



## **HENDRICKS COUNTY BOARD OF COMMISSIONERS** **MINUTES OF THE JUNE 10, 2025 MEETING**

**FULL AUDIO RECORDING AVAILABLE AT**  
**[HTTP://WWW.YOUTUBE.COM/@HENDRICKSCOGOV](http://www.youtube.com/@hendrickscogov)**

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The Hendricks County Board of Commissioners met in regular session at 9:00 AM on Tuesday, June 10, 2025 in the Commissioners' Meeting Room located on the first floor of the Hendricks County Government Center at 355 S. Washington Street, Danville, IN 46122 with the following Hendricks County personnel in attendance:

Dennis W. Dawes	Commissioner, President
Bob Gentry	Commissioner, Vice President
Brad Whicker	Commissioner
R. Todd McCormack	Executive Director
Mila M. Shaffer	Administration and Public Affairs
Greg Steuerwald	County Attorney
Ann Stark	Auditor
Nancy Marsh	Councilwoman
Jack Sadler	Sheriff
Tiffany Dalton	Chief Deputy Surveyor
John Ayers	Engineer
Doug Morris	I.T. Director
Jack Swalley	Facilities Manager
Tim Dombrosky	Planning & Building Director
Erin Hughes	Human Resources Administrator
Dr. David Stopperich	Health Officer
Krista Click	Health Department Administrator
Lisa Chandler	Environmental Health Team Lead Food
Ryan Lemley	Parks & Recreation Superintendent

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### **PLEDGE TO THE FLAG, PRAYER, AND DETERMINATION OF A QUORUM**

Commissioner Dawes opened the Meeting at 9:00 AM with a quorum of all three (3) Commissioners present and led the Pledge of Allegiance in unison. Greg Steuerwald gave a brief prayer for those who wished to participate.

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### **APPROVAL OF MINUTES OF THE MAY 27, 2025 COMMISSIONERS' MEETING**

Commissioner Whicker moved to approve the Minutes of the May 27, 2025 Commissioners' Meeting as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0.

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### **APPROVAL OF CLAIMS**

Commissioner Gentry moved to approve Direct Deposit Numbers 263643-264201 and Budgetary Claims presented from the Auditor's Office for the period beginning May 29, 2025 and ending June 11, 2025. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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### **IN THE MATTER OF PUBLIC HEARING FOR** **ALLEYWAY VACATION IN THE TOWN OF BELLEVILLE**

Commissioner Dawes opened the Public Hearing at 9:01 AM. Ben Comer, Comer Law Office, presented an Ordinance Vacating Alleyways within a Portion of the Plat of the Western Addition to the Town of Belleville for

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HRH Real Estate Holding Company to vacate certain alleyways in between lots 13, 14, and 15 to the south and lots 23, 24, and 25 to the north and another certain alleyway lies between lots 15 and 23 to the west and lots 14 and 24 to the east and lot 21 to the west and lot 22 to the east in the Western Addition in the Town of Belleville for a new facility and requested approval. Ben Comer advised these are from old platted lots from the 1800s.

There were no remonstrators present and Commissioner Dawes closed the Public Hearing at 9:03 AM.

Commissioner Gentry moved to approve the Ordinance Vacating Alleyways as presented. Commissioner Whicker seconded the motion and the motion was approved unanimously. Ordinance No. 2025-09 was assigned.

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**IN THE MATTER OF PUBLIC HEARING FOR SPEED LIMIT ORDINANCES IN  
CARTERSBURG & CR 901 E.**

Commissioner Dawes opened the Public Hearing at 9:04 AM for two Ordinances for Maximum Speed Limits on Certain County Roads as follows:

<u><b>STREET(S)</b></u>	<u><b>LOCATION</b></u>	<u><b>LIMIT</b></u>
Ann Street	Town of Cartersburg	20 MPH
Ellen Street	Town of Cartersburg	20 MPH
Summit Street	Town of Cartersburg	20 MPH
Church Street	Town of Cartersburg	20 MPH
Biddle Street	Town of Cartersburg	20 MPH
Main Street	Town of Cartersburg	20 MPH
Clark Street	Town of Cartersburg	20 MPH
N. CR 901 E.	South N. CR 900 E. at 56 <sup>th</sup> Street or E. CR 600 N.	35 MPH
Sunset Lane	South N. CR 900 E. at 56 <sup>th</sup> Street or E. CR 600 N.	20 MPH

There were no remonstrators present and Commissioner Dawes closed the Public Hearing at 9:05 AM.

