



Hall County Government
COMMUNITY DEVELOPMENT AND INFRASTRUCTURE
ENGINEERING DIVISION

MEMORANDUM

POST OFFICE DRAWER 1435
GAINESVILLE, GA 30503

t: 770.531.6800 | f: 770.531.3945

DIRECTOR
Srikanth Yamala

PUBLIC WORKS AND
UTILITIES DIRECTOR
Bill Nash, P.E.

COUNTY ENGINEER
Frank Miller, P.E.

TO: Mr. William Linkous III, County Attorney

FROM: Tammie Croy, Senior Engineer TC

SUBJECT: Collection of Guaranty Performance/Maintenance
Agreement for Stephens Point Subdivision Phase 1

DATE: August 4, 2023

This office has submitted a request to the County Commission to authorize your office to collect the guaranty performance/maintenance agreement held in behalf of Hall County. Enclosed is a copy of the letters notifying the developer and financial institution of the new bond requirement and existing bond expiration, a copy of the bond, and a copy of the final plat information.

Please advise if any additional information is needed regarding this matter.

cc: Board of Commissioners
Zachary Propes



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PUBLIC WORKS AND UTILITIES
ENGINEERING DIVISION

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FRANKLIN P. MILLER, P.E.
County Engineer

July 17, 2023

Fidelity and Deposit Company of Maryland
1299 Zurich Way
Schaumburg, IL 60196

RE: Bond # 9327181

To whom it may concern;

Our records pertaining to **Stephens Point Phase 1** indicate that sidewalks and topping have not been installed in this development and the bond associated with this development will expire on September 13, 2023. In order for the development to be in compliance with Hall County specifications it will be necessary to install sidewalks, repair all items in need of maintenance (see attached) or submit a new bond (or extend your current bond) in the amount of \$721,854.00 by August 4, 2023. A separate \$1000 check will need to be submitted with your bond.

All bonding mechanisms will need to be a minimum of 24 months.

Thank you for working in Hall County.

Should you have any questions, please do not hesitate to contact me at (770) 531-6800.

Sincerely,

Tammie Croy
Civil Engineer III

cc: Will Allison, Inspector
File

DETENTION PONDS

	<u>Pond "A"</u>		<u>Pond "B"</u>		<u>Pond "C"</u>	
	YES	NO	YES	NO	YES	NO
1 Live water in pond?	✓	✓		✓		
2 Pond dry?	✓			✓		
3 Date of last rain:						
4 Pond functioning as designed?	✓	✓	✓			
5 Do pond slopes need maint.?		✓		✓		
6 AE to pond staked?	✓	✓		✓		
7 AE to and around pond clear?	✓		✓			
8 AE maximum grade 3:1?	✓		✓			
9 DE into and out of pond clear?	✓		✓			
10 OCS settled or leaning?		✓		✓		
11 Any water intrusion in OCS?		✓		✓		
12 Any water intrusion in pipe?		✓		✓		
13 Has Rt. been removed?		✓		✓		
14 Trash rack properly installed?		N/A		N/A		
15 Sand filter required?		✓		✓		
16 Sand filter need refreshing?						
17 Sand filter functioning properly?						
18 Fence required?	✓		✓			
19 Gate and fence in good condition?	✓		✓			
20 Master Lock & 2001 key installed?	✓		✓			
21 Proper signage installed?	✓		✓			
22 All BMPs properly maintained?	✓		✓			
23 Soils stabilized as per plans?	✓		✓			
24 Silt guage installed?	✓		✓			
25 Silt guage reading zero?	✓			✓		
26 Has vegetation been maintained?		✓		✓		

COMMENTS: *A - cut pond. B - cut top of pond and around OCS.*

45 DAY INSPECTION

____ APPROVED

____ REJECTED

Contractor's Signature (if on site):

Inspector's Signature:

Will Ullrich

FINAL BOND INSPECTION

Subdivision Name: Stephens Point 1 Location: Stephens Rd
 Contractor: Lennar Date: 5/17/23 Time: 9:27A

