



Board of Public Works and Safety

Agenda Item

Cover Sheet

MEETING DATE: July 10, 2018

- ☒ New Item for Discussion
- ☐ Previous Item for Discussion
- ☐ Miscellaneous

ITEM #: 6

INITIATED BY: Brian Gray

- ☒ Information Attached
- ☐ Bring Paperwork from Previous Meeting
- ☐ Verbal
- ☐ No Paperwork at Time of Packets



MEMORANDUM

To: Board of Public Works and Safety

From: Brian D. Gray, Engineering Department

Date: July 5, 2018

Re: **Developer Reimbursement Agreements
Summer Road and 191st Street Rehabilitation
Annual Paving Contract (EN-293-02)**

Staff respectfully requests the following action from the Board of Public Works and Safety:

- 1. Board to consider approving the developer Agreements for the Payment of Construction Costs Associated with the 2018 Summer Road and 191st Street Rehabilitation Project (EN-293-02)**

The Engineering Department working with the following developers, Beazer Homes, Gradison Development, Logan Limited Development and Lennar; was able to provide a seamless construction of both 191st Street and Summer Road. The developers, adjacent to the EN-293-02 project limits, have agreed to contributions of their respective shares of the UDO obligations of their projects. The attached agreements are the developers' commitment to their respective share of the project costs. The coordination and cooperation of each developer will enable the Engineering Department to deliver quality seamless rehabilitations of both 191st Street and Summer Road in these development areas.

Staff respectfully request the Board of Work execute each agreement, for the developer reimbursement to the City, for construction related to the EN-293-02 contract. Upon completion of the project, the developers' bond obligations for work within the existing rights-of-way (Summer Road and 191st Street) shall be presented to the Board for release.

Thank you in advance for your consideration of this request.

Enclosures

**AGREEMENT FOR THE PAYMENT OF
CONSTRUCTION COSTS ASSOCIATED WITH THE
2018 SUMMER ROAD REHABILITATION**

This Agreement entered into by and between Logan Limited Development Corporation, as a company, ("the Developer") and the City of Noblesville ("the City").

WITNESS THAT:

WHEREAS, as of May 15, 2018, the City entered into a construction contract with, E&B Paving Company, through a publicly bid contract for the repair, patching, widening, wedging, and overlay of Summer Road as part of the 2018 Noblesville Annual Paving Contract (EN-293-02); specifically from Greenfield Avenue to 166th Street; and

WHEREAS, the developer has adjacent developments to Summer Road, Flagstone Woods Section 1, Flagstone Woods Section 2, and Flagstone Ridge Section 1. As such, the development obligations to make certain improvements to Summer Road; per the approved construction plans (permit LOCP-000089-2015, LOCP-002171-2015 and LOCP-001516-2017), the Noblesville Construction Standards, and obligations under the Unified Development Ordinance. The 2018 Annual Noblesville Paving Contract (EN-293-02) shall provide benefit to the Developer and the City, by completing the Summer Road improvements not completed by the developer. As such, the Developer is committed to reimburse the City for the specific Summer Road improvements based the attached itemized contract proposal for Summer Road.

WHEREAS, the City and the Developer are desirous to complete the project by entering into an Agreement to allow the Developer to pay a portion of the EN-293-02 project costs associated specifically with the Developer's approved development obligations for Summer Road;

IT IS THEREBY AGREED as follows:

1. Logan Limited Development Corporation, as a company, agrees to pay the City for the Summer Road Improvement in the amount of seventy one thousand two hundred and seventy-seven dollars and thirty one cents (\$71,277.31), due 45 days from the Board of Works approval of this agreement; and,
2. Logan Limited Development Corporation is obligated to complete the Summer Road widening per the Noblesville Construction Standards detail ("Thoroughfare Road Improvements without Curb and Gutter" - page 2) and all accel/decl lane improvements prior to the City commencing work on Summer Road; and
3. The City shall provide base repair, wedge and leveling, final surface overlay, and all associated striping for Summer Road. The City is solely responsible for the administration of the Summer Road construction under the 2018 Annual Paving Contract, as contracted with E&B Paving Company; and for all construction

inspection costs of the projects, permitting costs and all future follow ups with the permitting agencies associated with the project.