Commissioner Whicker moved to approve the two Ordinances as presented. Commissioner Gentry seconded the motion and the motion was approved unanimously 3-0-0. Ordinance Nos. 2025-10 and 2025-11 were assigned.

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**IN THE MATTER OF HEARTLAND CROSSING 5-YEAR TAX ABATEMENT**

Joe Jasin, Hendricks County Economic Development Partnership (HCEDP), requested a favorable recommendation from the Commissioners to the Council for a 5-year tax abatement for Heartland Crossing Business Park Section 4 Lot 95 and Lot 96. Joe Jasin advised the buildings will be approximately 80,000 sf, with a total investment of approximately \$8.6 million, and create approximately 27 jobs.

There was discussion amongst the Commissioners, Joe Jasin, and Brian Bilger (HCEDP) regarding the matter. Commissioner Dawes reported he and Councilman Wathen have talked about the request are in favor of it. Commissioner Gentry inquired if it were true that many of the businesses leave once the abatement expires. Brian Bilger advised the only ones he knows of left due to the fact the businesses closed down. Commissioner Whicker clarified the abatement starts at them paying 50% and then goes up from there until they're paying 100%.

Commissioner Gentry moved to send a favorable recommendation to the Council for the abatement as requested. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF MODIFICATION OF B&O TRAIL ASSOCIATION'S  
ARPA MEMORANDUM OF UNDERSTANDING**

Commissioner Dawes thanked Councilwoman Marsh for continuing to monitor the ARPA funds for the County.

Jeff Smallwood, B&O Trail Association, requested modification of their ARPA Memorandum of Understanding to allow them to utilize approximately \$20,000.00 of it to purchase land in Maplewood that would adjust the projected path of the Trail back to the actual railroad path. Jeff Smallwood advised adjusting the path would save

money for the construction of the Trail because less stabilizing materials would be needed and they would no longer have to cross over sections of a drainage area.

Commissioner Gentry moved to approve the modification as requested. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF LINK PUBLIC TRANSPORTATION SERVICE CONTRACT EXTENSION**

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Stacie Ware, LINK, requested approval to exercise the one-year extension option outlined in RFP 1 of their current contract with the County to extend it from January 1, 2025-December 31, 2025.

Commissioner Gentry moved to approve extending the contract for one year as requested. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF HAWK'S CREEK MEMORANDUM OF UNDERSTANDING**

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Jeff Banning, Banning Engineering, presented a presentation related to a proposed Hawk's Creek Memorandum of Understanding (MOU) and requested approval (Exhibit A). Jeff Banning advised the developer, David Weekley Homes, would be responsible for the survey, design, and preparation of the construction plans for the improvements to CR 800 N. at the proposed project intersection, including determination of required right-of-way from the adjacent properties. Jeff Banning reported the development itself is within the Town of Brownsburg but they are wanting one of the ingress/egress points to be CR 800 N., which is within the County's jurisdiction. Jeff Banning stated that Weekley Homes would make sufficient payment to the County, based upon a bid price, to cover the costs of construction and right-of-way acquisition should a passing blister and turn lanes be necessary at a later date when the County makes improvements to CR 800 N. in that area. Jeff Banning reported they are making this request because property owners that they need to acquire right-of-way from are not willing to sell it and without the County waiving the required passing lanes and turn blister, their only options would be to revert back to a proposed \$3 million bridge over White Lick Creek, or terminate the project. Jeff Banning stated the County could do these improvements if and when they decided to improve the roadway, instead of forcing the developer to do them as part of the development.

