

WHITELAND, INDIANA  
TOWN COUNCIL

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MEMBER

## **Town of Whiteland Surety Requirements**

- A. At the time when the Secondary Plat is placed on the Plan Commission agenda for their approval, the subdivider shall provide appropriate surety for the public improvements related to the subdivision (including both on and off-site improvements). All surety shall be filed with the Planning Director and maintained in the office of the Town's Clerk-Treasurer.
- B. In the event that a developer finishes one section of the subdivision and chooses to seek secondary approval of the section while still working on future sections then a performance bond is required for the section that is being applied for secondary approval.
- C. A 125% Performance Bond is required based on an amount that is agreed upon that is sufficient to complete the improvements and installation in compliance with the Building Code. Proof of financial performance bond, or an escrow agreement, and must be approved by the Town's Attorney.
- D. A Petitioner will be required to maintain all public improvements serving the subdivision development and provide for snow removal on all streets until acceptance of said public improvements by the Town. The petitioner will be required to file a maintenance bond with the Town Council, covering all public improvements serving the subdivision development, one week prior to acceptance of public improvements, in an amount not to exceed 10% of the cost of the public improvements to be bonded, and in a form satisfactory to the Town's Attorney.
- E. The Maintenance Bond is provided to assure satisfactory condition of the required public improvements for a period of three years after the date of acceptance by the Town Council. The Town Council may, upon the recommendation of the Plan Commission Staff, increase the maintenance bond amount to 25% and/or the period to five years for improvements that have repeated failed inspections during installation.
- F. The Petitioner is required to provide as-built drawings of the public improvement and execute a maintenance agreement with the Town Council.
- G. Release of any bonds for any improvements, upon completion of the public improvements will require the petitioner to make a written request to the Town Planning Director for the release of the surety and the acceptance of public improvements. The requests shall include: A report from the subdivider's engineer certifying that the improvements were completed consistent with all applicable requirements and standards, and that the improvements are free and clear of all liens and other encumbrances