ALL OF WHICH IS AGREED by and between the parties on the dates set out herein.

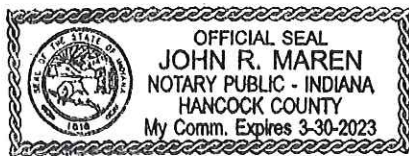
Developer:
Logan Limited Development Corp.

Dated: 5/16/18

[Signature]
By: Roger L. Kessler
Logan Limited Development Corp.

Before me, a Notary Public in and for said County and State, personally appeared Matt Lohmeyer who acknowledged the execution of this Agreement.

WITNESS my hand and Notarial Seal this 16th day of May, 2018.



[Signature]
Notary Public
John R. Maren
Notary Public, Printed

My Commission Expires:

3.30.2023

Residing in Hancock County, Indiana.

The agreement is approved by John Ditslear, Mayor of the City of Noblesville,

Indiana this _____ day of May, 2018.

John Ditslear, Mayor of the City of
Noblesville, Indiana

**AGREEMENT FOR THE PAYMENT OF
CONSTRUCTION COSTS ASSOCIATED WITH THE
2018 SUMMER ROAD REHABILITATION**

This Agreement entered into by and between Beazer Homes, as a company, ("the Developer") and the City of Noblesville ("the City").

WITNESS THAT:

WHEREAS, as of May 15, 2018, the City entered into a construction contract with, E&B Paving Company, through a publicly bid contract for the repair, patching, widening, wedging, and overlay of Summer Road as part of the 2018 Noblesville Annual Paving Contract (EN-293-02); specifically from Greenfield Avenue to 166th Street; and

WHEREAS, the developer has an adjacent development to Summer Road, Summerland Park Section 1. As such, the development obligations to make certain improvements to Summer Road; per the approved construction plans (permit LOCP-000006-2017), the Noblesville Construction Standards, and obligations under the Unified Development Ordinance. The 2018 Annual Noblesville Paving Contract (EN-293-02) shall provide benefit to the Developer and the City, by completing the Summer Road improvements not completed by the developer. As such, the Developer is committed to reimburse the City for the specific Summer Road improvements based the attached itemized contract proposal for Summer Road.

WHEREAS, the City and the Developer are desirous to complete the project by entering into an Agreement to allow the Developer to pay a portion of the EN-293-02 project costs associated specifically with the Developer's approved development obligations for Summer Road;

IT IS THEREBY AGREED as follows:

1. Beazer Homes, as a company, agrees to pay the City for the Summer Road Improvement in the amount of twenty one thousand five hundred and sixty-five dollars and thirty two cents (\$21,565.32), due 45 days from the Board of Works approval of this agreement; and,
2. Beazer Homes is obligated to complete the Summer Road widening per the Noblesville Construction Standards detail ("Thoroughfare Road Improvements without Curb and Gutter" - page 2) and all accel/decl lane improvements prior to the City commencing work on Summer Road; and
3. The City shall provide base repair, wedge and leveling, final surface overlay, and all associated striping for Summer Road. The City is solely responsible for the administration of the Summer Road construction under the 2018 Annual Paving Contract, as contracted with E&B Paving Company; and for all construction inspection costs of the projects, permitting costs and all future follow ups with the permitting agencies associated with the project.

ALL OF WHICH IS AGREED by and between the parties on the dates set out herein.

Dated: 5/14/18

Developer:
Beazer Homes

By: *Paul Claire*
Paul Claire
Beazer Homes

Before me, a Notary Public in and for said County and State, personally appeared .
Matt Lohmeyer who acknowledged the execution of this Agreement.

WITNESS my hand and Notarial Seal this 14 day of May, 2018.



Lynn E Schaller
Notary Public

Lynn E. Schaller
Notary Public, Printed

My Commission Expires:

8/20/2025

Residing in Marion County, Indiana.

The agreement is approved by John Ditslear, Mayor of the City of Noblesville,

Indiana this _____ day of May, 2018.