There was discussion amongst the Commissioners, John Ayers, and Jeff Banning regarding the matter. John Ayers advised the improvements required for the development would need to be done fairly soon and would most likely result in condemnation for the right-of-way, which is an expensive process. John Ayers reported there is lots of resistance from the property owners and expressed his concerns of setting a precedent by approving the request and of the County being made whole for the actual expenses incurred if they do approve it. Jeff Banning stated they are willing to work with John Ayers on the financial aspect of the request. Commissioner Gentry expressed his concerns that this could end up in the County having to do condemnation and stated he does not support that. Jeff Banning advised they are not asking for condemnation, but are asking for a waiver of the County's required improvements for the road. John Ayers stated CR 800 N. is classified as a major collector road and he would hate to see the development go in without the required road improvements going in at the same time. Commissioner Whicker stated he hates to see an opportunity for growth stopped by property owners not willing to sell right-of-way. Commissioner Whicker advised he understands the property owners but they are holding a project hostage because the developer has no course of action to make the improvements since they can't obtain the right-of-way, but the County has the authority to do so. Commissioner Gentry advised that without government involvement, the developer would need to keep upping their offer to obtain the right-of-way. Jeff Banning stated they are not even getting to the point of making an offer because the property owners are not interested in talking with them. Commissioner Gentry inquired if what Jeff Banning is saying is that the developer cannot move forward with the project without government assistance. Jeff Banning advised that if this is what they are considering assistance, then yes, that is correct. Commissioner Gentry inquired what impact this MOU would have upon the owners that are resistant to sell. Jeff Banning stated right now, none, until the County acts upon improving the road. Jeff Banning advised if the MOU can't happen, they will have to back up and look at doing the bridge and there would be no need for the developer to do the turn lane from CR 800 N. onto Green Street or touch CR 800 N. at all, which is not their preference. Commissioner Gentry stated he completely understands and doesn't want one or two landowners to stop it, but does not like government interfering on behalf

of a private business and is struggling with that. Commissioner Whicker proposed allowing the developer to go ahead and connect to CR 800 N. now, but not require them to do the required road improvements at this time. Commissioner Dawes inquired if John Ayers thinks it's appropriate to not do the road improvements in this area along with the development going in. John Ayers advised he thinks it's prudent to follow the County's ordinance for the required improvements on a major collector road along with the development of this project, but it's the Commissioners' decision on whether they want to waive those requirements or not. Commissioner Whicker stated the County gives waivers all the time through Plan Commission for various reasons, but this project is not within the County's jurisdiction and will not be going through Plan Commission for the waiver to be made there.

It was the consensus of the Commissioners for Banning, the developer, Greg Steuerwald, and John Ayers to work together to revise the MOU to make the County whole for the total costs incurred now or in the future to make the required road improvements at the County's discretion, including all the costs for condemnation, and bring it back to them for consideration.

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**IN THE MATTER OF AMENDING THE HEALTH DEPARTMENT FOOD ORDINANCE**

Krista Click presented an amended Hendricks County Food Ordinance to reflect the recent Indiana administrative code changes, correct the duration of Farmers Market permits, require Mobile Retail Food Establishments/Temporary Food Establishments/Farmers Markets to submit permit applications and payments one week prior to the start of an event or pay a \$25.00 late fee, and deny the acceptance of applications and payments submitted less than 48 hours prior to the start of an event and requested a public hearing be scheduled.

There was discussion amongst the Commissioners, Greg Steuerwald, Krista Click, and Lisa Chandler regarding the matter.

Commissioner Gentry moved to schedule the public hearing during the July 8, 2025 Commissioners' Meeting as requested. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF TRANSFER OF EQUIPMENT FROM FACILITIES DEPARTMENT TO PARKS DEPARTMENT**

Jack Swalley requested the Facilities Department equipment listed below be transferred to the Parks Department now that Facilities contracts out groundskeeping, with the understanding Facilities would get it back if ever needed in the future, because the equipment is and has been sitting.

