

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:	March 10, 2025	Meeting Date:	March 17, 2025
Contact Information:			
Requested by:	Matt McElroy		
On Behalf of Organization or Individual: Windstar Homes, LLC			
Telephone:	317-736-3631		
Email address:	mmcelroy@franklin.in.gov		
Mailing Address:	70 E. Monroe Street, Franklin, IN 46131		
Describe Request:			
Request the following Subdivision Performance Bonds be released for The Bluffs at Youngs Creek, Sec. 3 & Sec. 4:			
<u>Performance Bond – Sec. 3:</u> #SU1176973: Street Trees, Landscaping, & Street Lights - \$216,300.00 #SU1176977: Streets - \$848,343.60 #SU1176978: Sidewalks - \$316,478.40 #SU1176979: Survey Monuments & Street Signs - \$31,422.00			
<u>Performance Bond – Sec. 4:</u> #SU1188925: Street Trees, Landscaping, & Street Lights - \$204,900.00 #SU1188927: Streets - \$775,062.00 #SU1188928: Sidewalks - \$265,332.00 #SU1188929: Survey Monuments & Street Signs - \$27,072.00			
Request the following Subdivision Maintenance Bond be accepted for The Bluffs at Youngs Creek, Sec. 3 & Sec. 4:			
<u>Maintenance Bond – Sec. 3:</u> #268193: Street Trees, Landscaping, & Street Lights - \$45,062.50 #268194: Streets - \$176,738.25 #268195: Sidewalks - \$65,933.00 #268196: Survey Monuments & Street Signs - \$6,546.25			
<u>Maintenance Bond – Sec. 4:</u> #268197: Street Trees, Landscaping, & Street Lights - \$42,687.50 #268198: Streets - \$161,471.25 #268199: Sidewalks - \$55,277.50 #268200: Survey Monuments & Street Signs - \$5,640.00			

List Supporting Documentation Provided:			
1. Subdivision Performance & Maintenance Bonds			
Who will present the request?			
Name:	Matt McElroy	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 Maintenance Bond

Bond Number 268196
Project Name The Bluffs at Youngs Creek, Section 3
Improvements Survey Monuments and Street Signs

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

Developer's Company Name Windstar Homes, LLC as Principal
Developer's Company Address 5374 Cayman Drive, Carmel, IN 46033 and
Surety Company Name Berkley Insurance Company
Surety Company Address 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of
Six Thousand Five Hundred Forty Six and 25/100 DOLLARS, (\$ 6,546.25)
for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 26th DAY OF February, 20 25. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Windstar Homes, LLC has installed and completed improvements of
The Bluffs at Youngs Creek, Section 3 - Survey Monuments and Street Signs

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if
Windstar Homes, LLC, at its own expense for a period of three (3) years from the date of
acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of
improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force
and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: Developer's Company Name (printed) Windstar Homes, LLC
Signature for Developer's Company Mark Alt
Signatory Name & Title (printed) Mark Alt Member
Surety Company Name Berkley Insurance Company
BY: Signature of Attorney-in-Fact [Signature]
Attorney-in-Fact (printed) Robert L. Sherfick

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

Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: Jan Jones, 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
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Jason McEldowney; John Hannon, III; or Robert Sherfick of Dimond Bros. Insurance, LLC of Carmel, IN* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 1st day of June, 2023.



Attest:

By

Ira S. Lederman
Ira S. Lederman
Executive Vice President & Secretary

Berkley Insurance Company

By

Jeffrey M. Hafter
Jeffrey M. Hafter
Senior Vice President

STATE OF CONNECTICUT)

) ss:

COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 1st day of June, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

Maria C. Rundbaker
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



under my hand and seal of the Company, this 26th day of February, 2025.

Vincent P. Forte
Vincent P. Forte



Subdivision Maintenance Bond

Bond Number 268195
Project Name The Bluffs at Youngs Creek, Section 3
Improvements Sidewalks

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

Developer's Company Name Windstar Homes, LLC as Principal
Developer's Company Address 5374 Cayman Drive, Carmel, IN 46033 and
Surety Company Name Berkley Insurance Company
Surety Company Address 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of
Sixty Five Thousand Nine Hundred Thirty Three and No/100 DOLLARS, (\$ 65,933.00)
for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 26th DAY OF February, 20 25. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Windstar Homes, LLC has installed and completed improvements of
The Bluffs at Youngs Creek, Section 3 - Sidewalks

