

K.C.W.

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

To: Hamilton County Drainage Board

March 12, 2016

Re: Vestal-Kirkendall Drainage Area, A. J. Brock Arm, Essex of Noblesville, Sec. 4 Relocation

Attached are plans for the relocation of a portion of the Vestal-Kirkendall Drain, A. J. Brock Arm by Arbor Investments, LLC. The petition is for the relocation of the original regulated drain tile within Essex of Noblesville, Sec. 4. The relocation will occur on the following parcels: 10-10-03-00-05-035.000 (Block 1) currently owned by Box 326 LLC, 10-10-03-00-05-033.000 (Common Area "J") currently owned by Essex Homeowners Assoc., Inc., 10-10-03-00-05-010.000 (Lot 96) currently owned by Silverthorne Homes LLC, 10-10-03-00-05-011.000 (Lot 97) currently owned by BEVO LLC, 10-10-03-00-05-003.000 (Lot 89) currently owned by BEVO LLC, 10-10-03-00-05-002.000 (Lot 88) currently owned by BEVO LLC, 10-10-03-00-02-001.000 (Common Area "C") currently owned by Essex Homeowners Assoc., Inc., and the right-of-way for Birdbrook Road owned by the City of Noblesville. The drain tile will be removed from parcel 10-10-03-00-05-004.000 (Lot 90) currently owned by BEVO LLC.

This relocation is per the 'Essex of Noblesville, Sec. 4' project plans by Schneider Corp, project number 5575.400, Sheets C101, C102, C601 & C603, revised 7/3/2014, submitted 2/2/2015. The upstream end of this relocation begins at an existing manhole structure near the north property line of Block 1 and the south right-of-way line of 169th Street. The downstream end of this relocation ends at existing pond #2 in Common Area "C" of Essex of Noblesville Section 1B.

This relocation consists of the following:

468' of 12" RCP

444' of open drain

391' of 24" RCP

The newly installed drain will have a length of 1303'. The original 1148' of tile drain between existing stations 12+64 and 24+12 will be abandoned. This proposal will add 155 of footage to the drain's total length.

The new drain involves the following structures: 800 (EX), 798, 799, 704, 703, 701, 701, and 700. The existing structure #800 was installed in 2007 with the AJ Brock Arm, Hazel Dell Road Reconstruction project.

The 444' of open drain, noted above, drains through detention pond #3. The pond is not to be considered part of the regulated drain for maintenance. Drain maintenance at the pond shall include the inlet and outlet as part of the regulated drain. The maintenance of the pond such as sediment removal, erosion control along the banks, mowing and aquatic vegetation control will be the responsibility of the property owner. The Board will retain jurisdiction for ensuring the storage volume for which the pond was designed will be retained, thereby, allowing no fill or easement encroachments.

The AJ Brock Drain was established in 1920 (See Viewers Report, June 20, 1920). The AJ Brock Drain was later made an arm to the Vestal-Kirkendall Drainage Area, as per my report to the Board dated December 18, 2008 and approved at hearing on March 23, 2009. See Hamilton County Drainage Board minutes book 11, pages 544-546.

The cost of the project is to be paid by the developer. The petitioner submitted surety for the drain relocation. The surety which is in the form of a Bond from the developer is as follows:

Agent: Bond Safeguard Insurance Company

Date: February 2, 2015

Number: 5042199

For: Essex of Noblesville Section 4; Storm Sewer (Legal Drain) for the regulated drain required by the Hamilton County Surveyors Office

Amount: \$57,708.48

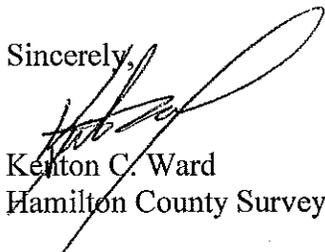
Hamilton County Bond No: HCDB-2015-00014

I recommend that upon approval of the above relocation that the Board also approve the attached non-enforcement request. The request is for the reduction of the regulated drain easement to those easement widths as shown on the secondary plats for Essex of Noblesville, Sec. 4 as recorded in the office of the Hamilton County Recorder.

I recommend that this drain be classified as an urban drain.

I recommend the Board set a hearing for this relocation on May 23, 2016..

