

RESOLUTION NO. R-14- 02

**A RESOLUTION OF THE TOWN COUNCIL OF THE  
TOWN OF GEORGETOWN, AUTHORIZING  
A CLAIM AGAINST THE SUBDIVISION BOND  
FOR CATALPA RIDGE SUBDIVISION**

WHEREAS, the Plan Commission for the Town of Georgetown, Indiana, approved the final plat for the Catalpa Ridge subdivision on August 1, 2006; and

WHEREAS, the developer, Landmark Building & Development, LLC, by and through its duly authorized agent, Ron Payne, was required and did provide a performance bond for the completion of roadway improvements, sewer lines, and drains; and

WHEREAS, the Town of Georgetown, Indiana has requested the developer, Landmark Building & Development, to complete the improvements for which the performance bond was posted; and

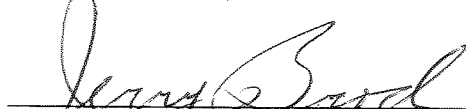
WHEREAS, the developer, Landmark Building & Development, LLC, has failed and/or refused to complete the improvements for which the performance bond was posted; and

WHEREAS, the Town Council of the Town of Georgetown desires to make a claim against the performance bond posted by the developer, Landmark Building & Development, LLC for the value of the unfinished work.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Georgetown, that the Town Council hereby authorizes its attorney, Jonathan A. Leachman, to take any and all steps necessary to make and pursue a claim against the performance bond posted by Landmark Development & Building, LLC for the value of the unfinished improvements.

RESOLVED this 21 day of July, 2014, by the Town Council of the Town of Georgetown.

TOWN COUNCIL OF THE TOWN OF  
GEORGETOWN, INDIANA

  
Jerry Brock, President

  
Patti Denison, Member

  
James E. Tripure, Jr., Member

  
Mike Mills, Member

  
Kathy Haller, Member

ATTEST:

  
Doug Cook, Clerk-Treasurer

# FIFER LAW OFFICE

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505 EAST 7TH STREET  
JEFFERSONVILLE, INDIANA 47130  
(812) 218-0410

\*ADMITTED IN KENTUCKY ALSO

July 3, 2014

Jerry Underwood, V.P. Surety  
American Southern Insurance Company  
3715 Northside Parkway NW  
Suite 4-800  
Atlanta, GA 30327

RE: Bond No: B98815018046  
Principal: Landmark Building & Development, LLC  
Obligee: Town of Georgetown, Indiana

Dear Mr. Underwood:

Please accept this letter as formal notice that the Town of Georgetown, Indiana is making a claim against the above-referenced bond for unfinished work on the Catalpa Ridge Subdivision. The unfinished work includes, but is not necessarily limited to: constructing a connector road; putting the final asphalt surface on the main road and connector road; installing sidewalks along the connector road and common areas that do not contain buildable lots; and site restoration and clean up including re-grade, seed and straw (this includes areas outside of Phase I that have been disturbed).

Please find enclosed copies of the detailed estimate to complete the unfinished work prepared by the Town's engineer, Bob Woosley, as well as a diagram of the subject roadways. I will forward a resolution from the Town Council resolving to proceed with this claim immediately upon its passage. If you have any questions, please do not hesitate to contact me. Thank you for your attention to this matter.