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if
Windstar Homes, LLC, at its own expense for a period of three (3) years from the date of
acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of
improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force
and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: Developer's Company Name (printed) Windstar Homes, LLC
Signature for Developer's Company [Signature]
Signatory Name & Title (printed) Mark Pitt Member
Surety Company Name Berkley Insurance Company
BY: Signature of Attorney-in-Fact [Signature]
Attorney-in-Fact (printed) Robert L. Sherfick

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

Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: _____
Jan Jones, 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
BERKLEY INSURANCE COMPANY
 WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Jason McEldowney; John Hannon, III; or Robert Sherfick of Dimond Bros. Insurance, LLC of Carmel, IN* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 1st day of June, 2023.



Attest:

By

Ira S. Lederman
 Ira S. Lederman
 Executive Vice President & Secretary

Berkley Insurance Company

By

Jeffrey M. Hafter
 Jeffrey M. Hafter
 Senior Vice President

STATE OF CONNECTICUT)
) ss:
 COUNTY OF FAIRFIELD)

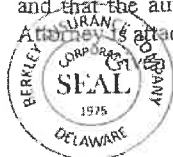
Sworn to before me, a Notary Public in the State of Connecticut, this 1st day of June, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN
 NOTARY PUBLIC
 CONNECTICUT
 MY COMMISSION EXPIRES
 APRIL 30, 2024

Maria C. Rundbaker
 Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



under my hand and seal of the Company, this 26th day of February, 2025.

Vincent P. Forte
 Vincent P. Forte



Subdivision Maintenance Bond

Bond Number 268194
Project Name The Bluffs at Youngs Creek, Section 3
Improvements Streets

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

Developer's Company Name Windstar Homes, LLC as Principal

Developer's Company Address 5374 Cayman Drive, Carmel, IN 46033 and

Surety Company Name Berkley Insurance Company

Surety Company Address 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of
One Hundred Seventy Six Thousand Seven Hundred Thirty Eight and 25/100 DOLLARS, (\$ 176,738.25)

for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 26th DAY OF February, 20 25. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Windstar Homes, LLC has installed and completed improvements of
The Bluffs at Youngs Creek, Section 3 - Streets

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if
Windstar Homes, LLC, at its own expense for a period of three (3) years from the date of
acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of
improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force
and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: Developer's Company Name (printed) Windstar Homes, LLC
Signature for Developer's Company [Signature]
Signatory Name & Title (printed) Mark Ait member

BY: Surety Company Name Berkley Insurance Company
Signature of Attorney-in-Fact [Signature]
Attorney-in-Fact (printed) Robert L. Sherfick

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

Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: _____
Jan Jones, 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
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Jason McEldowney; John Hannon, III; or Robert Sherfick of Dimond Bros. Insurance, LLC of Carmel, IN* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 1st day of June, 2023.



Attest:

By

Ira S. Lederman
Ira S. Lederman
Executive Vice President & Secretary

Berkley Insurance Company

By

Jeffrey M. Hafter
Jeffrey M. Hafter
Senior Vice President

STATE OF CONNECTICUT)

) ss:

COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 1st day of June, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

Maria C. Rundbaken
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



under my hand and seal of the Company, this 26th day of February, 2025.

Vincent P. Forte
Vincent P. Forte



Subdivision Maintenance Bond

Bond Number 268193
Project Name The Bluffs at Youngs Creek, Section 3
Improvements Street Trees, Landscaping, and Street Signs

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,
Developer's Company Name Windstar Homes, LLC as Principal
Developer's Company Address 5374 Cayman Drive, Carmel, IN 46033 and
Surety Company Name Berkley Insurance Company
Surety Company Address 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of
Forty Five Thousand Sixty Two and 50/100 DOLLARS, (\$ 45,062.50)
for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 26th DAY OF February, 20 25. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Windstar Homes, LLC has installed and completed improvements of
The Bluffs at Youngs Creek, Section 3 - Street Trees, Landscaping, and Street Signs

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if
Windstar Homes, LLC, at its own expense for a period of three (3) years from the date of
acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of
improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force
and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: Developer's Company Name (printed) Windstar Homes, LLC
Signature for Developer's Company [Signature]
Signatory Name & Title (printed) Mark Hitt member

BY: Surety Company Name Berkley Insurance Company
Signature of Attorney-in-Fact [Signature]
Attorney-in-Fact (printed) Robert L. Sherfick

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

Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: Jan Jones, 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
BERKLEY INSURANCE COMPANY
 WILMINGTON, DELAWARE

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Attest:

By Ira S. Lederman
 Executive Vice President & Secretary

Berkley Insurance Company

By Jeffrey M. Hafter
 Senior Vice President

STATE OF CONNECTICUT)
) ss:
 COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 1st day of June, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C. RUNDBAKEN
 NOTARY PUBLIC
 CONNECTICUT
 MY COMMISSION EXPIRES
 APRIL 30, 2024

Maria C. Rundbaker
 Notary Public, State of Connecticut

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under my hand and seal of the Company, this 26th day of February, 2025.