John Ditslear, Mayor of the City of
Noblesville, Indiana

LETTER OF TRANSMITTAL



05/15/18

To: Brian Gray
Department of Engineering
City of Noblesville
16 S 10th Street
Noblesville IN 46060

RE: Summerland Park

From: Eric Batt, PE
Land Development Manager
BEAZER HOMES - Indiana Division
9405 Delegates Row
Indianapolis, IN 46240
317 569 3590 office
317 619 1969 mobile
eric.batt@beazer.com

Sent: ☐ Mail. ☒ Hand ☐ Courier ☐ Other(_____)

Description:

05-15-18 Ck #84134072 for \$21,565.32.

05-14-18 Summer Road Rehabilitation Agreement.

Remarks:

Should you have questions let us know.

Sincerely
Eric Batt, PE



**Beazer Homes - Indianapolis Division**

9405 Delegates Row
Indianapolis, IN 46240
(317) 843-9514

JPMORGAN CHASE BANK, NA
CHICAGO, IL
PAYABLE THROUGH FCC NATIONAL BANK
WILMINGTON, DELAWARE

NO. 84134072

70-2322/719

ISSUE DATE	AMOUNT
05/15/18	\$****21,565.32

PAY TWENTY ONE THOUSAND FIVE HUNDRED SIXTY FIVE AND 32/100 *****

PAY
TO THE
ORDER
OF

City Of Noblesville
16 S 10TH ST
Noblesville IN 46060-2809

VOID IF NOT CASHED WITHIN 90 DAYS



AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

118411

118521

DETACH HERE FOR YOUR RECORDS

Invoice Date	Contract #	Voucher/Type/Pay Item	Account Number		Gross	Tax	Discount	Net
Lot# Address/Remarks			Cost Code Description					
05/14/18	14618207	PV 001	84170019000.1515.26180		21,565.32			21,565.32
Summerland Park		LD	Street Top Paving					
			CKREQ051418SLP					
Totals for Address Book# - 00129384					21,565.32			21,565.32

Receipt
to
Street Rehab
1060535
Expense offset

CHECK DATE	05/15/18	CHECK NUMBER	84134072
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RECEIPT****COPY****

CITY OF NOBLESVILLE
16 SOUTH 10TH STREET STE 270
NOBLESVILLE IN 46060
Telephone: 317-776-6328 Fax: 317-776-6369

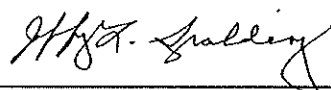
Receipt No: 65863

Date: 05/17/2018

Time: 10:24:48

Received From: CONTROLLERS OFFICE/BEAZER

Fund	Object	Bank	Title Check/Ref #	Description	Project	Payment Type	Amount
106	535.000	0	MVH - EXP OFFSET-UNSPC	STREET TOP PAVING		Check	21565.32

***** Total ***** 21565.32****COPY****_____
CONTROLLER

**AGREEMENT FOR THE PAYMENT OF
CONSTRUCTION COSTS ASSOCIATED WITH THE
2018 SUMMER ROAD REHABILITATION**

This Agreement entered into by and between Gradison-Merion Investment, LLC, as a company, ("the Developer") and the City of Noblesville ("the City").

WITNESS THAT:

WHEREAS, as of May 15, 2018, the City entered into a construction contract with, E&B Paving Company, through a publicly bid contract for the repair, patching, widening, wedging, and overlay of Summer Road as part of the 2018 Noblesville Annual Paving Contract (EN-293-02); specifically from Greenfield Avenue to 166th Street; and

WHEREAS, the developer has adjacent developments to Summer Road, Merion Section 1 and Merion Section 2. As such, the development obligations to make certain improvements to Summer Road; per the approved construction plans (permit LOCP-002826-2015 and LOCP-000186-2017), the Noblesville Construction Standards, and obligations under the Unified Development Ordinance. The 2018 Annual Noblesville Paving Contract (EN-293-02) shall provide benefit to the Developer and the City, by completing the Summer Road improvements not completed by the developer. As such, the Developer is committed to reimburse the City for the specific Summer Road improvements based the attached itemized contract proposal for Summer Road.

