

MEMORANDUM Manatee County Board of County Commissioners



To: Carmen Mosley, Sr. Fiscal Services Mgr. *C. Mosley*
Public Works Department

From: Jane Oliver, Bond Coordinator *Jane Oliver*
Public Works Department

Date: February 13, 2018

Subject: **ESPLANADE AT LAKEWOOD RANCH, PHASE 3
SUBPHASE E, G & H
PDMU-05-19/14-S-34 (F)
ACCEPT SURETY BOND VERIFICATION CERTIFICATE
FOR DEFECT SECURITY AGREEMENT**

On January 27, 2015, the Board of County Commissioners accepted a defect security agreement which must remain in place for three (3) years from County acceptance of that agreement. This project has failed the defect inspection and requires more time to complete the issues noted on the inspection report. The Surety Bond secured by Arch Insurance extends the expiration date to give the Developer the time necessary to make the required repairs. Therefore, per R-14-86, the following form of action is required:

ACTION

- **Acceptance of**, the Surety Bond Verification Certificate in conjunction with the *Agreement for Public Subdivision Improvements* securing water and wastewater improvements;
 - **Surety Bond No.** SU1128429, Verification Certificate dated December 22, 2017, issued through Arch Insurance Company;
 - **Expiration Date** – October 29, 2018;
 - **Amount** of Defect Bond \$37,466.29.

Instructions to Board Records

Copies of release request to: Claudia Campos (Claudia.campos@ManateeClerk.com), Julie Jensvold (Julie.jensvold@ManateeClerk.com), Abby Lindecamp (abby.lindecamp@ManateeClerk.com), Darena Marvin (DMarvin@grimesgoebel.com), and Jane Oliver (jane.oliver@mymanatee.org).

/mjo

cc: Records Management
Ken LaBarr, Infrastructure Inspection Mgr.
Darena Marvin/Danielle Ellis, Agent for the Developer

Attachment

Public Works Department
Fiscal Division
1022 26th Avenue East, Bradenton, FL 34208
Phone number: (941) 708-7450

VERIFICATION CERTIFICATE

Surety Bond for Defects of Required Improvements

THIS IS TO CERTIFY that Bond No. SU1128429 issued by Arch Insurance Company dated this 29th day of October, 2014, in the amount of Thirty Seven Thousand Four Hundred Sixty Six and 29/100 Dollars (\$37,466.29), on behalf of Taylor Morrison of Florida, Inc. (as Principal), and in favor of County of Manatee, State of Florida (as Obligee), covers a term which began on the 29th day of October, 2014, and ends only with the cancellation of said bond or other legal termination thereof; and that the said bond remains in effect, subject to all its agreements, conditions and limitations.

Signed, sealed and dated December 22, 2017.

Arch Insurance Company

BY: Margaret A. Ginem
Margaret A. Ginem, Attorney-in-Fact &
FL Licensed Resident Agent

c/o Willis of Florida, Inc.
4211 W. Boy Scout Blvd., Ste. 1000
Tampa, FL 33607
Inquiries: (813) 281-2095

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON BLUE BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Mortgage, Note, Loan, Letter of Credit, Bank Deposit, Currency Rate, Interest Rate or Residential Value Guarantees.

POWER OF ATTORNEY

Know All Persons By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Anett Cardinale, Brandy Baich, David H. Carr, Eileen C. Heard and Margaret A. Ginem of Tampa, FL (EACH)

its true and lawful Attorney(s)in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed:

Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding Ninety Million Dollars (\$90,000,000.00).

This authority does not permit the same obligation to be split into two or more bonds In order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on September 15, 2011, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on September 15, 2011:

VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on September 15, 2011, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company.

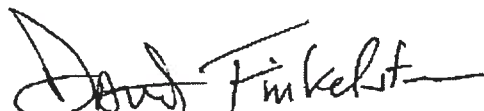
In Testimony Whereof, the Company has caused this instrument to be signed and its corporate seal to be affixed by their authorized officers, this 7th day of December, 2016.

Attested and Certified

Arch Insurance Company


Patrick K. Nails, Secretary

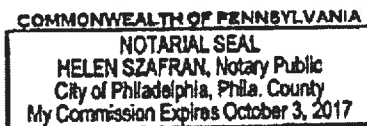


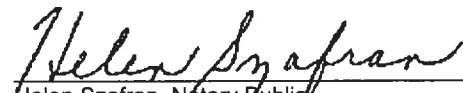

David M. Finkelstein, Executive Vice President

STATE OF PENNSYLVANIA SS

COUNTY OF PHILADELPHIA SS

I, Helen Szafran, a Notary Public, do hereby certify that Patrick K. Nails and David M. Finkelstein personally known to me to be the same persons whose names are respectively as Secretary and Executive Vice President of the Arch Insurance Company, a Corporation organized and existing under the laws of the State of Missouri, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary acts for the uses and purposes therein set forth.





Helen Szafran, Notary Public
My commission expires 10/03/2017

CERTIFICATION

I, Patrick K. Nails, Secretary of the Arch Insurance Company, do hereby certify that the attached Power of Attorney dated December 7, 2016 on behalf of the person(s) as listed above is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said David M. Finkelstein, who executed the Power of Attorney as Executive Vice President, was on the date of execution of the attached Power of Attorney the duly elected Executive Vice President of the Arch Insurance Company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Arch Insurance Company on this 22nd day of December, 20 17.


Patrick K. Nails, Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein and they have no authority to bind the Company except in the manner and to the extent herein stated.

PLEASE SEND ALL CLAIM INQUIRIES RELATING TO THIS BOND TO THE FOLLOWING ADDRESS:

Arch Insurance – Surety Division
3 Parkway, Suite 1500
Philadelphia, PA 19102