EQUIPMENT	SERIAL NUMBER
Gravely Pro-Turn 460 Commercial 60" ZTR Mower Model No. 992234	000160
Exmark E-Series Lazer Z 60" ZTR Mower Model No. LZE751GKA604A1	400065430
Stihl FS90R String Trimmer	283477300
Stihl FS90R String Trimmer	294118134
Stihl ES100RX String Trimmer	282025289
Stihl SH86C Handheld Blower	531013067
Stihl BR430 Backpack Blower	500450262
Stihl MS250 Chainsaw	269800319
Stihl MM55 Tiller	295827505
Stihl H556C Hedge Trimmer	299058901
Buyers Salt Dogg Salt Spreader	55662333
Husqvarna Snow Blower Model No. ST227P	061115M000816
Husqvarna Snow Blower Model No. ST230	97052880200

Commissioner Gentry moved to approve transferring the equipment to the Parks Department as requested. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

**IN THE MATTER OF BARNES & THORNBURG LETTER OF ENGAGEMENT FOR  
MONROVIA WASTEWATER PETITION**

Greg Steuerwald stated no action was needed on the Barnes & Thornburg Letter of Engagement for the Monrovia Wastewater Petition because the Petition does not come into Hendricks County and we are not affected by it.

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**IN THE MATTER OF HENKE DEVELOPMENT INTERLOCAL RELINQUISHING PLANNING &  
ZONING TO THE TOWN OF PLAINFIELD**

Greg Steuerwald presented an Interlocal Agreement with the Town of Plainfield relinquishing planning and zoning authority to the Town for the Henke Development area being annexed and recommended approval.

Commissioner Gentry moved to approve the Agreement as recommended. Commissioner Whicker seconded the motion and the motion was approved unanimously 3-0-0.

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**IN THE MATTER OF COMMENTS FROM THE FLOOR**

No matters presented.

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**IN THE MATTER OF ELECTED OFFICIALS**

No matters presented.

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**IN THE MATTER OF COUNTY ATTORNEY**

No matters presented.

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**IN THE MATTER OF COMMISSIONERS**

Commissioner Whicker reported he recently met with John Ayers, Curt Higginbotham, and Kasey Johnson and advised the meeting was good and constructive. Commissioner Whicker advised Curt Higginbotham and Kasey Johnson have his support. Commissioner Dawes and Commissioner Gentry advised they have theirs as well.

Commissioner Dawes reported he recently met with the Indianapolis Airport Authority and Republic Airways regarding their Lift Academy at the Gordon Graham Airport and advised they are going to look at some things brought to them, to possibly make some changes. Commissioner Dawes advised the Airport is owned and controlled by the Authority, not the County, and emphasized that it is a public access airport. Commissioner Dawes stated the Commissioners have done what they can to address the concerns of the residents that live around it, but it is in the Authority's hands to continue to work on things.

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**IN THE MATTER OF ACKNOWLEDGMENT OF CORRESPONDENCE**

**STAFF REPORTS RECEIVED**

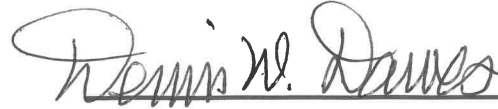
1. Engineering Department Report of June 10, 2025 from John Ayers
2. Executive Director's Report of June 10, 2025 from Todd McCormack
3. I.T. Department Report of June 10, 2025 from Doug Morris
4. Facilities Department Report of June 10, 2025 from Jack Swalley
5. Highway Department Report of May 9-23, 2025 and May 26-30, 2025 from Curt Higginbotham
6. HR Report of May 24-June 6, 2025 from Erin Hughes
7. Animal Control/Shelter Report of May 23-June 6, 2025 from LaDonna Hughes
8. Treasurer's Monthly Report for the month ending May 31, 2025 from Dawn Mayhood
9. Parks & Recreation Report of June 6, 2025 from Ryan Lemley

**CORRESPONDENCE RECEIVED**

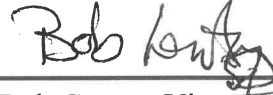
1. Notice of Inspection Letter from Buckeye Pipe Line Company, L.P.
2. Postcard from Federal Aviation Administration regarding Aeronautical Study No. (ASN) 2025-WTE-203-OE

**IN THE MATTER OF ADJOURNMENT**

Commissioner Dawes adjourned the Hendricks County Commissioners' Meeting at 10:04 AM on Tuesday, June 10, 2025.