Sincerely,



Kenton C. Ward
Hamilton County Surveyor

KCW/stc

HAMILTON COUNTY DRAINAGE BOARD
NOBLESVILLE, INDIANA

FILED

JUN 03 2014

IN RE: _____)
Hamilton County, Indiana)

OFFICE OF HAMILTON COUNTY SURVEYOR

PETITION FOR RELOCATION AND RECONSTRUCTION

Arbor Investments, LLC (hereinafter "Petitioner"),

hereby petitions the Hamilton County Drainage Board for authority to relocate and improve a section of the A.J. Brock Drain, and in support of said petition advises the Board that:

1. Petitioner owns real estate through which a portion of the A.J. Brock 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 A.J. Brock 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 A.J. Brock Drain, without cost to other property owners on the watershed of the A.J. Brock Drain.
5. Proposed relocation and reconstruction will not adversely affect other land owners within the drainage shed.
6. Petitioner requests approval of the proposed relocation and reconstruction under IC 36-9-27-52.5.

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


Signed _____
Paul C. Glaire
Printed _____

FINDINGS AND ORDER

CONCERNING THE PARTIAL VACATION OF THE

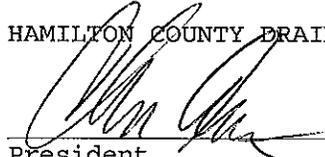
Vestal/Kirkendall Drainage Area, A. J. Brock Arm
Essex of Noblesville Section 4 Relocation

Station 12+64 to Station 24+12

On this 23rd day of May, 2016, the Hamilton County Drainage Board has held a hearing on the Maintenance Report and Schedule of Assessments of the Vestal/Kirkendall Drainage Area, A. J. Brock Arm, Essex of Noblesville Section 4 Relocation, Station 12+64 to Station 24+12.

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 Vestal/Kirkendall Drainage Area, A. J. Brock Arm, Essex of Noblesville Section 4 Relocation, Station 12+64 to Station 24+12.

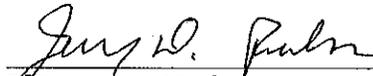
HAMILTON COUNTY DRAINAGE BOARD



President



Alternate Member



Alternate 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
*Vestal/Kirkendall Drainage Area, A. J. Brock Arm, Essex of Noblesville
Section 4 Relocation*

FINDINGS AND ORDER FOR RECONSTRUCTION

The matter of the proposed Reconstruction of the *Vestal/Kirkendall Drainage Area, A. J. Brock Arm, Essex of Noblesville Section 4 Relocation* came before the Hamilton County Drainage Board for hearing on *May 23, 2016*, 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.

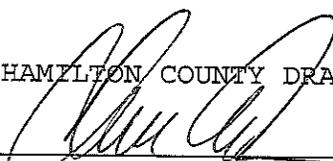
The Board having considered the evidence and objections, upon motion duly made, seconded and unanimously carried, did adopt the Schedule of Assessments as proposed, subject to amendment after inspection of the subject drain as it relates to the lands of any owners which may have been erroneously included 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 *Vestal/Kirkendall Drainage Area, A. J. Brock Arm, Essex of Noblesville Section 4 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:

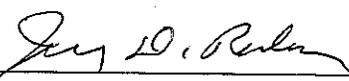
HAMILTON COUNTY DRAINAGE BOARD



PRESIDENT

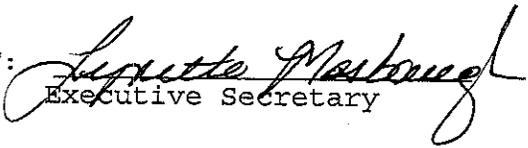


Alternate Member



Alternate Member

ATTEST:


Executive Secretary

JAN 23 2015

ENGINEERS ESTIMATE OF PROBABLE COST OFFICE OF HAMILTON COUNTY SURVEYOR

Project: Essex of Noblesville Section 4

Date: 1/9/2015

1. SANITARY SEWERS

Pipe	Quantity	Unit	Size	Material	Cut Depth	Unit Price	Gross Price
	550	LF	8"	SDR-35 PVC	6-8 feet	\$ 15.00	\$ 8,250.00
	162	LF	8"	SDR-35 PVC	8-10 feet	\$ 21.00	\$ 3,402.00
	717	LF	8"	SDR-35 PVC	10-12 feet	\$ 21.00	\$ 15,057.00
	277	LF	8"	SDR-26 PVC	12-14 feet	\$ 21.00	\$ 5,817.00
	0	LF	8"	SDR-26 PVC	14-16 feet	\$ 23.00	\$ -
Laterals	495	LF	6"	SDR-26 PVC	6-8 feet	\$ 18.75	\$ 9,281.25
	95	LF	6"	SDR-26 PVC	8-10 feet	\$ 18.75	\$ 1,781.25
	658	LF	6"	SDR-26 PVC	10-12 feet	\$ 18.75	\$ 12,337.50
	277	LF	6"	SDR-26 PVC	12-14 feet	\$ 18.75	\$ 5,193.75
Manholes					Quantity	Unit Price	Gross Price
				Manholes, 6-8 feet (each)	3	\$ 1,800.00	\$ 5,400.00
				Manholes, 8-10 feet (each)	2	\$ 2,544.20	\$ 5,088.40
				Manholes, 10-12 feet (each)	2	\$ 2,544.20	\$ 5,088.40
Backfill				Granular bedding (#8) (tons)	1,090	\$ 17.41	\$ 18,802.80
				Granular backfill (tons)	6,110	\$ 11.39	\$ 69,592.90
Other				8"x6" wyes (each)	32	\$ 45.55	\$ 1,457.60
				Connect to existing manhole (core) (each)	2	\$ 100.00	\$ 200.00
				Testing and televising (lf - main)	1,706	\$ 2.00	\$ 3,412.00
						SANITARY SEWERS TOTAL:	\$ 170,161.85

2. STORM SEWERS (non-legal drain)

Structures	Quantity	Unit Price	Gross Price				
Inlet Type A (each)	4	\$ 1,150.00	\$ 4,600.00				
Double Curb Inlet Type A (each)	3	\$ 1,900.00	\$ 5,700.00				
Storm Manhole Type C (each)	2	\$ 1,313.00	\$ 2,626.00				
Storm Inlet Manhole Type C (each)	4	\$ 1,330.00	\$ 5,320.00				
Double Curb Inlet Manhole Type C (each)	1	\$ 2,000.00	\$ 2,000.00				
Swale Inlet Type E (each)	2	\$ 964.00	\$ 1,928.00				
Swale Inlet Type F (each)	4	\$ 964.00	\$ 3,856.00				
Diversion Manhole Type C (each)	2	\$ 1,500.00	\$ 3,000.00				
Diversion Manhole Type J (each)	1	\$ 2,000.00	\$ 2,000.00				
Aquaswirl Unit AS-2 (each)	1	\$ 20,000.00	\$ 20,000.00				
Aquaswirl Unit AS-3 (each)	1	\$ 25,000.00	\$ 25,000.00				
Aquaswirl Unit AS-4 (each)	1	\$ 30,000.00	\$ 30,000.00				
End Section - 12" (each)	2	\$ 1,000.00	\$ 2,000.00				
End Section - 12" / with trash guard (each)	2	\$ 1,000.00	\$ 2,000.00				
End Section - 18" / with trash guard (each)	1	\$ 1,200.00	\$ 1,200.00				
Backfill							
Granular bedding (#8) (tons)	220	\$ 17.41	\$ 3,830.20				
Granular backfill (#53) (tons)	950	\$ 11.40	\$ 10,830.00				
Pipe	Quantity	Unit	Size	Material	Unit Price	Gross Price	
	925	LF	12"	RCP	\$ 23.00	\$ 21,275.00	
	335	LF	15"	RCP	\$ 23.00	\$ 7,705.00	
	306	LF	18"	RCP	\$ 30.85	\$ 9,440.10	
	320	LF	6" (Street)	Underdrain	\$ 6.76	\$ 2,163.20	
	3376	LF	6" (Swales)	Underdrain	\$ 6.76	\$ 22,821.76	
	32	Each	6" (Lot Lead)	Underdrain	\$ 92.28	\$ 2,952.96	
						\$ -	
Other							
				Rip Rap (tons)	110	\$ 40.00	\$ 4,400.00
				Rock Lined Chute (each)	2	\$ 2,200.00	\$ 4,400.00
				Connect to existing manhole (core) (each)	3	\$ 100.00	\$ 300.00
				Testing and televising (lf - main)	1,566	\$ 2.50	\$ 3,915.00
						STORM SEWERS TOTAL:	\$ 205,263.22

