

**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 166<sup>th</sup> 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.

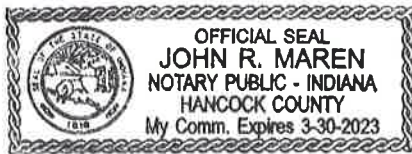
Developer:  
Logan Limited Development Corp.

Dated: 5/16/18

By: [Signature]  
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 16<sup>th</sup> 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 10<sup>th</sup> day of July, 2018.

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