Dennis W. Dawes, President



Bob Gentry, Vice President

Brad Whicker, Member

Prepared by:

  
Mila M. Shaffer



HAWKS CREEK  
PROPOSED MEMORANDUM OF  
UNDERSTANDING

David Weekley  
Homes

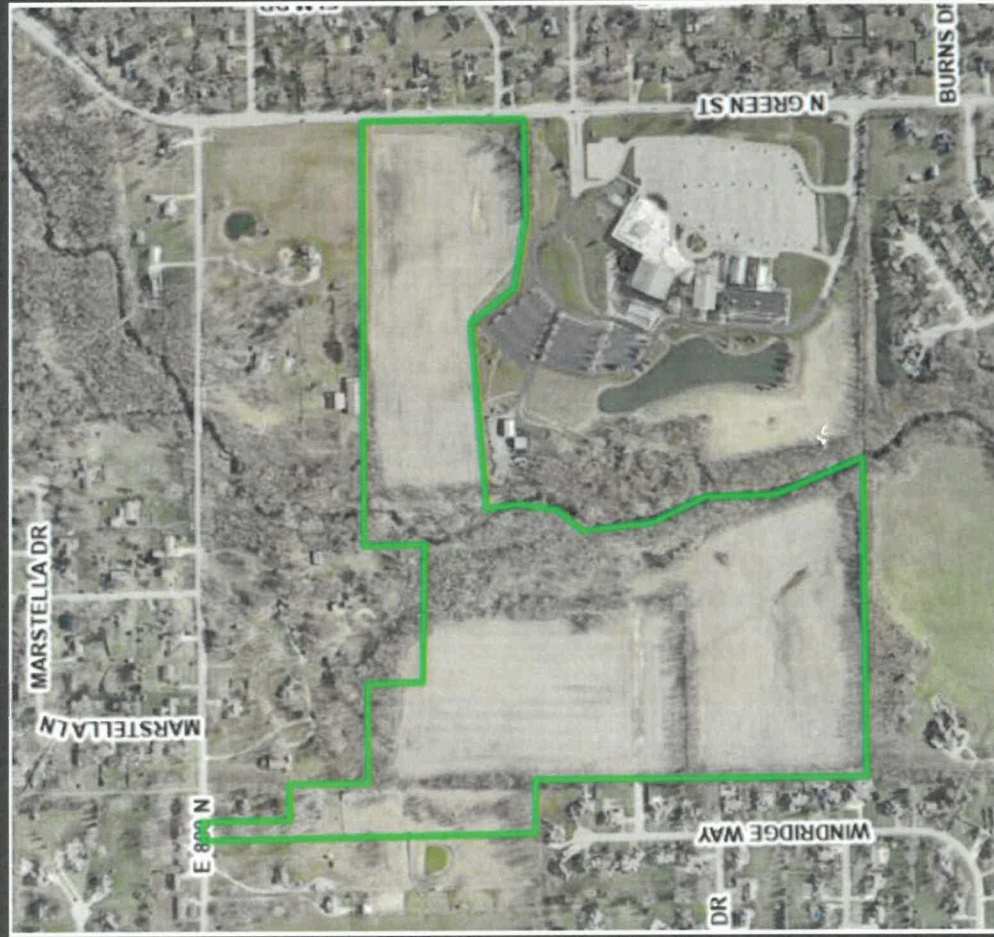


EXHIBIT A





HAWKS CREEK IS A SINGLE-FAMILY  
RESIDENTIAL DEVELOPMENT PROPOSED  
BY DAVID WEEKLEY HOMES IN THE TOWN  
OF BROWNSBURG LOCATED ON  
PROPERTY OWNED BY CONNECTION  
POINTE CHRISTIAN CHURCH





THE PROJECT WAS APPROVED BY THE TOWN OF BROWNSBURG IN 2022 WITH A BRIDGE CROSSING WHITE LICK CREEK TO PROVIDE ACCESS FROM THE WEST TO GREEN STREET. THE PROJECT DID NOT MOVE FORWARD.

DAVID WEEKLY HOMES PURSUED THE PROJECT AND WERE TOLD BY INDOT THAT THEY WOULD NOT ENTERTAIN A NEW ROADWAY ACCESS TO GREEN STREET.