WHEREAS, the City and the Developer are desirous to complete the project by entering into an Agreement to allow the Developer to pay a portion of the EN-293-02 project costs associated specifically with the Developer's approved development obligations for Summer Road;

IT IS THEREBY AGREED as follows:

1. Gradison-Merion Investment, LLC, as a company, agrees to pay the City for the Summer Road Improvement in the amount of twenty four thousand six hundred and eighty dollars and seventy three cents (\$24,680.73), due 45 days from the Board of Works approval of this agreement; and,
2. Gradison-Merion Investment, LLC is obligated to complete the Summer Road widening per the Noblesville Construction Standards detail ("Thoroughfare Road Improvements without Curb and Gutter" - page 2) and all accel/decl lane improvements prior to the City commencing work on Summer Road; and
3. The City shall provide base repair, wedge and leveling, final surface overlay, and all associated striping for Summer Road. The City is solely responsible for the administration of the Summer Road construction under the 2018 Annual Paving Contract, as contracted with E&B Paving Company; and for all construction

inspection costs of the projects, permitting costs and all future follow ups with the permitting agencies associated with the project.

ALL OF WHICH IS AGREED by and between the parties on the dates set out herein.

Dated: 5/31/18

Developer:

Gradison-Merion Investment, LLC

By: Mark Gradison
Gradison-Merion Investment, LLC

Before me, a Notary Public in and for said County and State, personally appeared Mark Gradison who acknowledged the execution of this Agreement.

WITNESS my hand and Notarial Seal this 31st day of May, 2018.

Katherine E Wagner
Notary Public

Katherine E Wagner
Notary Public, Printed



My Commission Expires:

12/29/18

Residing in Hamilton County, Indiana.

The agreement is approved by John Ditslear, Mayor of the City of Noblesville,

Indiana this _____ day of May, 2018.

John Ditslear, Mayor of the City of
Noblesville, Indiana

GRADISON-MERION INVESTMENT, LLC6330 E. 75TH ST., STE 156
INDIANAPOLIS, IN 46250219-756-2265 or 1-888-Centier
www.centier.com
71-287/719EZShield® Check Fraud
Protection for Business

