

**BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form**

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	October 7, 2021	Meeting Date:	October 18, 2021
Contact Information:			
Requested by:	Joanna Tennell		
On Behalf of Organization or Individual: BDH Realty LLC			
Telephone:	317-736-3631		
Email address:	jtennell@franklin.in.gov		
Mailing Address:	70 E. Monroe Street, Franklin, IN 46131		
Describe Request:			
Approval and acceptance of Subdivision Performance Bond and Secondary Plat for BDH Commercial Subdivision.			
Performance Bond # 6161392: Street trees, storm sewers, swales, underdrains, earthwork, erosion control, sanitary sewers, streets, sidewalks & survey monuments - \$296,180.82.			
List Supporting Documentation Provided:			
1. Subdivision Performance Bond			
2. Original plat – to be provided at meeting			
Who will present the request?			
Name:	Joanna Myers	Telephone:	317-736-3631

In order for an individual and/or agency to be considered for new business on the Board of Works agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 4:00 p.m. on the Wednesday before the meeting.



Subdivision Performance Bond

Bond Number 6161392
 Project Name PC 2021-17 (FP) BDH Commercial Subdivision
 Improvements Street Trees, Storm Sewers, Swales, Underdrains, Earthwork, Erosion Control, Sanitary Sewers, Streets, Sidewalks & Survey Monuments

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,

Developer's Company Name BDH Realty LLC as Principal

Developer's Company Address 8202 US 31 S Indianapolis, IN 46227 and

Surety Company Name Federated Mutual Insurance Company

Surety Company Address PO Box 328 Owatonna, MN 55060 as Surety are held and firmly bound unto the City of Franklin, Indiana, in the penal sum of Two Hundred Ninety-Six Thousand One Hundred Eighty and 82/100-- DOLLARS, (\$296,180.82) for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 1st DAY OF August, 20 21. THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH THAT:

BDH Commercial Subdivision - Street Trees, Storm Sewers, Swales, Underdrains, Earthwork, Erosion Control,

WHEREAS, Sanitary Sewers, Streets, Sidewalks & Survey Monuments have not been improved as required by the regulations and procedures of the City of Franklin, Indiana.

NOW, THEREFORE, if said BDH Realty LLC shall construct said Street Trees, Storm Sewers, Swales, Underdrains, Earthwork, Erosion Control, Sanitary Sewers, Streets, Sidewalks & Survey Monuments according to specifications and regulations of the City of Franklin, Indiana, and comply with all the provisions of the ordinances, rules and regulations of the City of Franklin, Indiana, in relation to the mode, manner or form in which said work shall be done, and shall pay and save the City of Franklin, Indiana, against loss of damage which may arise by reason of delay in completion of said work, by reason of the manner in which said work is done or the quality of the materials furnished being in violation of the requirements of any law of the State of Indiana, or any ordinance of the City of Franklin, Indiana, controlling such work, then this obligation to be void; otherwise to be and remain in full force and effect. This performance bond shall be and remain in full force and effect until such time it is officially released by the Board of Public Works and Safety, City of Franklin, Indiana.

BY: Developer's Company Name (printed) BDH Realty LLC
 Signature for Developer's Company [Signature]
 Signatory Name & Title (printed) Joseph P. Munson Manager

Surety Company Name Federated Mutual Insurance Company
 BY: Signature of Attorney-in-Fact [Signature]
 Attorney-in-Fact (printed) Lisa Roushar - Attorney-in-Fact

Accepted by the Franklin Board of Public Works and Safety this ____ day of _____, 20 ____.

Steve Barnett, Board Member Melissa L. Jones, Board Member Bob Swinehamer, Board Member

ATTEST: Jayne Rhoades, Clerk-Treasurer

Released by the Franklin Board of Public Works and Safety this ____ day of _____, 20 ____.