3. STORM SEWERS (legal drain)

		Quantity	Unit Price	Gross Price		
Structures	Inlet Type A (each)	0	\$ 1,150.00	\$ -		
	Storm Manhole Type C (each)	1	\$ 1,313.00	\$ 1,313.00		
	Storm Inlet Manhole Type C (each)	3	\$ 1,330.00	\$ 3,990.00		
	End Section - 12" / with animal guard w/ swing action (each)	1	\$ 1,000.00	\$ 1,000.00		
	End Section - 24" / with animal guard w/ swing action (each)	1	\$ 1,400.00	\$ 1,400.00		
	End Section - 24" / with trash guard (each)	1	\$ 1,400.00	\$ 1,400.00		
Backfill	Granular bedding (#8) (tons)	120	\$ 17.41	\$ 2,089.20		
	Granular backfill (#53) (tons)	520	\$ 11.40	\$ 5,928.00		
Pipe	Quantity	Unit	Size	Material	Unit Price	Gross Price
	468	LF	12"	RCP	\$ 23.00	\$ 10,764.00
	0	LF	15"	RCP	\$ 23.00	\$ -
	0	LF	18"	RCP	\$ 30.85	\$ -
	0	LF	21"	RCP	\$ 33.00	\$ -
	391	LF	24"	RCP	\$ 35.70	\$ 13,958.70
	0	LF	30"	RCP	\$ 44.00	\$ -
	0	LF	6" (Street)	Underdrain	\$ 6.76	\$ -
	0	LF	6" (Swales)	Underdrain	\$ 6.76	\$ -
	0	Each	6" (Lot Lead)	Underdrain	\$ 92.28	\$ -
Other	Rip Rap (tons)	100	\$ 40.00	\$ 4,000.00		
	Rock Lined Chute (each)	0	\$ 2,200.00	\$ -		
	Connect to existing manhole (core) (each)	1	\$ 100.00	\$ 100.00		
	Testing and televising (lf - main)	859	\$ 2.50	\$ 2,147.50		
	STORM SEWERS TOTAL:				\$ 48,090.40	

4. CURBS

Curb and gutter - Roll curb (lf)	4,105	\$ 6.85	\$ 27,298.25
CURBS TOTAL:			\$ 27,298.25

5. PAVING

Onsite paving	Quantity	Unit Price	Gross Price
6" base stone compacted, #53, including 6" stone under curb (sy)	8,000	\$ 4.56	\$ 36,480.00
INDOT HMA 25mm base (2.5") (sy)	7,100	\$ 6.55	\$ 46,505.00
INDOT HMA 19mm intermediate (2.5") (sy)	7,100	\$ 6.85	\$ 48,635.00
INDOT HMA 9.5mm surface (1.5") (sy)	7,100	\$ 5.41	\$ 38,411.00
PAVING (ONSITE) TOTAL:			\$ 170,031.00

169th Street

Entrance with decel lane, taper, accel lane (south side) (Collector section):

6" base stone compacted, #53, including 6" stone under curb (sy)	880	\$ 13.67	\$ 12,029.60
INDOT HMA 19mm intermediate (2") (sy)	850	\$ 5.24	\$ 4,454.00
INDOT HMA 25mm base (4") (sy)	850	\$ 8.94	\$ 7,599.00
INDOT HMA 19mm intermediate (2.5") (sy)	850	\$ 9.08	\$ 7,718.00
INDOT HMA 9.5mm surface (1.5") (sy)	850	\$ 5.99	\$ 5,091.50
PAVING SUB-TOTAL:			\$ 36,892.10

Widening (south side only) (Thoroughfare road):