5/29/2018

PAY TO THE
ORDER OF City of Noblesville

\$**24,680.73

Twenty-Four Thousand Six Hundred Eighty and 73/100*****

DOLLARS

City of Noblesville

AUTHORIZED SIGNATURE

MEMO

Developer Cost Share/Roads

⑈001182⑈

⑈102570582⑈

GRADISON-MERION INVESTMENT, LLC

1182

City of Noblesville

Date	Type	Reference
5/29/2018	Bill	Cost Share-Developer

Original Amt.
24,680.73

Balance Due
24,680.73

5/29/2018

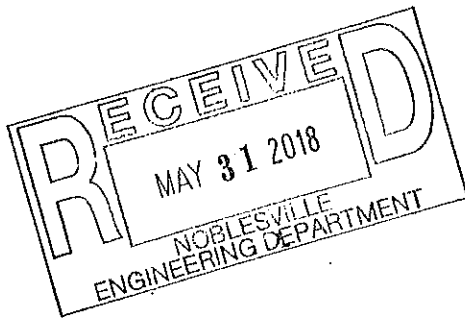
Discount

Payment

24,680.73

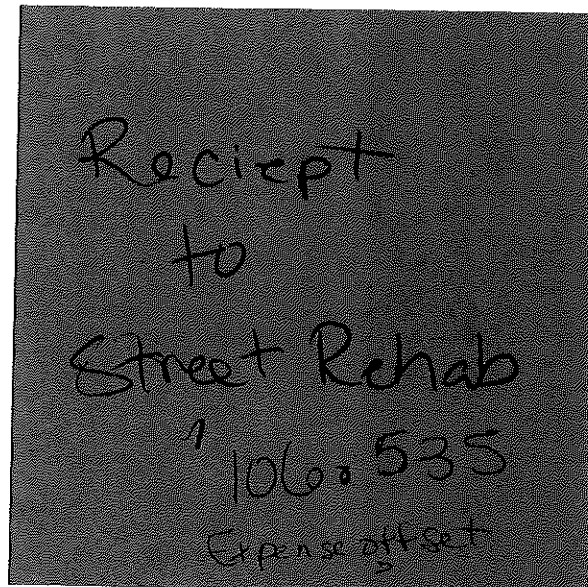
Check Amount

24,680.73



Cash

Developer Cost Share/Roads



24,680.73

REPORT OF COLLECTIONS

Clerk-Treasurer

(Title of Officer)
City of Noblesville

City of Noblesville

(Government Unit)

Hamilton, Indiana

(County)

Collections for Period of _____ 5/31/18 _____

DESCRIPTION	Fund to be Credited	Collections This Period		Prior Collections		Year to Date Collections	
Offset Cost Summer Rd 2018 Street Rehab	106.535	24680	73				
Total Amount Collected Y-T-D Receipt							

I hereby certify that the foregoing is a true and correct report of collections due the above named governmental unit for the period shown.

Dated this _____ 5/31/18 _____

NOTE

This is not to be used as a receipt for collections.
The official to whom the report is made must issue
an official receipt for the collections remitted.

(Signature)

RECEIPT

****COPY****

CITY OF NOBLESVILLE
16 SOUTH 10TH STREET STE 270
NOBLESVILLE IN 46060

Telephone: 317-776-6328 Fax: 317-776-6369

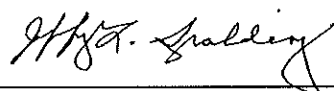
Receipt No: 66012

Date: 06/01/2018

Time: 12:22:53

Received From: ENGINEERING/THOMPSON

Fund	Object	Bank	Title Check/Ref #	Description	Project	Payment Type	Amount
106	535.000	0	MVH - EXP OFFSET-UNSPC	OFFSET COST SUMMER 2018 REHAB		Check	24680.73

*** Total *** 24680.73****COPY****_____
CONTROLLER

**AGREEMENT FOR THE PAYMENT OF
CONSTRUCTION COSTS ASSOCIATED WITH THE
2018 SUMMER ROAD REHABILITATION**

This Agreement entered into by and between CalAtlantic Homes of Indiana, Inc., Delaware Corporation ("the Developer") and the City of Noblesville ("the City").

WITNESS THAT:

WHEREAS, as of May 15, 2018, the City entered into a construction contract with, E&B Paving Company, through a publicly bid contract for the repair, patching, widening, wedging, and overlay of Summer Road as part of the 2018 Noblesville Annual Paving Contract (EN-293-02); specifically from Greenfield Avenue to 166th Street; and

WHEREAS, the Developer has adjacent developments to Summer Road, Turnberry at the Park Section 1 and Turnberry at the Park Section 3. As such, the Developer has obligations to make certain improvements to Summer Road; per the approved construction plans (permit LOCP-001705-2014 and LOCP-000366-2017), the Noblesville Construction Standards, and obligations under the Unified Development Ordinance. The 2018 Annual Noblesville Paving Contract (EN-293-02) shall provide benefit to the Developer and the City, by completing the Summer Road improvements not completed by the Developer. As such, the Developer is committed to reimburse the City for the specific Summer Road improvements based on the attached itemized contract proposal for Summer Road.

WHEREAS, the City and the Developer are desirous to complete the project by entering into an agreement to allow the Developer to pay a portion of the EN-293-02 project costs associated specifically with the Developer's approved development obligations for Summer Road;

IT IS THEREBY AGREED as follows:

1. Developer agrees to pay the City for its portion of the Summer Road Improvement in the amount of forty-nine thousand five hundred twenty-nine dollars and seventeen cents (\$49,529.17), due 45 days from the Board of Works approval of this agreement; and,
2. Developer is obligated to complete the Summer Road widening per the Noblesville Construction Standards detail ("Thoroughfare Road Improvements without Curb and Gutter" - page 2) prior to the City commencing work on Summer Road. The Developer has completed the required accel/decl lane improvements; and,
3. The City shall provide base repair, wedge and leveling, final surface overlay, and all associated striping for Summer Road. The City is solely responsible for the administration of the Summer Road construction under the 2018 Annual Paving Contract, as contracted with E&B Paving Company; and for all construction

inspection costs of the projects, permitting cost, and any and all maintenance repairs and replacement of Summer road, and all future follow ups with the permitting agencies associated with the project; and,

4. Upon execution of this agreement, completing the required widening and making the payment of the above referenced amount the parties hereto agree that the Developer shall have satisfied its development obligations for improvements to Summer Road and no further action is required by the Developer with respect to Summer Road.

ALL OF WHICH IS AGREED by and between the parties on the dates set out herein.

Developer:
CalAtlantic Homes of Indiana, Inc.

Dated: 6/28/18

By: [Signature]
Keith Lash
Vice President

Before me, a Notary Public in and for said County and State, personally appeared Keith Lash who acknowledged the execution of this Agreement.

WITNESS my hand and Notarial Seal this 28 day of June, 2018.

Wanda Woldridge
Notary Public
Wanda Woldridge
Notary Public, Printed

My Commission Expires:

8-27-22



Residing in Hamilton County, Indiana.

The agreement is approved by John Ditslear, Mayor of the City of Noblesville,

Indiana this _____ day of May, 2018.

John Ditslear, Mayor of the City of
Noblesville, Indiana

Development	Owner/Developer	Begin Station	End Station	Length FT	Width FT	Add'l Passing Blister SY	Add'l Turn Lane SY	Pavement Area SY	Patching SY
Summerland 1	Langston/Beazer	4+60 L	13+26 L	866	14.5	455.56	411.56	2262.33	22.22
Flagstone Woods 1	Logan Limited	13+26 L	18+08 L	482	14.5	0	423.33	1199.89	88.89
Flagstone Woods 2	Logan Limited	18+08 L	26+55 L	847	14.5	0	0	1364.61	120.00
Turnberry	CalAtlantic	26+55 L	27+20 L	65	14.5	0	0	104.72	
Turnberry	CalAtlantic	27+20 L	29+20 L	200	24	0	0	533.33	80.00
Turnberry	CalAtlantic	29+20 L	32+78 L	358	14.5	0	0	576.78	44.44
Turnberry	CalAtlantic	32+78 L	42+40 L	962	24	561.67	468.89	3595.89	
Flagstone Ridge 3	Logan Limited	0+11 R	4+60 R	449	25.5	0	0	1272.17	
Flagstone Ridge 3	Logan Limited	4+60 R	12+66 R	806	14.5	0	0	1298.56	
Flagstone Ridge 1	Logan Limited	12+66 R	20+03 R	737	14.5	0	444.11	1631.50	
Merion 1	Gradison	20+03 R	27+20 R	717	14.5	540.67	450.00	2145.83	
Merion 2	Gradison	29+20 R	32+78 R	358	14.5	0	0	576.78	
ENGINEER'S ESTIMATED QUANTITIES									
				Mainline Mill, 1.25"	Full Depth Patching, 8"	HMA For Wedge & Level	165#/SY Surface, Type B		
				SY	TON	TON	TON		
Summerland 1	Langston/Beazer	4+60 L	13+26 L	2262.33	10.27	62.21	195.97		
Flagstone Woods 1	Logan Limited	13+26 L	18+08 L	1199.89	41.07	33.00	103.94		
Flagstone Woods 2	Logan Limited	18+08 L	26+55 L	1364.61	55.44	37.53	118.21		
Turnberry	CalAtlantic	26+55 L	27+20 L	104.72	0.00	2.88	9.07		
Turnberry	CalAtlantic	27+20 L	29+20 L	533.33	36.96	14.67	46.20		
Turnberry	CalAtlantic	29+20 L	32+78 L	576.78	20.53	15.86	49.96		
Turnberry	CalAtlantic	32+78 L	42+40 L	3595.89	0.00	98.89	311.49		
Flagstone Ridge 3	Logan Limited	0+11 R	4+60 R	1272.17	0.00	34.98	110.20		
Flagstone Ridge 3	Logan Limited	4+60 R	12+66 R	1298.56	0.00	35.71	112.49		
Flagstone Ridge 1	Logan Limited	12+66 R	20+03 R	1631.50	0.00	44.87	141.33		
Merion 1	Gradison	20+03 R	27+20 R	2145.83	0.00	59.01	185.88		
Merion 2	Gradison	29+20 R	32+78 R	576.78	0.00	15.86	49.96		

