

# MEMORANDUM

Accepted in Open Session  
Manatee County Board of County Commissioners

11/27/2018



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

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

Date: November 27, 2018

Subject: **SILVERLEAF, PHASE I-A & I-B**  
**PDR-11-14/14-S-22 (F)**  
**ACCEPT SURETY BOND VERIFICATION CERTIFICATE**  
**FOR DEFECT SECURITY AGREEMENT**

On August 25, 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 Great American 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:

- **Acceptance of**, the Surety Bond Verification Certificate in conjunction with the *Agreement in Conjunction with Surety Bond as Defect Security Warranting Required Improvements* securing paving, drainage, potable water, wastewater and reclaimed water improvements;
  - **Surety Bond No.** 1115064, Verification Certificate dated September 14, 2018, issued through Lexon Insurance Company;
  - **Expiration Date** – August 25, 2019
  - **Amount** of Defect Bond \$187,094.05.

## Instructions to Board Records

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

/mjo

cc: Records Management  
Ken LaBarr, Infrastructure Inspection Mgr.  
Jim Schier, Neal Communities of Southwest Florida, LLC

Attachment

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

**VERIFICATION CERTIFICATE**

SURETY: Lexon Insurance Company

PRINCIPAL: Neal Communities of Southwest Florida, LLC

OBLIGEE: County of Manatee, State of Florida

DESCRIPTION: Silverleaf Phases 1A & 1B

BOND NO.: 1115064

BOND AMOUNT: \$187,094.05

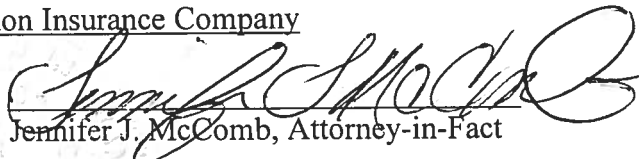
EFFECTIVE DATE: March 5, 2015

This is to certify that this company has not terminated its suretyship under the above described bond and that such bond according to its records is still in full force and effect until released by the Obligee.

Signed and Sealed this 14<sup>th</sup> day of September, 2018

Lexon Insurance Company

By:

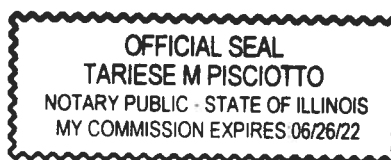
  
Jennifer J. McComb, Attorney-in-Fact

STATE OF ILLINOIS  
COUNTY OF DU PAGE

The foregoing instrument was acknowledged before me this 14th day of September,  
2018.

By:

  
Tariese M. Pisciotto, Notary Public



My commission expires on: 6/26/2022  
Commission No. 560807

POWER OF ATTORNEY

LX - 1079

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its statutory home office in Austin, Texas, does hereby constitute and appoint: James I. Moore, Stephen T. Kazmer, Dawn L. Morgan, Kelly A. Gardner, Elaine Marcus, Jennifer J. McComb, Melissa Schmidt, Tariese M. Pisciotto, Diane Rubright, Amy Wickett its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$8,000,000.00, Eight Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 22nd day of June, 2018.

LEXON INSURANCE COMPANY



BY [Signature] Brian Beggs President

ACKNOWLEDGEMENT

On this 22nd day of June, 2018, before me, personally came Brian Beggs to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR Notary Public- State of Tennessee Davidson County My Commission Expires 07-08-19

BY [Signature] Amy Taylor Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 14th Day of September, 2018.



BY [Signature] Andrew Smith Assistant Secretary

“WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.”