



DRAINAGE BOARD
Vanderburgh County

STEPHEN MELCHER
JOE KIEFER
BRUCE UNGETHIEM

Mr. Alan Bosma
Blue Heron Development, LLC
2300 Brandalin Drive
Newburgh, IN 47630

Dear Mr. Bosma,

This letter is being sent as a result of continued inaction on your part to complete the Drainage within Blue Heron Estates located off of Millersburg Road in Vanderburgh County Indiana. The Drainage Plan for this subdivision was approved by the Vanderburgh County Drainage Board on April 26, 2005. The subdivision is nearly built out yet despite inspection detailing deficiencies within the subdivision you have failed to complete the drainage plan that is on file. The County has received numerous complaints regarding issues of the drainage conditions within this subdivision. In addition to the failure to address the physical issues to complete the drainage, numerous homes have encroachments within drainage easements. In the spring of 2015, County Engineer John Stoll, County Surveyor Jeff Mueller met with you and Jim Morley of Morley and Associates, Inc. to discuss various problems with the drainage in the subdivision. At that time you had stated that a plan was to be provided that would show how you were to address those problems. While the County has received a map showing where additional work is needed and where easements are to be adjusted, no actual work has been done to address the issues nor has any amended paperwork been submitted to adjust the easements. As a result of the failure on your part to complete the work, the County put a hold on any further building permits on five lots more specifically located at 7949 Pelican Pointe (lot 5), 5115 Osprey Circle (Lot 34), 5105 Bayshore Drive (Lot 43), 8607 Cape Cod Circle (Lot 53) and 8626 Cape Code Circle (Lot 56) on January 30, 2015. Despite these holds, according to the County Assessor's Office you have sold lots 43 and 53. In an effort to assist a home builder who purchased a lot from you after the hold on building permits, the County has allowed the release on Lot 53 at 8607 Cape Cod Circle.

Due to your failure to complete the drainage plan for Blue Heron Estates, it has been determined by the County that you are in violation of the Drainage Code 13.04.105, specifically sections B4 and B6 as stated below:

4. Some part of a drainage plan or a street plan is not executed in good faith, or is not executed in accordance with the various plans approved by the boards;

6. An alteration or a modification is made to a drainage system prior to the completion of a project, which alteration or modification is not documented to or authorized by the board and/or their appointed representative in accordance with the requirements of this chapter.

As a result of your failure to comply with the approved Drainage Plan, the Vanderburgh County Drainage Board plans to take action under section 13.04.110 to bring the project within compliance. Therefore, under the terms of the code, the Vanderburgh County Drainage Board is notifying you that should the work in Blue Heron not be COMPLETED within 30 days of receipt of this letter, then the Board will issue you a fine of one hundred dollars (\$100.00) per day for each day in which it is determined that the subdivision is in violation after thirty (30) days beyond the date of this notice of violation. For the purpose of this notice, completion shall mean that the following criteria have been met:

- All physical work is completed, any vegetation is established and is in a stable condition, and the work certified through the submittal of record drawings prepared by an Indiana Licensed Engineer;
- That all outstanding work be inspected and approved by appropriate County personnel;
- For any lots in which any part of any home (including HVAC systems, landscaping, etc.) in which an encroachment exists, that the encroachment agreements have been filed with the County;
- For any lots in which the drainage work has been physically completed but in which the work is outside the platted drainage easements, that the revised easements be surveyed, and easements be recorded with the Vanderburgh County Recorder's Office and copies of the recorded documents be submitted to the County Drainage Board.
- Any proposed deviations from the approved drainage plan must be approved by the Vanderburgh County Drainage Board. In order to be considered for approval, any changes must be documented through the submittal of an amended drainage plan. The amendment must be prepared by an Indiana licensed engineer.

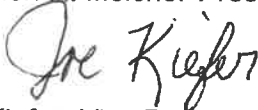
Should you have any questions regarding this letter, you may request addressing the Drainage Board at their meeting on October 4th or 18th 18th.

S R M

Respectfully yours,



Stephen R. Melcher-President



Joe Kiefer- Vice President

Bruce Ungethiem- Member



7015 0640 0005 1590 0164

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

NEWBURGH, IN 47630

OFFICIAL USE

Certified Mail Fee	\$3.30	0700
Extra Services & Fees (check box, add fee as appropriate)	\$2.70	10
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.47	
Total Postage and Fees	\$6.47	

Postmark Here
09/21/2016

Sent To
 Street and Apt. No., or PO Box No.
 City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 MR. ALAN BOSMA
 BLUE HERON DEVELOPMENT, LLC
 2300 BRANDALL DRIVE
 NEWBURGH, IN 47630



2. Article Number (Transfer from service label)
 7015 0640 0005 1590 0164

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 [Signature] Agent Addressee

B. Received by (Printed Name)
 Alan & Bosma

C. Date of Delivery
 9/24/14

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	