ENGINEER'S COST ESTIMATE				Mainline Mill, 1.25" SYS	Full Depth Patching, 8" TON	HMA For Wedge & Level TON	165#/SY Surface, Type B TON	Mob/Demob + MOT +4%	TOTAL
Summerland 1	Langston/Beazer	4+60 L	13+26 L	\$ 2,714.80	\$ 1,016.40	\$ 4,168.35	\$ 12,836.34	\$ 829.44	\$ 21,565.32
Flagstone Woods 1	Logan Limited	13+26 L	18+08 L	\$ 1,439.87	\$ 4,065.60	\$ 2,210.80	\$ 6,808.09	\$ 580.97	\$ 15,105.33
Flagstone Woods 2	Logan Limited	18+08 L	26+55 L	\$ 1,637.53	\$ 5,488.56	\$ 2,514.30	\$ 7,742.72	\$ 685.32	\$ 18,078.43
Turnberry	CalAtlantic	26+55 L	27+20 L	\$ 125.67	\$ -	\$ 192.95	\$ 594.19	\$ 36.51	\$ 949.32
Turnberry	CalAtlantic	27+20 L	29+20 L	\$ 640.00	\$ 3,659.04	\$ 982.67	\$ 3,026.10	\$ 332.31	\$ 8,640.12
Turnberry	CalAtlantic	29+20 L	32+78 L	\$ 692.13	\$ 2,032.80	\$ 1,062.71	\$ 3,272.60	\$ 282.41	\$ 7,342.66
Turnberry	CalAtlantic	32+78 L	42+40 L	\$ 4,315.07	\$ -	\$ 6,625.43	\$ 20,402.85	\$ 1,253.73	\$ 32,597.07
Flagstone Ridge 3	Logan Limited	0+11 R	4+60 R	\$ 1,526.60	\$ -	\$ 2,343.97	\$ 7,218.19	\$ 443.55	\$ 11,532.31
Flagstone Ridge 3	Logan Limited	4+60 R	12+66 R	\$ 1,558.27	\$ -	\$ 2,392.59	\$ 7,367.92	\$ 452.75	\$ 11,771.53
Flagstone Ridge 1	Logan Limited	12+66 R	20+03 R	\$ 1,957.80	\$ -	\$ 3,006.04	\$ 9,257.03	\$ 568.83	\$ 14,789.70
Merton 1	Gradison	20+03 R	27+20 R	\$ 2,575.00	\$ -	\$ 3,953.70	\$ 12,175.32	\$ 748.16	\$ 19,452.18
Merton 2	Gradison	29+20 R	32+78 R	\$ 692.13	\$ -	\$ 1,062.71	\$ 3,272.60	\$ 201.10	\$ 5,228.55

Cost Share by Developer	Langston/Beazer	\$ 21,565.32
	Logan Limited	\$ 71,277.31
	CalAtlantic	\$ 49,529.17
	Gradison	\$ 24,680.73

*Updated 4/24/2018 to reflect actual bid prices of 2018 Street Rehabilitation - Contract II (EN-293-02)
Mobilization/Demobilization and Maintenance of Traffic has been estimated as a percentage of overall Base Bid

**AGREEMENT FOR THE PAYMENT OF
CONSTRUCTION COSTS ASSOCIATED WITH THE
2018 191ST STREET REHABILITATION**

This Agreement entered into by and between Calatlantic Homes of Indiana, Inc., Delaware Corporation ("the Developer") and the City of Noblesville ("the City").