Vincent P. Forte
 Vincent P. Forte



Subdivision Maintenance Bond

Bond Number 268200
Project Name The Bluffs at Youngs Creek, Section 4
Improvements Survey Monuments and Street Signs

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

Developer's Company Name Windstar Homes, LLC as Principal

Developer's Company Address 5374 Cayman Drive, Carmel, IN 46033 and

Surety Company Name Berkley Insurance Company

Surety Company Address 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly bound unto the City of Franklin, Indiana, in the penal sum of Five Thousand Six Hundred Forty and No/100 DOLLARS, (\$ 5,640.00)

for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 26th DAY OF February, 20 25. THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Windstar Homes, LLC has installed and completed improvements of The Bluffs at Youngs Creek, Section 4 - Survey Monuments and Street Signs

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with the standards, specifications, and requirements of the City of Franklin, Indiana, and if Windstar Homes, LLC, at its own expense for a period of three (3) years from the date of acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force and effect.

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BY: Developer's Company Name (printed) Windstar Homes, LLC
Signature for Developer's Company [Signature]
Signatory Name & Title (printed) Mark Alt member

Surety Company Name Berkley Insurance Company
BY: Signature of Attorney-in-Fact [Signature]
Attorney-in-Fact (printed) Robert L. Sherfick

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

Steve Barnett, Board Member

Ken Austin, Board Member

Tina Gross, Board Member

ATTEST:

Jan Jones, 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
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Jason McEldowney; John Hannon, III; or Robert Sherfick of Dimond Bros. Insurance, LLC of Carmel, IN* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 1st day of June, 2023.



Attest:

By

Ira S. Lederman
Ira S. Lederman
Executive Vice President & Secretary

Berkley Insurance Company

By

Jeffrey M. Hafter
Jeffrey M. Hafter
Senior Vice President

STATE OF CONNECTICUT)

) ss:

COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 1st day of June, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C. RUNDBAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

Maria C. Rundbaker
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



under my hand and seal of the Company, this 26th day of February, 2025.

Vincent P. Forte
Vincent P. Forte



Subdivision Maintenance Bond

Bond Number 268199
Project Name The Bluffs at Youngs Creek, Section 4
Improvements Sidewalks

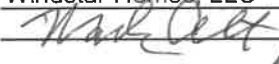
KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,
Developer's Company Name Windstar Homes, LLC as Principal
Developer's Company Address 5374 Cayman Drive, Carmel, IN 46033 and
Surety Company Name Berkley Insurance Company
Surety Company Address 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of
Fifty Five Thousand Two Hundred Seventy Seven and 50/100 DOLLARS, (\$ 55,277.50)
for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.


SEALED AND DATED THIS 26th DAY OF February, 2025. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Windstar Homes, LLC has installed and completed improvements of
The Bluffs at Youngs Creek, Section 4 - Sidewalks

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if
Windstar Homes, LLC, at its own expense for a period of three (3) years from the date of
acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of
improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force
and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: *Developer's Company Name (printed)* Windstar Homes, LLC
Signature for Developer's Company 
Signatory Name & Title (printed) Mark Ait member

Surety Company Name Berkley Insurance Company
BY: *Signature of Attorney-in-Fact* 
Attorney-in-Fact (printed) Robert L. Sherfick

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

Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: _____
Jan Jones, 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
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Jason McEldowney; John Hannon, III; or Robert Sherfick of Dimond Bros. Insurance, LLC of Carmel, IN* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 1st day of June, 2023.



Attest:

By

Ira S. Lederman
Ira S. Lederman
Executive Vice President & Secretary

Berkley Insurance Company

By

Jeffrey M. Hafer
Jeffrey M. Hafer
Senior Vice President

STATE OF CONNECTICUT)
) ss:
COUNTY OF FAIRFIELD)

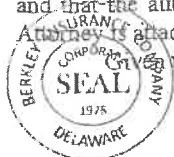
Sworn to before me, a Notary Public in the State of Connecticut, this 1st day of June, 2023, by Ira S. Lederman and Jeffrey M. Hafer who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C. RUNDBAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

Maria C. Rundbaker
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



Witness my hand and seal of the Company, this 26th day of February, 2025.

