

MEMORANDUM

Accepted in Open Session
Manatee County Board of County Commissioners

11/27/2018



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

From: Jane Oliver, Bond Coordinator
Public Works Department

Date: November 27, 2018

Subject: **INDIGO, PHASE VII, SUBPHASE A & B**
SUBPHASE B ONLY
PDR-15-15/17-S-37 (F)
ACCEPT VERIFICATION CERTIFICATE
FOR PUBLIC PORTION OF AGREEMENT

For your information: On December 12, 2017, the Board of County Commissioners accepted the *Agreement for Private Subdivision with Public Improvements*. The developer has requested an extension on the public infrastructure for Subphase B, which will be County maintained. The developer has started building infrastructure improvements in the development and is requesting the extension to complete the project. The Public Works Department has reviewed the request and is in agreement with the Developer. This action is to extend the agreement and security to ensure the developer is not in default with the agreement previously provided. We therefore, per Resolution R-14-86, respectively request approval of the following

SURETY BOND NO. US00080519SU17A WILL REMAIN IN PLACE. This Surety will be used to secure the one (1) year extension for the required public infrastructure improvements agreement. Note: No extension agreement is required with the new County format.

- **Acceptance of**, the Surety Bond Verification Certificate in conjunction with the agreement previously approved;
 - **Surety Bond No US00080519SU17A**, Verification dated September 14, 2018 issued through XL Specialty Insurance Company.;
 - **Expiration Date** –October 26, 2019;
 - **Amount of Performance Bond** \$260,795.08.

Instructions to Board Records

Copies of release request to: Julie Jensvold (Julie.jensvold@manateeclerk.com), Danielle Heaton (Danielle.heaton@manateeclerk.com), Robin Hamilton (Robin.hamilton@manateeclerk.com), James Schier (jschier@nealcommunities.com), and Jane Oliver (jane.oliver@mymanatee.org).

cc: Records Management
Kenneth LaBarr, Infrastructure Inspections Div. Mgr., Public Works
James Schier, Neal Communities of Southwest Florida

Attachments

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

VERIFICATION OF BOND IN FORCE
Form SB-3

Type of Bond: Subdivision Bond

Name of Principal: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC

Obligee: COUNTY OF MANATEE

Carrier: XL SPECIALTY INSURANCE COMPANY

Bond Number: US00080519SU17A

Effective Date: 10/26/2018

Limit: \$ 260,795.08

Premium: \$ 782.00

This Bond is continuous with no definite expiration date. Sufficient Premium has been paid to satisfy the requirements of the Carrier for this bond to 10/26/2019.

XL SPECIALTY INSURANCE COMPANY

By: Claudette Alexander Hunt
Claudette Alexander Hunt Attorney in Fact

Date: 09/14/2018



Power of Attorney
XL Specialty Insurance Company
XL Reinsurance America Inc.

THIS IS NOT A BOND NUMBER
LIMITED POWER OF ATTORNEY
XL1526028

KNOW ALL MEN BY THESE PRESENTS: That XL Specialty Insurance Company, a Delaware insurance company with offices located at 505 Eagleview Blvd., Exton, PA 19341, and XL Reinsurance America Inc., a New York insurance company with offices located at 70 Seaview Avenue, Stamford, CT 06902, do hereby nominate, constitute, and appoint:
Claudette Alexander Hunt

each its true and lawful Attorney(s)-in-fact to make, execute, attest, seal and deliver for and on its behalf, as surety, and as its act and deed, where required, any and all bonds and undertakings in the nature thereof, for the penal sum of no one of which is in any event to exceed \$99,999,999.00.

Such bonds and undertakings, when duly executed by the aforesaid Attorney (s) - in - Fact shall be binding upon each said Company as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary of the Company and sealed with its corporate seal.

The Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Board of Directors of each of the Companies on the 26th day of July 2017.

RESOLVED, that Gary Kaplan, Daniel Riordan, Maria Duhart, Gregory Boal and Kevin Mirsch are hereby appointed by the Board as authorized to make, execute, seal and deliver for and on behalf of the Company, any and all bonds, undertakings, contracts or obligations in surety or co-surety with others and that the Secretary or any Assistant Secretary of the Company be and that each of them hereby is authorized to attest the execution of any such bonds, undertakings, contracts or obligations in surety or co-surety and attach thereto the corporate seal of the Company.

RESOLVED, FURTHER, that Gary Kaplan, Daniel Riordan, Maria Duhart, Gregory Boal and Kevin Mirsch each is hereby authorized to execute powers of attorney qualifying the attorney named in the given power of attorney to execute, on behalf of the Company, bonds and undertakings in surety or co-surety with others, and that the Secretary or any Assistant Secretary of the Company be, and that each of them is hereby authorized to attest the execution of any such power of attorney, and to attach thereto the corporate seal of the Company.

RESOLVED, FURTHER, that the signature of such officers named in the preceding resolutions and the corporate seal of the Company may be affixed to such powers of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be thereafter valid and binding upon the Company with respect to any bond, undertaking, contract or obligation in surety or co-surety with others to which it is attached.

IN WITNESS WHEREOF, the XL SPECIALTY INSURANCE COMPANY has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officers this October 13th, 2017.



XL SPECIALTY INSURANCE COMPANY

By:

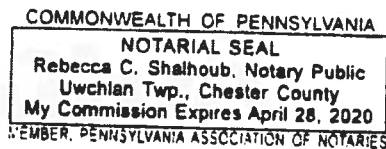
Gregory Boal, VICE PRESIDENT

Attest:

Kevin M. Mirsch, ASSISTANT SECRETARY

STATE OF PENNSYLVANIA
COUNTY OF CHESTER

On this 13th day of October, 2017, before me personally came Gregory Boal to me known, who, being duly sworn, did depose and say: that he is Vice President of XL SPECIALTY INSURANCE COMPANY, described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to the aforesaid instrument are such corporate seals and were affixed thereto by order and authority of the Boards of Directors of said Companies; and that he executed the said instrument by like order.



Rebecca C. Shalhoub, NOTARY PUBLIC