6" base stone compacted, #53 (sy)	335	\$ 8.32	\$ 2,787.20
INDOT HMA 25mm base (2.5") (sy)	335	\$ 9.17	\$ 3,071.95
INDOT HMA 19mm intermediate (2.5") (sy)	335	\$ 9.30	\$ 3,115.50
INDOT HMA 9.5mm surface (1.5") (sy)	335	\$ 7.69	\$ 2,576.15
PAVING SUB-TOTAL:			\$ 11,550.80

Overlay (all of existing street along frontage):

Milling of existing asphalt at transition ends (sy)	40	\$ 14.76	\$ 590.40
INDOT HMA 9.5mm surface - wedge and level (ton)	8	\$ 95.11	\$ 760.88
INDOT HMA 9.5mm surface (1.5") (sy)	1,500	\$ 6.05	\$ 9,075.00
Thermo plastic striping: 2 white edges, 1 double yellow center (ls)	1	\$ 3,639.00	\$ 3,639.00
PAVING SUB-TOTAL:			\$ 14,065.28

PAVING TOTAL: \$ 232,539.18

6. EROSION CONTROL

	Quantity	Unit Price	Gross Price
<i>Seeding</i>			
Temporary seed & straw mulch (sy)	37,000	\$ 0.405	\$ 14,985.00
Rotary seeding & straw mulch - pads (acres)	7.1	\$ 100.00	\$ 710.00
Permanent seed with blanket (lake) (sy)	5,125	\$ 0.405	\$ 2,075.63
Permanent seed with blanket (swales) (sy)	1,750	\$ 1.17	\$ 2,047.50
Permanent seed with straw (sy)	37,000	\$ 0.405	\$ 14,985.00
			\$ -
<i>Other</i>			
Silt fencing (perimeter) (lf)	4,750	\$ 1.00	\$ 4,750.00
			\$ -
Concrete washout (each)	1	\$ 500.00	\$ 500.00
Construction Entrance (each)	1	\$ 3,700.00	\$ 3,700.00
Inlet Protection (curbs) (each)	18	\$ 30.00	\$ 540.00
Inlet Protection (beehives) (each)	12	\$ 30.00	\$ 360.00
			EROSION CONTROL TOTAL \$ 44,653.13

7. SIDEWALKS

	Quantity	Unit Price	Gross Price
Four-foot (4') wide concrete sidewalks - builder lots only (lf)	3,622	\$ 12.00	\$ 43,464.00
Four-foot (4') wide concrete sidewalks - common areas only (lf)	520	\$ 12.00	\$ 6,240.00
Eight-foot (8') wide asphalt multi-use path (sy)	450	\$ 30.21	\$ 13,594.50
			SIDEWALKS TOTAL: \$ 63,298.50

8. STREET TREES

	Quantity	Unit Price	Gross Price
Street Trees (each)	80	\$ 220.00	\$ 17,600.00
			STREET TREES TOTAL: \$ 17,600.00

9. STREET SIGNS

	Quantity	Unit Price	Gross Price
Standard street name sign (each)	3	\$ 325.00	\$ 975.00
Traffic control sign (each)	10	\$ 225.00	\$ 2,250.00
Barricade (Type III) (each)	0	\$ 1,200.00	\$ -
			STREET SIGNS TOTAL: \$ 3,225.00

10. MONUMENTS

	Quantity	Unit Price	Gross Price
Standard centerline monument (each)	13	\$ 100.00	\$ 1,300.00
Standard perimeter monument (each)	11	\$ 140.00	\$ 1,540.00
Standard lot monument (each)	115	\$ 25.00	\$ 2,875.00
			MONUMENTS TOTAL: \$ 5,715.00