WITNESS THAT:

WHEREAS, as of May 15, 2018, the City entered into a construction contract with, E&B Paving Company, through a publicly bid contract for the repair, patching, widening, wedging, and overlay of 191st Street as part of the 2018 Noblesville Annual Paving Contract (EN-293-02); specifically from Little Chicago Road to approximately 1300-ft east of Moontown Road; and

WHEREAS, the Developer has adjacent developments to 191st Street, Albany Ridge Section 1, Conner Crossing Brookston Section 2 and Conner Crossing Cottage Grove Section 2. As such, the Developer has obligations to make certain improvements to 191st Street; per the approved construction plans (permit LOCP-000083-2017, LOCP-000084-2017 and LOCP-001577-2016), the Noblesville Construction Standards, and obligations under the Unified Development Ordinance. The 2018 Annual Noblesville Paving Contract (EN-293-02) shall provide benefit to the Developer and the City, by completing the 191st Street improvements not completed by the Developer. As such, the Developer is committed to reimburse the City for the specific 191st Street improvements based on the attached itemized contract proposal for 191st Street.

WHEREAS, the City and the Developer are desirous to complete the project by entering into an Agreement to allow the Developer to pay a portion of the EN-293-02 project costs associated specifically with the Developer's approved development obligations for 191st Street;

IT IS THEREBY AGREED as follows:

1. Developer agrees to pay the City for its portion of the 191st Street Improvement in the amount of eighty eight thousand five hundred and eighty-one dollars and seventy five cents (\$88,581.75), due 45 days from the Board of Works approval of this agreement; and,
2. Developer has completed the required 191st Street widening per the Noblesville Construction Standards detail ("Thoroughfare Road Improvements without Curb and Gutter" - page 2) and all accel/decl lane improvements; and,
3. The City shall provide base repair, wedge and leveling, final surface overlay, and all associated striping for 191st Street. The City is solely responsible for the administration of the 191st Street construction under the 2018 Annual Paving Contract, as contracted with E&B Paving Company; and for all construction inspection costs of the projects, permitting costs and all future follow ups with the permitting agencies associated with the project, and any and all maintenance, repair and replacement of 191st Street; and,

4. Upon execution of this agreement and payment of the amount referenced above, the parties hereto agree that the Developer shall have satisfied its development obligations for improvements to 191st Street and no further action is required by the Developer with respect to 191st Street.

ALL OF WHICH IS AGREED by and between the parties on the dates set out herein.

Dated: 6/28/18

Developer:
Calatlantic Homes of Indiana, Inc.

By: [Signature]
Keith Lash
Vice President

Before me, a Notary Public in and for said County and State, personally appeared Keith Lash who acknowledged the execution of this Agreement.

WITNESS my hand and Notarial Seal this 28 day of June, 2018.

[Signature]
Notary Public

[Signature]
Notary Public, Printed



My Commission Expires:

8-27-22

Residing in Hamilton County, Indiana.

The agreement is approved by John Ditslear, Mayor of the City of Noblesville,

Indiana this _____ day of May, 2018.

John Ditslear, Mayor of the City of
Noblesville, Indiana

13711 Street Breakdown																			
Owner/Developer	Begin Station	End Station	Length	Width	Add Paving Bitter	Add Turn Lane	Paving	Unit Price	Area Mill	Unit Price	Area Surface	HMA Width/Level	Unit Price	HMA Surface 18M/SY	Unit Price	Sub/Demo HMACT	Total	NOTES	
			FT	FT	SY	SY	TON	\$	99.00	SY	\$	1.23	TON	\$	67.00	TON	\$		
Conrad Crisling/ Quadrant			1770	24		685.11	811.67	374.89	\$ 37,326.01	3575.11	\$ 6,690.23	3575.11	193.32	\$ 10,872.14	482.84	\$ 65.50	44%	\$ 88,581.75	Reflects bid price on 4/24/18
Adrian Moore								0.00	\$ -	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -		\$ 21,632.48	Paving SY updated to reflect actual
								0.00	\$ -	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -		\$ 2,852.63	cont. amount 6/28/18
								0.00	\$ -	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -		\$ -	