

**RIDER**

To be attached to and form part of:

Bond Number 08941617  
dated 3/6/2009

issued by the FIDELITY AND DEPOSIT COMPANY OF MARYLAND

on behalf of MOSAIC FERTILIZER, LLC  
(Principal)

and in favor of THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA  
(Obligee)

Now therefore, it is agreed that in consideration of the premium charged, the attached bond shall be amended as follows:

**The Bond Amount shall be amended:**

**FROM: \$ 6,375,377.00**

**TO: \$ 7,096,412.00**

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This Rider is to be Effective this 5th day of December, 2016.

Signed, Sealed & Dated this 5th day of December, 2016.

MOSAIC FERTILIZER, LLC  
(Principal)

By: *Courtney Mattson*

FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
(Surety)

By: *Sandra M. Winsted*

Sandra M. Winsted, Attorney-in-Fact

ACCEPTED IN OPEN SESSION 1/24/2017  
BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY



ACKNOWLEDGEMENT BY SURETY

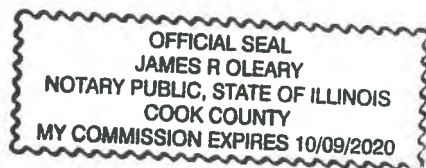
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STATE OF ILLINOIS  
COUNTY OF COOK

On this 5<sup>th</sup> day of December, 2016, before me, James R. O'Leary, a Notary Public, within and for said County and State, personally appeared Sandra M. Winsted to me personally known to be the Attorney-in-Fact of and for Fidelity and Deposit Company of Maryland and acknowledged that s/he executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

  
Notary Public in the State of Illinois  
County of Cook



**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 hereunto subscribed my name and affixed the corporate seals of the said Companies, this 5 day of December, 2016.



*Michael Bond*

Michael Bond, Vice President



**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 Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **GERALD F. HALEY, 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 **Sandra M. WINSTED, Susan A. WELSH, Judith A. LUCKY-EFTIMOV, James B. MCTAGGART, Debra J. DOYLE, Sandra M. NOWAK, Melissa L. FORTIER, Jessica B. DEMPSEY, Christina L. SANDOVAL and Diane M. O'LEARY**, all of **Chicago, Illinois**, 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.

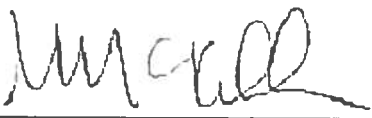
The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

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 13th day of June, A.D. 2016.


ATTEST:

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



By: 

Secretary  
Michael McKibben

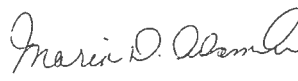


Vice President  
Gerald F. Haley

State of Maryland  
County of Baltimore

On this 13th day of June, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **GERALD F. HALEY, Vice President, and MICHAEL MCKIBBEN, 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, deposeth 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.



Maria D. Adamski, Notary Public  
My Commission Expires: July 8, 2019



January 24, 2017 - Regular Meeting  
Agenda Item #19

Approved in Open Session 1/24/17,  
Manatee County  
Board of County Commissioners

Subject

Mining - Altman Tract, Parcel No. 4 Reclamation Bond Rider Adjustment

Briefings

None

Contact and/or Presenter Information

Carmen Mosley, Sr. Fiscal Services Manager, Public Works Department, 708-7450, Ext 7209

Alissa Powers, Environmental Program Manager, Parks & Natural Resources Department, 749-5980, Ext 1892

Jane Oliver, Fiscal Analyst, Public Works Department 708-7450, Ext 7613

Action Requested

- Accept Surety Bond No. 08941617 Rider in the increased amount of \$7,096,412.00 with Mosaic Fertilizer, LLC

Enabling/Regulating Authority

N/A

Background Discussion

In accordance with Ordinance 04-39, a phosphate mine reclamation bond covers one hundred ten percent (110%) of the reclamation cost for each acre of land to be disturbed during the coming year and all land previously disturbed by mining activities, and includes the costs of the wetland mitigation and the tear-down and removal of mine infrastructure. On an annual basis, the accuracy of the bond areas and the costs of reclamation are certified by a registered third party engineer and are reviewed and approved by the Director of the Parks and Natural Resources Department, or his designated staff.

The Altman Tract, Parcel No. 4 Reclamation Bond Number 08941617 has been increased to \$7,096,412.00 (existing bond amount of \$6,375,377.00). The Parks and Natural Resources Department has reviewed the bond amount and has determined that it meets the requirements of the Manatee County Phosphate Mining Code (Ordinance 04-39) and Operating Permit R-14-004.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

1. Please provide confirmation of the action taken on this item to [jane.oliver@mymanatee.org](mailto:jane.oliver@mymanatee.org), and when documents are ready for pick-up.
2. Please provide copies of the executed documents after they have received Board of County Commission acceptance to Alissa Powers at [alissa.powers@mymanatee.org](mailto:alissa.powers@mymanatee.org).

**Distributed 1/25/17, RT**

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: [Altman Parcel #4 Surety Rider.pdf](#)