**LENNAR**

[illegible]

The mitigation concept for unavoidable impacts involves the enhancement of approximately **0.84-acres** of tree "clearing" within a floodway associated with the enhancement of Hawk's Landing. The mitigation plan will be prepared to specifically replace and enhance the functions and values of the **0.84-acres** of tree clearing that is proposed within the floodway of White Lick Creek, by meeting the mitigation objectives outlined below:

The mitigation concept for unavoidable impacts involves the enhancement of approximately **0.84-acres** of tree "clearing" within a floodway associated with the enhancement of Hawk's Landing. The mitigation plan will be prepared to specifically replace and enhance the functions and values of the **0.84-acres** of tree clearing that is proposed within the floodway of White Lick Creek, by meeting the mitigation objectives outlined below:



DAVID WEEKLEY HOMES  
BROUGHT THE PROJECT TO  
BANNING ENGINEERING FOR  
A SECOND LOOK. BANNING  
REDESIGNED THE SITE TO  
UTILIZE PROPERTY OWNED BY  
THE CHURCH TO ACCESS CO.  
RD. 800 N AND ALLEVIATE THE  
NEED FOR A BRIDGE. THE NEW  
DESIGN ALSO PROPOSED TO  
CONVERT THE EXISTING  
CHURCH ACCESS TO GREEN  
STREET TO A PUBLIC ROAD.  
THIS NEW ACCESS TO GREEN  
STREET WAS PRELIMINARY  
APPROVED BY INDOT.



## Hawks Landing

### Special Purpose Report - Financial Impact Analysis

#### Summary of Estimated Incremental Annual Benefits at Final Build Out

	Hendricks County	Brownsburg Civil Town	Brownsburg Fire Territory	Brownsburg Community School	All Other Overlapping Units	Total
<b>Incremental Revenues:</b>						
General Property Taxes	\$ 64,638	\$ 127,224	\$ 93,708	\$ 330,828	\$ 10,032	\$ 626,430
Local Income Taxes Certified Shares	111,036	54,948	-	-	161,766	327,750
Jail Local Income Tax	57,000	-	-	-	-	57,000
Public Safety Local Income Taxes	12,087	5,983	-	-	10,433	28,503
Economic Development Income Tax	29,027	15,489	-	-	26,733	71,249
Emergency Medical Receipts	-	-	3,262	-	-	3,262
Vehicle/Aircraft Excise Tax Distribution	529	1,041	767	2,706	87	5,130
Local, State and Federal Revenues	-	-	-	169,717	-	169,717
<b>Total Revenues</b>	<b>274,317</b>	<b>204,685</b>	<b>97,737</b>	<b>503,251</b>	<b>209,051</b>	<b>1,289,041</b>
<b>Incremental Disbursements:</b>						
Fire Protection	-	-	(27,246)	-	-	(27,246)
Police Support	-	(78,226)	-	-	-	(78,226)
Overhead	(1,372)	(4,094)	(489)	-	(4,181)	(10,136)
School Expenditures	-	-	-	(294,170)	-	(294,170)
<b>Total Costs</b>	<b>(1,372)</b>	<b>(82,320)</b>	<b>(27,735)</b>	<b>(294,170)</b>	<b>(4,181)</b>	<b>(409,778)</b>
<b>Total Net Benefit At Full Build Out</b>	<b>\$ 272,945</b>	<b>\$ 122,365</b>	<b>\$ 70,002</b>	<b>\$ 209,081</b>	<b>\$ 204,870</b>	<b>\$ 879,263</b>

DEVELOPMENT OF THE PROPERTY WILL RESULT IN A TAX BENEFIT OF NEARLY \$900K ANNUALLY TO THE COMMUNITY WITH \$272,945 GOING TO HENDRICKS COUNTY.



RESTRICTION TO LIMITS OF ASPHALT OVERLAY

CO. RD. 800 N IS CONTROLLED BY HENDRICKS COUNTY. THE COUNTY INTERSECTION STANDARDS INCLUDE ACCELERATION AND DECELERATION LANES AS WELL AS PASSING BLISTERS.



## TRAFFIC IMPACT STUDY

### PROPOSED RESIDENTIAL DEVELOPMENT

HAWK'S CREEK  
BROWNSBURG, INDIANA

PREPARED FOR

**David Weekley Homes**

JULY 2024

A TRAFFIC STUDY PREPARED BY A&F ENGINEERING INDICATED THAT IMPROVEMENTS TO CO. RD. 800 N WERE NOT WARRANTED AT THE SUBDIVISION ENTRANCE.

