

**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.

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 Woodridge
Notary Public

Wanda Woodridge
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 10th day of July, 2018.

[Signature]
John Ditslear, Mayor of the City of
Noblesville, Indiana

191st Street Breakdown																			
Owner/Developer	Begin Station	End Station	Length FT	Width FT	Adit'l Passing Bikes SY	Adit'l Turn Lane SY	Patching SY	Patching TON	Unit Price \$ 99.00 SY	Area Mill SY	Unit Price \$ 1.30 SY	Area Surface TON	HMA Wedge/Level TON	Unit Price \$ 67.00 TON	HMA Surface 165#/SY TON	Unit Price \$ 65.30 TON	Mob/Demob +MOT +4W	Total	NOTES
Conner Crossing/ Albany Ridge	CalAtlantic		1770	24		855.11	811.67	374.99	\$ 37,124.01	5575.13	\$ 6,690.18	5575.11	151.32	\$ 10,277.14	487.94	\$ 31,632.63	\$ 2,863.63	\$ 88,581.75	Reflects bid price on 4/24/18
								0.00	\$ -	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -			Patching qty updated to reflect actual
								0.00	\$ -	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -			const. amount. 6/28/18
								0.00	\$ -	0.00	\$ -	0.00	0.00	\$ -	0.00	\$ -			