Sincerely yours,

FIFER LAW OFFICE

Jonathan A. Leachman

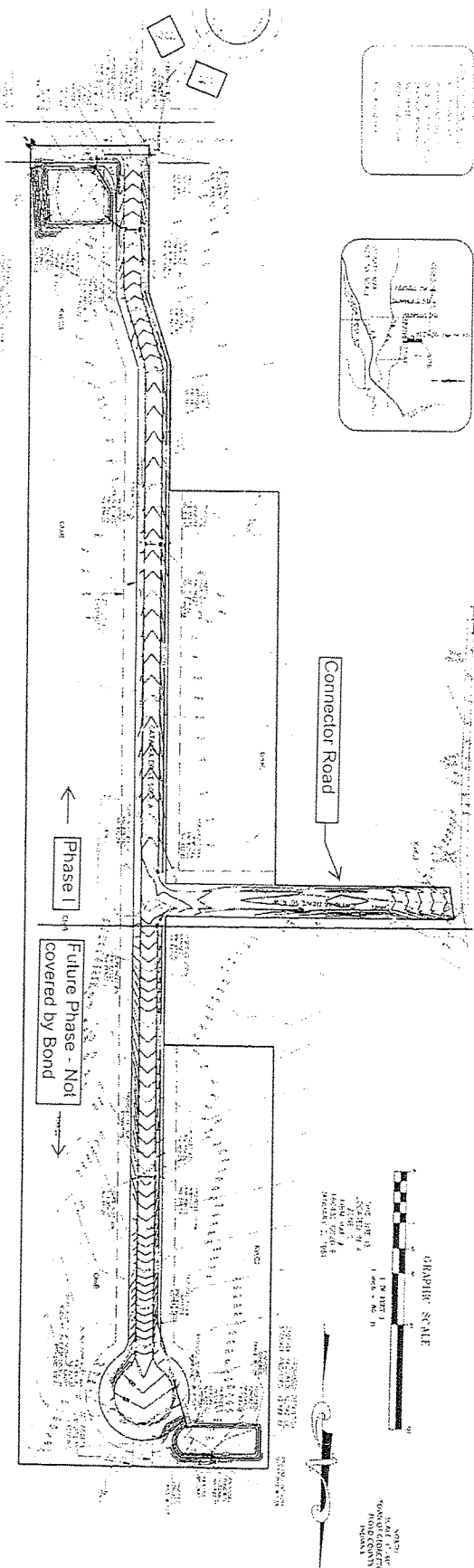
Enclosures

cc: Town of Georgetown  
Bob Woosley

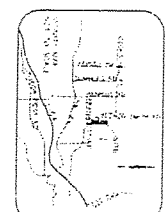
Catalpa Ridge Subdivision  
 June 23, 2014  
 Town's Performance Bond Estimate  
 (Phase I Only - ends at Connector Road)

Item	Quantity	Units	Unit Price	Total
Roadway (Connector) = 550 ft x 24 ft wide = 1,467 s.y.				
Roadway (Catalpa Drive) = 1,100 ft x 24 ft wide = 2,933 s.y.				
Asphalt 110#/in./s.y.	240	Tons	\$78.00	\$18,720
Binder 110#/in./s.y.	160	Tons	\$78.00	\$12,480
DGA 115#/in./s.y.	840	Tons	\$8.50	\$7,140
Curb/Gutter	1200	L.F.	\$6.50	\$7,800
Sidewalks	1700	L.F.	\$6.00	\$10,200
<b>Storm Pipe</b>				
24" HDPE	0	L.F.	\$16.00	\$0
24" RCP	0	L.F.	\$20.00	\$0
18" RCP	0	L.F.	\$16.00	\$0
15" HDPE	0	L.F.	\$9.00	\$0
15" RCP	0	L.F.	\$13.00	\$0
12" HDPE	0	L.F.	\$8.50	\$0
12" RCP	0	L.F.	\$11.50	\$0
Catch Basins	0	Ea.	\$1,000.00	\$0
Headwalls	0	Ea.	\$1,000.00	\$0
Storm Manholes	0	Ea.	\$1,000.00	\$0
<b>Sanitary Sewer</b>				
8" Sewer	0	L.F.	\$20.00	\$0
Manholes	0	Ea.	\$1,200.00	\$0
Lift Station	0	L.S.	\$20,000.00	\$0
Force Main	0	L.F.	\$10.00	\$0
<b>Total</b>				<b>\$56,340</b>
Contingency (15%)				\$8,451
Construction Total				\$64,791
Engineering				\$6,500
<b>Total</b>				<b>\$71,291</b>

1" Surf  
 2" Binder  
 10" DGA



NOT TO SCALE



Connector Road

Phase I

Future Phase - Not covered by Bond



GRAPHIC SCALE  
1" = 20' H



NORTH  
TOWNSHIP OF COLUMBIA  
COUNTY, MISSISSIPPI

NOT TO SCALE  
PLEASE REFER TO THE ORIGINAL PLAN FOR ALL DIMENSIONS AND NOTES.  
THIS PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.

DATE: 10/15/2007  
BY: [Signature]

1. THE PROPOSED EROSION CONTROL MEASURES ARE BASED ON THE ASSUMPTION THAT THE SOILS ARE AS SHOWN ON THE ATTACHED SOIL SURVEY MAP. THE USER OF THIS PLAN SHOULD CONSULT THE SOIL SURVEY MAP FOR A MORE DETAILED UNDERSTANDING OF THE SOILS ON THE SITE.

2. THE PROPOSED EROSION CONTROL MEASURES ARE BASED ON THE ASSUMPTION THAT THE SLOPES ARE AS SHOWN ON THE ATTACHED GRADING PLAN. THE USER OF THIS PLAN SHOULD CONSULT THE GRADING PLAN FOR A MORE DETAILED UNDERSTANDING OF THE SLOPES ON THE SITE.

3. THE PROPOSED EROSION CONTROL MEASURES ARE BASED ON THE ASSUMPTION THAT THE VEGETATION IS AS SHOWN ON THE ATTACHED VEGETATION SURVEY MAP. THE USER OF THIS PLAN SHOULD CONSULT THE VEGETATION SURVEY MAP FOR A MORE DETAILED UNDERSTANDING OF THE VEGETATION ON THE SITE.

4. THE PROPOSED EROSION CONTROL MEASURES ARE BASED ON THE ASSUMPTION THAT THE WEATHER CONDITIONS ARE AS SHOWN ON THE ATTACHED WEATHER DATA. THE USER OF THIS PLAN SHOULD CONSULT THE WEATHER DATA FOR A MORE DETAILED UNDERSTANDING OF THE WEATHER CONDITIONS ON THE SITE.

5. THE PROPOSED EROSION CONTROL MEASURES ARE BASED ON THE ASSUMPTION THAT THE CONSTRUCTION ACTIVITIES ARE AS SHOWN ON THE ATTACHED CONSTRUCTION SCHEDULE. THE USER OF THIS PLAN SHOULD CONSULT THE CONSTRUCTION SCHEDULE FOR A MORE DETAILED UNDERSTANDING OF THE CONSTRUCTION ACTIVITIES ON THE SITE.

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