### TURN LANE WARRANT ANALYSIS

A turn lane analysis was conducted to determine if exclusive turn lanes would be warranted at the proposed access drive along CR 800 N when the proposed residential development is constructed. This analysis was done in accordance with the INDOT *Driveway Permit Manual*<sup>2</sup>. The results are summarized in the following table.

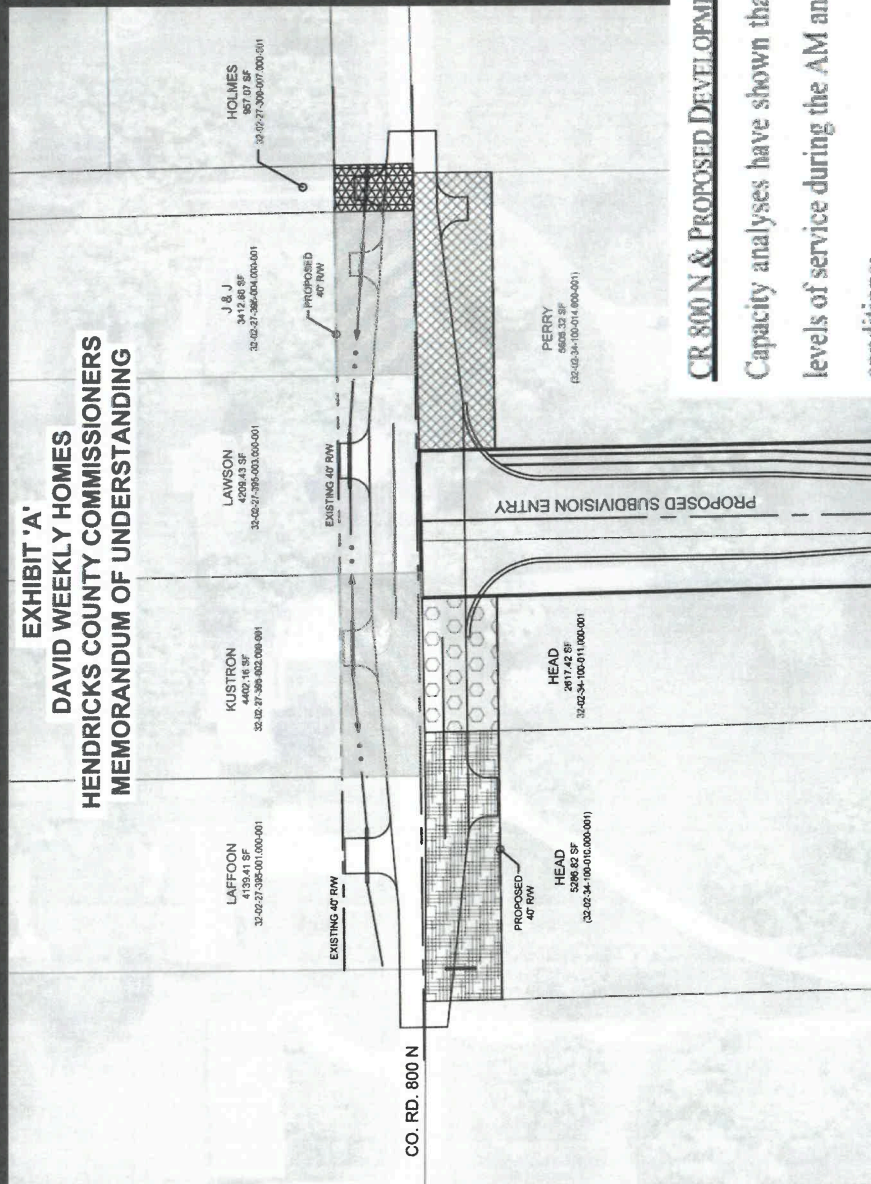
TABLE 3 – TURN LANE WARRANT ANALYSIS SUMMARY

LOCATION	SCENARIO	RIGHT-TURN LANE	LEFT-TURN LANE
CR 800 N & Proposed Development Access Drive	Year 2029 Traffic Volumes + Proposed Development Traffic Volumes	X	X

