



## Dedication of Improvements

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In order to establish a consistent system for approval of the dedication of privately constructed public improvements to Whitestown for long term maintenance, the following process will be followed. The process will be the same regardless of whether the improvements involve streets, curbs, sidewalks, trails, storm water systems, water mains, or sanitary sewer collection system infrastructure. A dedication of improvements is not considered approved unless and until it has been acted on by the Town Council for Whitestown. Approval of dedication by the Council will provide documentation for the completion of the improvements in accordance with the Town's specifications and establish a beginning date for any required maintenance bonds.

1. The Developer will complete all facilities and testing in accordance with approved plans and specifications and per local, state and federal guidelines. Such work will be completed with on site inspectors from Whitestown Municipal Utilities (WMU) present according to the Town's inspection requirements. Air tests, mandrel tests and any water or sewer line pressure tests and water main bacteriological testing must be completed prior to the next step in the process. Results of all tests are to be submitted to WMU.
2. The Developer will then indicate its readiness to dedicate improvements to the Town by contacting staff at WMU so that a walk-through inspection can be completed. Such inspection will include CCTV televising (at the Developer's expense) of all underground facilities following the completion of work by other public utilities such as telephone, power, cable television, fiber optic, etc. Prior to the said walk-through, streets, curbs, sidewalks and trails must also be completed. Appropriate erosion control measures are required to be in place. Televising work shall be completed in standard DVD format for playback on computer or DVD equipment. The developer and/or its contractor must verify through the inspection process that any mechanical plugs have been removed from active sanitary sewer mains.
3. Following the Town's site inspection and review of the CCTV videos, WMU staff will issue an acceptance letter if the work is deemed satisfactory or a deficiency notice if the work is not ready for acceptance. Any deficiencies identified in the notice will be corrected by the developer and/ or its contractor. Town personnel must be present to energize any new water mains following satisfactory completion of all inspections and testing. Contractors shall not manage valving on any of the Town's existing water distribution system without WMU personnel being present.
4. Once any deficiencies are corrected and the work has been re-inspected by Town staff, or if the work was already deemed acceptable, the Town will issue a letter of acceptance. At this time, the Developer is to provide on the Town's standard forms, a bill of sale and vendor's affidavit, an engineer's certification, a set of as-built record drawings displaying all of the utilities' locations and elevations (hard copy, CAD files and PDF files), any deeds for lift stations, permanent easement documents, a building lot inventory and address list, and a copy of the recorded plat if a subdivision is involved. The Developer will provide completed originals of the Town's standard forms for execution by the Town Council following completion of all inspections.
5. The aforementioned engineer's certification shall affirm that the project has been built per the approved plans and specifications and that all improvements are in public right-of-way or easements.

6. Once all required inspections have been completed and the Town has issued a letter of acceptance, the Utility Manager will schedule the dedication request for Council approval as a specific agenda item, or as part of a Consent agenda along with other similar requests. Following an item's inclusion on the Council's published agenda, the Council will then vote to accept or reject the dedication and may do so with or without conditions.
7. Water and sewer connection permits may not be issued by WMU until the Council takes action on the Developer's dedication request unless specifically authorized by other Council action or by agreement with the Town. The Town may consider unique factors such as weather conditions, the need for the Developer to begin model homes or other unique circumstances such as a deadline-driven home show where delays in construction of buildings creates a significant risk for the Developer or the Town. In addition, WMU may be authorized to issue conditional permits that enable the Developer to obtain building permits and commence building construction but which may not allow connection to the facilities which are the subject of a dedication request.
8. If any conditional water and sewer connection permits are authorized by the Town, the conditions of such permits shall be strictly followed. Failure to do so could result in a suspension of permit authority or inspection activities, and the Town may assess additional fees, fines or penalties for non-compliance.
9. The Utility Manager will notify the Developer of any Town Council action related to the development in question. If dedication has been approved, the Letter of Acceptance will be issued by the Town and the developer will then provide 100% performance bonds on any infrastructure that has not been completed such as the asphalt topcoat, etc., and a three (3) year 10% maintenance bonds on all completed improvements being publicly dedicated. These bonds shall be dated the same date of Council action as reflected in the Council's meeting minutes. Developers must also execute and provide the Town's Standard Maintenance Agreement.
10. Once the Town has received the required performance and maintenance bonds and the Maintenance Agreement, the subdivision or project will be open to unrestricted permit issuance unless otherwise noted in the Town's Letter of Acceptance.
11. The Town and/or WMU staff will perform interim inspections 18 months and 30 months after dedication approval to ensure that improvements still meet Town requirements. Deficiency letters will be sent to Developers if any defects are found in those interim inspections. All deficiencies must be corrected before maintenance bonds will be released.
12. The Town and/or WMU staff will perform a final inspection prior to expiration of maintenance bonds to identify any outstanding deficiencies that still require correction. The Town will issue a letter releasing maintenance bonds following a satisfactory final inspection and Town will then assume maintenance responsibility.
13. If at any time during the dedication process, or during the period of the maintenance bonds, it is determined that the Developer is unable or unwilling to complete corrective actions or remedy deficiencies, then the Council may authorize a Stop Work order or withhold permit authority until such time as cooperation is obtained from the Developer.

# Engineer's Certification Form

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We, the undersigned engineers, known as:

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for the public improvements on a real estate development project commonly known as:

\_\_\_\_\_ (The Project)

located at:

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in Boone County, Indiana, do hereby certify that to the best of our knowledge, The Project has been built in accordance with the plans approved by the Town of Whitestown and Whitestown Municipal Utilities, and has passed all required tests under State law and/or specifications and Ordinances of the Town of Whitestown and Whitestown Municipal Utilities.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Engineering Firm*

\_\_\_\_\_  
*Signed*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Title/ Project Role*