GUARANTEE SUMMARY

	Performance	Maintenance
--	-------------	-------------

X.20

For Group CASH @ 120%
57708.48

		Total A	Guarantee B = A X 110%	Guarantee C = B X 20%
Guarantee 1	Sanitary Sewers ✓	\$ 170,161.85	\$ 187,178.04	\$ 37,435.61
Guarantee 2	Storm Sewers (non-legal drain) ✓	\$ 205,263.22	\$ 225,789.54	\$ 45,157.91
Guarantee 3	Storm Sewers (legal drain) ✓	\$ 48,090.40	\$ 52,899.44	\$ 10,579.89
Guarantee 4	Curbs ✓	\$ 27,298.25	\$ 30,028.08	\$ 6,005.62
Guarantee 5	Paving ✓	\$ 232,539.18	\$ 255,793.10	\$ 51,158.62
Guarantee 6	Erosion Control ✓	\$ 44,653.13	\$ 49,118.44	\$ 9,823.69
Guarantee 7	Sidewalks ✓	\$ 63,298.50	\$ 69,628.35	\$ 13,925.67
Guarantee 8	Street Trees ✓	\$ 17,600.00	\$ 19,360.00	\$ 3,872.00
Guarantee 9	Street Signs	\$ 3,225.00	\$ 3,547.50	\$ 709.50
Guarantee 10	Monuments	\$ 5,715.00	\$ 6,286.50	\$ 1,257.30

COMMENTS: 9834

Lantz McElroy

Bond Estimate Prepared by:

Signature _____
 Lantz McElroy, P.E.
 Printed Name _____
 Sr. Project Manager
 Title _____

1/9/2015
 Date

Todd Schaefer

From: Paul Claire
Sent: Thursday, January 15, 2015 2:05 PM
To: Todd Schaefer
Subject: FW: Essex of Noblesville Section 4 - revisions

Paul Claire
Arbor Homes, LLC
Arbor Investments, LLC
Silverthorne Homes, LLC
6626 East 75th Street, Suite 400
Indianapolis, IN 46250
317-842-1875 x 204 office
317-714-3346 mobile

From: Steve T. Cash [mailto:Steve.Cash@hamiltoncounty.in.gov]
Sent: Tuesday, August 12, 2014 5:01 PM
To: Lantz McElroy
Cc: Joyceann Yelton; Andy Wert; Paul Claire; Jerry L. Liston
Subject: RE: Essex of Noblesville Section 4 - revisions

Lantz,

Based on the latest revisions, it appears our previous plan review comments for Essex of Noblesville, Sec. 4 have been satisfactorily addressed. Please forward the surety for the regulated drain relocation (120%), as well as, the engineers estimate or copy of the contract for the cost of the drain relocation. I will then, prepare the Surveyor's Report pursuant to the Drainage Board's approval.

Have a great day,

Steve Cash

Steven T. Cash
Plan Reviewer
Hamilton County Surveyors Office
steve.cash@hamiltoncounty.in.gov

*Hamilton
County
Commissioners*
cost
\$48,090.40
x 1.20
57,708.48

From: Lantz McElroy [mailto:LMcElroy@schneidercorp.com]
Sent: Tuesday, August 12, 2014 3:57 PM
To: Steve T. Cash
Cc: Joyceann Yelton; Andy Wert; 'Paul Claire, PE'
Subject: RE: Essex of Noblesville Section 4 - revisions

Steve – please find the revised Sheet T101 per your comment about the 2 trees on the phone just a few minutes ago. I will put a hard copy of this plan in the UPS ground to you also. You should have it by Thursday. Thank you.

ARBOR HOMES, LLC

Transmittal Letter

To: Steve Cash		From: Todd Schaefer	
Company:		Date: June 27, 2014	
Hamilton County Surveyors Office County Government Building Noblesville, In. 46060		Arbor Homes 6626 E. 75 th Street Suite 400 Indianapolis, IN 46250	
Phone Number: 776-8495		Re: Essex of Noblesville Section 4	
Fax Number:			
Transmitted herewith via:			
<input type="checkbox"/> Mail	<input type="checkbox"/> Overnight	<input type="checkbox"/> Courier / Pick-up	<input type="checkbox"/> [REDACTED]
<input type="checkbox"/> For Your Use	<input type="checkbox"/> For Review	<input type="checkbox"/> Please Comment	<input type="checkbox"/> Please Reply

Notes/Comments:

Rod,

Attached please find the following:

1. You're Approval Email.
2. An Engineers Estimate
3. The original Performance Bond # 5042199

Thanks as always for your assistance.

Todd Schaefer
Arbor Investments, LLC
317 842-1875 ext. 139
(317) 379-4917 mob.