<u>YES</u>	<u>NO</u>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1.25" F-mix topping in place
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pavement in good shape
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pavement is clean
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are there any settled places in the road?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pipe outlet protection (St.) clean and free to drain
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are all slopes and shoulders free from ruts, rills and erosion?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are all areas stabilized with a permanent grass and/or mulch?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are all traffic signs and markings installed as per plans?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are all utility ditches properly backfilled?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Storm drain extended 200 ft. from right-of-way or to natural drainage way
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are any signs, fences, walls, sprinkler systems, trees, lights, etc. on right-of-way?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	All debris and/or objects removed from R.O.W.? (Trailers, porta-johns, trash, concrete)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20 ft. access easements to ponds free of obstructions, fences, walls, trees, etc..
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All pond access easements staked
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any curbs or sidewalks damaged and in need of repair? If so, please list locations.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are all sidewalks installed? List lots w/o permits that do not have sidewalks on plat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are curbs clean?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are catch basins clean and free of debris?

COPY

NON-CURBED STREETS

Ditches 2 ft deep with front and rear slopes 2:1 or less
 Check dams properly installed and maintained

MEDIANS

A single, non-illuminated sign, 32 sq. ft. per face or less, only 2 faces
 Sign height is 6 ft. maximum from surface of the road
 Sign construction shall be wood, sign post 4"x4" maximum with break-away holes
 Sign shall not encroach into the right-of-way of intersecting road(s)

Comments:

Repair road / curb marked in white. Catch basin across from phase 2 - remove framework. Repair any curbs chipping off, missing road signs.



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FRANKLIN P. MILLER, P.E.
County Engineer

July 17, 2023

Lennar Georgia, Inc.
1000 Holcomb Woods Parkway,
Bld. 400, Suite 450
Roswell, GA 30076

RE: Bond # 9327181

To whom it may concern;

Our records pertaining to **Stephens Point Phase 1** indicate that sidewalks and topping have not been installed in this development and the bond associated with this development will expire on September 13, 2023. In order for the development to be in compliance with Hall County specifications it will be necessary to install sidewalks, repair all items in need of maintenance (see attached) or submit a new bond (or extend your current bond) in the amount of \$721,854.00 by August 4, 2023. A separate \$1000 check will need to be submitted with your bond.

All bonding mechanisms will need to be a minimum of 24 months.

Thank you for working in Hall County.

Should you have any questions, please do not hesitate to contact me at (770) 531-6800.

Sincerely,

Tammie Croy
Civil Engineer III

cc: Will Allison, Inspector
File

STATE OF GEORGIA,
COUNTY OF HALL

GUARANTY PERFORMANCE/MAINTENANCE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that we, Lennar Georgia, Inc. (owner/principal, hereinafter referred to as "Principal"), and Fidelity and Deposit Company of Maryland (surety), a company entitled and licensed to do business as a surety in the State of Georgia and Hall County, (hereinafter referred to as "Surety"), are held and bound unto Hall County, Georgia in the sum of \$ 721,854.00 * (hereinafter referred to as "bonded amount") for payment of which we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, Lennar Georgia, Inc. (principal) is owner of the Subdivision known as Stephens Point Subdivision, which subdivision is shown on a plat prepared by _____, Georgia Registered Surveyor Number _____, and

WHEREAS, Lennar Georgia, Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to approve the street system shown on the Final Plat of Stephens Point Subdivision for recording purposes, and

WHEREAS, Lennar Georgia, Inc. (principal) wishes to induce the Board of Commissioners of Hall County, Georgia to accept the streets shown on the Final Plat of Stephens Point Subdivision for public maintenance (not applicable to private developments);

Lennar Georgia, Inc. (principal) and Fidelity and Deposit Company of Maryland (surety) agree in consideration of the foregoing,

NOW, THEREFORE BE IT RESOLVED, Lennar Georgia, Inc. (principal) agrees that all construction of the street system of Stephens Point

Subdivision will be completed and maintained for fifteen (15) months according to the terms and requirements as shown on the recorded Final Plat and of the Subdivision Regulations in force in Hall County, Georgia.