✓ = Turn Lane warranted; X = Turn Lane not warranted



**EXHIBIT 'A'**  
**DAVID WEEKLY HOMES**  
**HENDRICKS COUNTY COMMISSIONERS**  
**MEMORANDUM OF UNDERSTANDING**



DAVID WEEKLEY HOMES  
 MET WITH THE ADJACENT  
 PROPERTY OWNERS AT  
 THE PROJECT ENTRY ON  
 CO. RD. 800 IN AN  
 ATTEMPT TO PURCHASE  
 R/W NECESSARY TO  
 CONSTRUCT THE COUNTY  
 STANDARD ENTRY  
 IMPROVEMENTS. THEY  
 WERE UNABLE TO OBTAIN  
 ANY OF THE R/W  
 REQUIRED.

**CR 800 N & PROPOSED DEVELOPMENT ACCESS DRIVE**

Capacity analyses have shown that all approaches to this intersection will operate at acceptable levels of service during the AM and PM peak hours with the following recommended intersection conditions:

- Construction of the access drive with one inbound and one outbound lane.
- The intersection should be stop-controlled with the proposed access drive stopping for CR 800 N.





THE TRAFFIC STUDY ALSO  
INDICATED THAT  
IMPROVEMENTS WERE  
ALREADY WARRANTED AT THE  
CO. RD. 800 N AND GREEN  
STREET INTERSECTION.

CR 800 N & SR 267 (GREEN STREET)

Capacity analyses have shown that all approaches to this intersection currently operate at acceptable levels of service during the AM and PM peak hours with the existing intersection conditions. It is expected that the eastbound approach will experience increased delays during the peak hours as future traffic is added to the intersection. However, additional analyses have shown that these delays can be substantially reduced if separate left-turn and right-turn lanes are constructed along the eastbound approach.



DAVID WEEKLEY  
HOMES IS UNDER  
CONTRACT TO  
PURCHASE THE  
NECESSARY R/W  
FROM THE ADJACENT  
PROPERTY OWNER  
SUFFICIENT TO  
CONSTRUCT THE  
REQUIRED TURN LANE  
IMPROVEMENTS AT  
THE CO. RD. 800 N AND  
GREEN STREET  
INTERSECTION AND  
WILL COMPLETE THE  
IMPROVEMENTS AS  
PART OF THE PROJECT  
DEVELOPMENT.



**MEMORANDUM OF UNDERSTANDING**

**HAWK'S CREEK**

This Memorandum of Understanding ("Agreement") is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2025 ("Effective Date"), by and between **Weekley Homes, LLC**, a Delaware limited liability company, or its assigns ("Developer"), and the **Board of Commissioners of Hendricks County, Indiana** ("Commissioners"). Developer and Commissioners are sometimes referred to as the "Parties".

SINCE THE INTERSECTION IMPROVEMENTS AT THE PROJECT ENTRY AND CO. RD. 800 N ARE NOT WARRANTED AND DAVID WEEKLEY HOMES HAS BEEN UNABLE TO PURCHASE THE RAW NECESSARY TO CONSTRUCT THEM, A MEMORANDUM OF UNDERSTANDING IS BEING PROPOSED TO THE HENDRICKS COUNTY COMMISSIONERS.

# PAYMENT IN LIEU OF

DAVID WEEKLEY HOMES WILL BE RESPONSIBLE FOR SURVEY, DESIGN AND THE PREPARATION OF CONSTRUCTION PLANS FOR THE IMPROVEMENTS TO CO. RD. 800 N AT THE PROPOSED PROJECT INTERSECTION INCLUDING DETERMINATION OF R/W REQUIRED FROM THE ADJACENT

PROPERTIES. BASED ON A BID PRICE APPROVED BY THE COUNTY ENGINEER, DAVID WEEKLEY HOMES WILL MAKE PAYMENT TO THE COUNTY SUFFICIENT TO COVER THE COST OF CONSTRUCTION AND R/W ACQUISITION. SHOULD THE IMPROVEMENTS PROVE TO BE NECESSARY AT A LATER DATE, THE COUNTY WOULD THEN HAVE THE FUNDS AVAILABLE TO MAKE THE IMPROVEMENTS AS PART OF A COUNTY ROADWAY IMPROVEMENT PROJECT.