRY L. WESSELINK; GEOFFREY E. HEKIN;
BRENDA D. HOCKBERGER; ANN FORMHALS; DONNA WRIGHT; ROBERT E. DUNCAN; DEBRA KOHLMAN; THERESAN E.
ROWEDDER; CHRISTINE ZARETSKY; JULIE ZUNIGA; KRISTAN CLARK; Chicago, Illinois*****

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 16th day of April, 19 96

[Handwritten signatures]

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA
and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS . . . the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business . . . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA
and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

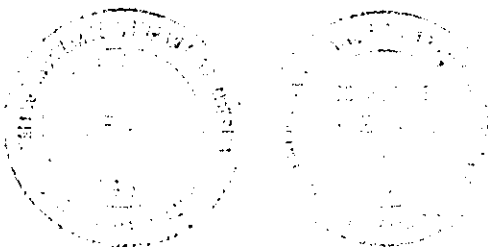
- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, R. A. Pierson, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 16th day of December, 19 96



[Handwritten signature]

® Registered trademark of SAFECO Corporation.

S-874/EP 1/93

CERTIFICATE OF COMPLETION AND COMPLIANCE

TO: HAMILTON COUNTY SURVEYOR

RE: KINGS MILL SECTION THREE

I hereby certify that:

- 1.) I am a Registered Land Surveyor 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, and
- 4.) To the best of my knowledge, information and belief, the Drainage Facilities within the subdivision has been installed and completed in conformity with all plans and specifications.

Signature: *Allan H. Weihe* Date: 11/29/95

Type or Printed Name: Allan H. Weihe

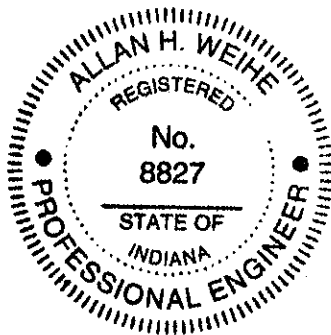
Business Address: 10505 N. College Avenue, Indianapolis, IN. 46280

Telephone: 846-6611

INDIANA REGISTRATION NUMBER

#8827

SEAL





SURVEYOR'S OFFICE
Hamilton County

Kenton C. Ward, Surveyor

Suite 146

776-8495

One Hamilton County Square

Noblesville, Indiana 46060-2230

May 6, 1996

To: Hamilton County Drainage Board

Re: John Osborn Drain Kingsmill Section 3

Attached are as-builts, certificate of completion & compliance, and other information for Kingsmill Section 3. An inspection of the drainage facilities for this section has been made and the facilities were found to be complete and acceptable.

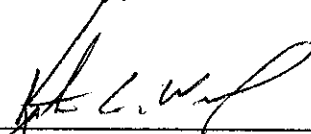
During construction of the drain there were not any significant changes made to the plans submitted with my report dated January 8, 1996. Therefore, the length of the drain remains at 7253 feet.

The non-enforcement was approved by the Board at its meeting on February 26, 1996.

The bond or letter of credit from National City Bank, number 44420, dated 8-28-95 in the amount of \$120,670.00, has been recommended for release in a letter to the Commissioners dated 5-14-96.

I recommend the Board approve the drains construction as complete and acceptable.

Sincerely,


Kenton C. Ward
Hamilton County Surveyor

KCW/ndw