Lennar Georgia, Inc. (principal), and
Fidelity and Deposit Company of Maryland (surety) agree to the following:

Sidewalks will be completed throughout entire subdivision as shown on recorded final plat within one (1) year of signing of said final plat. One inch of "F" mix asphalt may be placed anytime prior to final platting or up to one (1) year after final plat approval. In addition, Principal and Surety agree that if either the sidewalks, cuts, fills, sub-grades, shoulders, pavement, grassing, storm water management facilities, or traffic signs in Stephens Point Subdivision are improperly maintained or are found to be defective from faults in design, materials or workmanship as shown on the recorded Final Plat, or as set out in the Subdivision Regulations in force in Hall County, Georgia, then upon demand from Hall County,

Fidelity and Deposit Company of Maryland (surety) shall pay the bond amount to Hall County.

Terms of Guaranty:

Lennar Georgia, Inc. (principal) and
Fidelity and Deposit Company of Maryland (surety) shall be bound by the provisions of this agreement until a properly authorized letter is received by

Fidelity and Deposit Company of Maryland (surety) from Hall County authorizing release of

Lennar Georgia, Inc. (principal) and
Fidelity and Deposit Company of Maryland (surety) from this Guaranty Agreement.

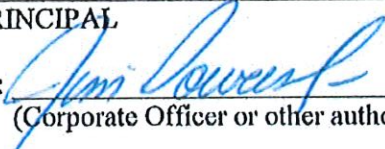
NOTWITHSTANDING the above provisions, this Guaranty Performance/Maintenance Agreement is hereby issued on September 13, 2019 (Date) and expires on September 13, 2021

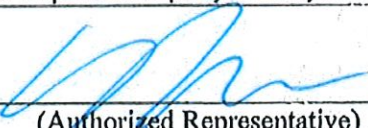
(Date, minimum 24 months from date of issuance), and the Issuer will have no more liability after that date. When

the indicated expiration date falls on Sunday or a legal holiday, or for any reason the Issuer is not open for business, the expiration date shall be extended to the next succeeding business day. Jurisdiction for any civil litigation necessary for collection of bond claims hereunder shall be in the Superior Court of Hall County, Georgia.

IN WITNESS WHEREOF, the undersigned have hereunto signed their names and affixed their seals, this

13th day of September, 2019.

- Lennar Georgia, Inc., a Georgia corporation
PRINCIPAL
By: 
(Corporate Officer or other authorized representative)
Principal's Address:
1000 Holcomb Woods Parkway, Bld. 400, Suite 450
Roswell, GA 30076

- Fidelity and Deposit Company of Maryland
SURETY
By:  My Hua
(Authorized Representative) Attorney-in-Fact
Surety's Address:
1299 Zurich Way
Schaumburg, IL 60196

- Approved:
Hall County
By: _____
(Chairman)

* The amount of the bond equals 30 percent of all completed infrastructure including base, paving, grassing, stormwater management facilities, and sidewalks plus 100 percent of the cost of all incomplete infrastructure such as remaining sidewalks and asphalt topping. The unit cost data used in the calculations will be based upon the latest Georgia Department of Transportation (GADOT) Item Mean Summary, or the latest Hall County contract data, whichever is higher.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Orange)

On SEP 13 2019 before me, Kathy R. Mair, Notary Public,
DATE [Name of Notary Public and Title "Notary Public"]

personally appeared My Hua -----
[Name(s) of Signer(s)]

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Kathy R. Mair
Signature of Notary Public

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: My Hua

- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney-in-Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney-in-Fact
- Trustee Guardian or Conservator
- Other: _____

Signer is Representing: _____

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by Robert D. Murray, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Mechelle LARKIN, Kathy R. MAIR, and My HUA, all of Irvine, California, EACH, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 1st day of May, A.D. 2019.



**ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: Robert D. Murray
Vice President

By: Dawn E. Brown
Secretary

State of Maryland
County of Baltimore

On this 1st day of May, A.D. 2019, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, Robert D. Murray, Vice President and Dawn E. Brown, Secretary of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposed and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2019



APPLICATION FOR SURETY BOND

EMAIL COMPLETED APPROVED APPLICATION WITH ATTACHMENTS TO SURETYBONDS@LENNAR.COM

LENNAR CONTACT

DIVISION: Atlanta - ATL REQUESTED BY: Sherry Lancaster/David Caragher
 ADDRESS: 1000 Holcomb Woods Pkwy, Bldg 400, Ste 450 CITY: Roswell STATE: GA ZIP: 30076
 DATE OF REQUEST: 9/11/2019 PHONE NUMBER: 770-670-2767 EXTENSION: _____

PRINCIPAL AND INTERNAL INFORMATION

COMMUNITY NAME: STEPHENS POINT MASTER COMMUNITY NAME: _____
 TRACT/ SECTION (SPECIFY): _____ PHASE / LOTS / UNITS (SPECIFY): _____
 JDE COMM. COST CENTER: 6888101 .5635 JDE DIVISION COST CENTER: 760000 .1998.BILLING
 DESCRIPTION OF IMPROVEMENTS: Maintenance
 PRINCIPAL NAME (LEGAL NAME OF ENTITY): Lennar Georgia, Inc.
 PRINCIPAL ADDRESS: 1000 Holcomb Woods Pkwy, Bldg 400/Ste 450 CITY: Roswell STATE: GA ZIP: 30076
 PRINCIPAL'S RELATIONSHIP TO LENNAR: JOINT VENTURE WHOLLY-OWNED SUBSIDIARY

COMPLETE THIS SECTION IF PRINCIPAL IS A JV

NAME OF ENTITY: _____ IS JV WHOLLY-OWNED BY LENNAR? _____
 DO WE OWN THE PROPERTY?: YES NO IF NOT, NAME OF OWNER: _____

LEGAL INFORMATION

OBLIGEE NAME : Hall County
 OBLIGEE ADDRESS: 2875 Browns Bridge Road CITY: Gainesville STATE: GA ZIP: 30504
 NUMBER OF ORIGINAL BOND FORMS REQUIRED BY OBLIGEE: 1 DATE NEEDED BY: 9/19/2019

BOND INFORMATION

CONTRACT VALUE: \$ 721,854.00 ESTIMATED PROJECT COMPLETION DATE: 9/30/2021

I. PERFORMANCE / SUBDIVISION BONDS:

BOND PURPOSE: Performance BOND TYPE: Subdivision Improvements BOND AMOUNT: _____
 BOND PURPOSE: Financial BOND TYPE: Payment (Materials & Labor) BOND AMOUNT: _____
 BOND PURPOSE: Performance BOND TYPE: Maintenance / Warranty BOND AMOUNT: \$721,854.00
 BOND PURPOSE: Performance BOND TYPE: Subdivision (Monument) BOND AMOUNT: _____

MAINTENANCE / WARRANTY BONDS ONLY:

BOND REQUIRED AT BEGINNING OF PROJECT: YES NO MAINTENANCE / WARRANTY TERM: 15 months
 EXISTING PERFORMANCE BOND NUMBER (IF APPLICABLE): _____

II. OTHER BONDS:

BOND PURPOSE: Performance BOND TYPE: PERF_Subdivision Improvements BOND AMOUNT: \$ 721,854.00

III. LANGUAGE EXCEPTIONS: (DP APPROVAL REQUIRED)

UNCAPPED LIABILITY; LEGAL FEES EXCEEDING BOND AMOUNT; ON DEMAND PAYMENT; OTHER

COMMENTS/SPECIAL INSTRUCTIONS: _____

APPROVALS

REFER TO THE CURRENT APPROVAL LIMITS MATRIX POSTED ON THE TREASURY PAGE ON THE LENNAR PORTAL

APPROVER 1 SIGNATURE:	PRINTED NAME:	TITLE:	DATE:
	Ekaterina Schwallie	VP, Finance	
APPROVER 2 SIGNATURE:	PRINTED NAME:	TITLE:	DATE:
	Casey Hill	Vice President/DP	
APPROVER 3 SIGNATURE:	PRINTED NAME:	TITLE:	DATE:
APPROVER 4 SIGNATURE:	PRINTED NAME:	TITLE:	DATE:

TO BE COMPLETED BY TREASURY

APPROVAL #1: _____ DATE: _____ APPROVAL #2: _____ DATE: _____
 DATE RECEIVED: _____



Mechelle Larkin
Assistant Vice President

Marsh USA Inc.
2929 Allen Parkway, Suite 2500

Houston, TX 77019

Mechelle.V.Larkin@marsh.com
www.marsh.com

July 18, 2022

Maresa Cammarata
Lennar Georgia, LLC
1000 Holcomb Woods Pkwy, Bldg 400, Ste 450
Roswell, GA 30076

Subject: Rider for Principal Name Change Inc. to LLC & Expiration Date Extended to 9/13/23

Principal: Lennar Georgia, LLC
Obligee: Hall County Board of Commissioners
Bond Description: Perf/Maintenance sidewalks & topping
Bond Amount: \$721,854.00
Bond Number: 9327181
Surety Name: Fidelity and Deposit Company of Maryland

Dear Maresa Cammarata:

In response to the request dated 07/17/2022, I am pleased to enclose the above-referenced bond document that is based on the information we received with the request.

Prior to filing with Hall County Board of Commissioners the following items need to be completed:

1. Signed by authorized officer
2. Officer's name and title inserted below signature
3. Corporate seal affixed (if applicable)

As always, the bond document should be re-checked for accuracy before filing with Hall County Board of Commissioners.

If you have any questions, please feel free to contact me. Thank you for allowing Marsh to service your surety needs.

Sincerely,

Mechelle Larkin

Enclosure

SURETY RIDER

To be attached to and form a part of

Bond No. 9327181

dated September 13, 2019
effective (MONTH-DAY-YEAR)

executed by Lennar Georgia, LLC, as Principal,
(PRINCIPAL)

and by Fidelity and Deposit Company of Maryland, as Surety,

in favor of Hall County Board of Commisssioners
(OBLIGEE)

in consideration of the mutual agreements herein contained the Principal and the Surety hereby consent to changing

Stephens Point, Phase 1

The Principal Name to: Lennar Georgia, LLC (as successor-in-interest by conversion from Lennar Georgia, Inc.)

The Bond Expiration Date to: September 13, 2023

Nothing herein contained shall vary, alter or extend any provision or condition of this bond except as herein expressly stated.

This rider is effective July 18, 2022
(MONTH-DAY-YEAR)

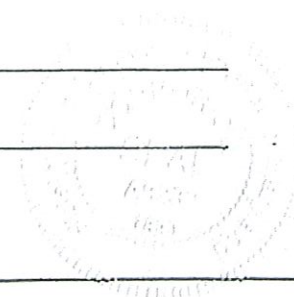
Signed and Sealed July 18, 2022
(MONTH-DAY-YEAR)

Lennar Georgia, LLC, a Georgia limited liability company
(PRINCIPAL)

By: _____
(PRINCIPAL)

Fidelity and Deposit Company of Maryland
(SURETY)

By: Mechelle Larkin
Mechelle Larkin, Attorney-in-Fact



EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have herunto subscribed my name and affixed the corporate seals of the said Companies, this _____ day of _____, _____.

JUL 18 2022



Brian M. Hodges

Brian M. Hodges, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
www.reportsfclaims@zurichna.com
800-626-4577

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray**, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint, **Mechelle LARKIN, Kathy R. MAIR and My HUA**, all of Irvine, California its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons. The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 17th day of December A.D. 2020.



ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: *Robert D. Murray*
Vice President

By: *Dawn E. Brown*

Secretary

State of Maryland
County of Baltimore

On this 17th day of December, 2020, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray**, Vice President and **Dawn E. Brown**, Secretary of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposed and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn

Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2023