Board Member Board Member Board Member

ATTEST: Clerk-Treasurer

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That FEDERATED MUTUAL INSURANCE COMPANY, a corporation duly organized and existing under the laws of the State of Minnesota, and having its principal office in the City of Owatonna, State of Minnesota, does hereby constitute and appoint:

LISA ROUSHAR of the City of OWATONNA State
of MINNESOTA its true and lawful attorney for the following purposes:

To sign its name as surety to, and to execute, affix the seal, acknowledge and deliver any and all surety bonds and penalties not exceeding:

THREE HUNDRED THOUSAND DOLLARS (\$300,000) EACH

BDH REALTY, LLC INDIANAPOLIS, IN

The execution of such bonds or undertakings in pursuance of these presents shall be binding upon the Company as if they had been executed and acknowledged by the regularly elected officers of the Company.

This Power of Attorney granted by Federated Mutual Insurance Company shall terminate when the designee ceases to be:

- 1) Employed by Federated Mutual Insurance Company or
- 2) Employed by Federated Mutual Insurance Company in a job for which such Power of Attorney is required.

IN WITNESS WHEREOF, the said FEDERATED MUTUAL INSURANCE COMPANY has caused this instrument to be signed and its corporate seal to be affixed by its Executive Vice President and Assistant Secretary this the 1ST day of FEBRUARY, 2020.

FEDERATED MUTUAL INSURANCE COMPANY

(SEAL)

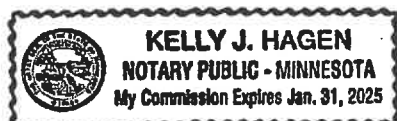
BY James A. Thon
Executive Vice President

and BY Jonathan R. Hanson
Assistant Secretary

STATE OF MINNESOTA
COUNTY OF STEELE

On this 1ST day of FEBRUARY, 2020 personally appeared before me, the undersigned notary public, James A. Thon and Jonathan R. Hanson to me personally known, who, each being duly sworn by me, did say that they are respectively the Executive Vice President and Assistant Secretary of the FEDERATED MUTUAL INSURANCE COMPANY and that the seal affixed to this instrument is the corporate seal of said Corporation and that this instrument was signed and sealed of behalf of said Corporation by authority of its Board of Directors and said James A. Thon and Jonathan R. Hanson acknowledge said instrument to be the free act and deed of said corporation.

(SEAL)



Kelly J. Hagen

COPY OF RESOLUTION

"BE IT RESOLVED that the President or any Vice President in conjunction with the Secretary is hereby authorized and empowered under the corporate seal of the Company, to appoint any person or persons as attorney or attorneys-in-fact, or agent or agents of the Company, in its name and as its act to execute and deliver, anywhere in the United States or Canada, any and all bonds and undertakings of suretyship and other documents that the ordinary course of surety business may require."

"BE IT FURTHER RESOLVED that the Power of Attorney or other document appointing such person or persons as attorney or attorneys-in-fact or agent or agents of the Company may either be personally signed by the President, any Vice President, the Secretary or may be executed by said officers by means of facsimile signatures. The said personal signatures or facsimile signatures shall not require the Company seal or any other seal and shall be valid and binding on the company if executed either by personal signature or facsimile signature and with or without the Company seal being affixed thereto."

I, the undersigned, hereby certify that I am a Executive Vice President of the FEDERATED MUTUAL INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of Minnesota and that the foregoing is a true and complete copy of the original Power of Attorney given by said Company to:

LISA ROUSHAR of _____
OWATONNA, MINNESOTA

authorizing and empowering such person to sign bonds as therein set forth, which Power of Attorney has never been revoked and is still in full force and effect.

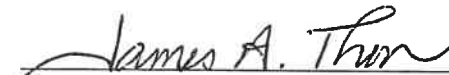
I further certify that said Power of Attorney was given in pursuance of a resolution adopted at a regular meeting of the Board of Directors of said Company duly called and held at the office of the Company in the City of Owatonna, Minnesota on the 20th day of April, 19 82 at which meeting a quorum was present and that the foregoing is a true and correct copy of said resolution, and the whole thereof as recorded in the minutes of the said meeting.

PURSUANT to the By-Laws of Federated Mutual Insurance Company, Article 8, Section 1; in the absence of or inability of the Secretary to act, his duties shall be performed by the Assistant Secretaries in the order of their rank.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the FEDERATED MUTUAL INSURANCE COMPANY this the _____ 1ST _____ day of _____ AUGUST _____, 2021 _____.

FEDERATED MUTUAL INSURANCE COMPANY

(SEAL)



Executive Vice President