Vincent P. Forte
Vincent P. Forte



Subdivision Maintenance Bond

Bond Number 268198
Project Name The Bluffs at Youngs Creek, Section 4
Improvements Streets

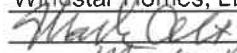
KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,
Developer's Company Name Windstar Homes, LLC as Principal
Developer's Company Address 5374 Cayman Drive, Carmel, IN 46033 and
Surety Company Name Berkley Insurance Company
Surety Company Address 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of
One Hundred Sixty One Thousand Four Hundred Seventy One and 25/100 DOLLARS, (\$ 161,471.25)
for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

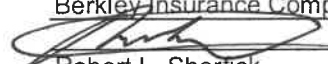
SEALED AND DATED THIS 26th DAY OF February, 20 25. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Windstar Homes, LLC has installed and completed improvements of
The Bluffs at Youngs Creek, Section 4 - Streets

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if
Windstar Homes, LLC, at its own expense for a period of three (3) years from the date of
acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of
improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force
and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: *Developer's Company Name (printed)* Windstar Homes, LLC
Signature for Developer's Company 
Signatory Name & Title (printed) Mark Austin member

Surety Company Name Berkley Insurance Company
BY: *Signature of Attorney-in-Fact* 
Attorney-in-Fact (printed) Robert L. Sherick

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

Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: _____
Jan Jones, 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
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Jason McEldowney; John Hannon, III; or Robert Sherfick of Dimond Bros. Insurance, LLC of Carmel, IN* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 1st day of June, 2023.



Attest:

By

Ira S. Lederman
Ira S. Lederman
Executive Vice President & Secretary

Berkley Insurance Company

By

Jeffrey M. Hafter
Jeffrey M. Hafter
Senior Vice President

STATE OF CONNECTICUT)

) ss:

COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 1st day of June, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

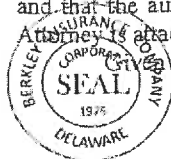
MARIA C RUNDSEKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

Maria C. Rundseken
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

under my hand and seal of the Company, this 26th day of February, 2025.



Vincent P. Forte
Vincent P. Forte



Subdivision Maintenance Bond

Bond Number 268197
Project Name The Bluffs at Youngs Creek, Section 4
Improvements Street Trees, Landscaping, and Street Lights

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

Developer's Company Name Windstar Homes, LLC as Principal
Developer's Company Address 5374 Cayman Drive, Carmel, IN 46033 and
Surety Company Name Berkley Insurance Company
Surety Company Address 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of
Forty Two Thousand Six Hundred Eighty Seven and 50/100 DOLLARS, (\$ 42,687.50)
for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 26th DAY OF February, 20 25. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Windstar Homes, LLC has installed and completed improvements of
The Bluffs at Youngs Creek, Section 4 - Street Trees, Landscaping, and Street Lights

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if
Windstar Homes, LLC, at its own expense for a period of three (3) years from the date of
acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of
improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force
and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: *Developer's Company Name (printed)* Windstar Homes, LLC
Signature for Developer's Company [Signature]
Signatory Name & Title (printed) Mark AL Member

Surety Company Name Berkley Insurance Company
BY: *Signature of Attorney-in-Fact* [Signature]
Attorney-in-Fact (printed) Robert L. Sherfick

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

Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: _____
Jan Jones, 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
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Jason McEldowney; John Hannon, III; or Robert Sherfick of Dimond Bros. Insurance, LLC of Carmel, IN* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

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RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 1st day of June, 2023.



Attest:

By

Ira S. Lederman
Ira S. Lederman
Executive Vice President & Secretary

Berkley Insurance Company

By

Jeffrey M. Hafter
Jeffrey M. Hafter
Senior Vice President

STATE OF CONNECTICUT)

) ss:

COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 1st day of June, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

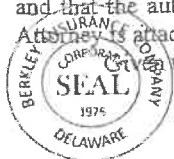
MARIA C RUNDBAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

Maria C. Rundbaker
Notary Public, State of Connecticut

CERTIFICATE

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under my hand and seal of the Company, this 26th day of February, 2025.



Vincent P. Forte
Vincent P. Forte