Cc: file

COPY

PERFORMANCE BOND NO. 5042199

FILED

JAN 23 2015

Bond Safeguard INSURANCE COMPANY

12890 Lebanon Road
Mt. Juliet, TN 31722

OFFICE OF HAMILTON COUNTY SURVEYOR

KNOW ALL MEN BY THESE PRESENTS:

HCDB-2015-00014

That Arbor Investments, LLC, 6626 E. 75th Street, #400, Indianapolis, IN 46250

(hereinafter called Principal), as Principal, and the BOND SAFEGUARD INSURANCE COMPANY, a corporation of the State of Illinois, with its Executive Office in Lombard, Illinois, (hereinafter called Surety), are held and firmly bound unto Hamilton County Commissioners, 1 North 8th Street, Noblesville, IN 46060 (hereinafter called Oblgee), in the full and just sum

of Fifty Seven Thousand Seven Hundred Eight and 48/100 Dollars (\$ 57,708.48).

To the payment of which sum, well and truly to be made, the Principal and Surety bind themselves, their and each of their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed, sealed and dated this 2nd day of February, 20 15

WHEREAS, the Principal has entered into a certain written contract, dated the 2nd day of February, A.D. 20 15, with the Oblgee for

Essex of Noblesville Section 4; Storm Sewer (Legal Drain) for the regulated drain required by The Hamilton County Surveyors Office

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That, if the Principal shall indemnify the Oblgee against any and all loss or damage directly arising by reason of the failure of the Principal to faithfully perform said contract, then this obligation shall be void; otherwise to remain in full force and effect.

This bond is executed and accepted upon the following express conditions precedent:

1. That the Oblgee shall faithfully and punctually perform all the terms and conditions of said contract to be performed by the Oblgee.
2. That if the Principal shall abandon said contract or be lawfully compelled by reason of a default to cease operations thereunder, the Surety shall have the right at its option to complete said contract or to sublet the completion thereof.
3. That the Oblgee shall notify the Surety by registered letter, addressed and mailed to it at its Executive Office, of any breach of said contract within a reasonable time after such breach shall have come to the knowledge of the Oblgee, or the Architect, or Engineer.
4. That the Surety shall not be liable for any provisions of the contract or specifications respecting guarantees of efficiency or wearing qualities, or for maintenance or repairs, not is the Surety obligated to furnish any other bond covering such provisions of the contract or specifications.
5. All suits at law or proceedings in equity to recover on this bond must be instituted within twelve months after the completion of said contract, and in any event within twelve months from the date fixed in said contract for its completion.

Arbor Investments, LLC

PRINCIPAL

By _____ (Seal)
Title

WITNESS Tade S. [Signature]

BOND SAFEGUARD INSURANCE COMPANY

WITNESS [Signature]

By [Signature]
Liana M. Shelton, Attorney-in-fact

Bond Safeguard INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, a South Dakota Corporation with its principal office in Sioux Falls, South Dakota, does hereby constitute and appoint: Daniel T. Touw, Liana M. Shelton, Jason D. McEldowney its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, \$ 1,000,000.00, One Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed to by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.



BOND SAFEGUARD INSURANCE COMPANY

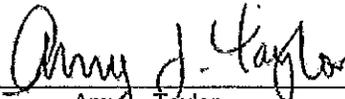
BY 
David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR
Notary Public- State of Tennessee
Davidson County
My Commission Expires 01-09-16

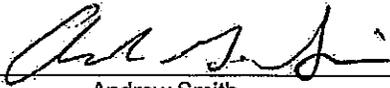
BY 
Amy L. Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **BOND SAFEGUARD INSURANCE COMPANY**, A South Dakota Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Mount Juliet, Tennessee this 2nd Day of February, 2015



BY 
Andrew Smith
Assistant Secretary

WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material hereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

BEFORE THE HAMILTON COUNTY DRAINAGE BOARD
IN THE MATTER OF

*Vestal/Kirkendall Drainage Area, A. J. Brock Arm
Essex of Noblesville Section 4 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 **Vestal/Kirkendall Drainage Area, A. J. Brock Arm, Essex of Noblesville Section 4 Relocation** on **May 23, 2016 at 9:00 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 Vestal/Kirkendall Drainage Area, A. J.
Brock Arm, Essex of Noblesville Section 4 Relocation.

NOTICE

Notice is hereby given that the Hamilton County Drainage Board at its regular meeting **May 23, 2016** 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