

# MEMORANDUM



To: Ed Hunzeker  
County Administrator

Thru: Chad Butzow, Interim Director  
Public Works Department

From: Carmen Mosley, Sr. Fiscal Services Mgr./  
Jane Oliver, Bond Coordinator  
Public Works Department

Date: December 18, 2018

Subject: **SERENITY CREEK REPLAT OF TRACT N**  
**PDR-04-27/16-S-04 (F)**  
**RELEASE PORTION OF PERFORMANCE AGREEMENT**  
**RELEASE SURETY BOND**  
**ACCEPT DEFECT SECURITY PORTION OF AGREEMENT**  
**ACCEPT SURETY BOND**  
**ACCEPT BILL OF SALE**

On May 24, 2016, the Board of County Commissioners accepted the *Agreement for Public Subdivision Improvements* securing water distribution, sanitary sewer and reclaimed water improvements for the above referenced project. The developer has provided all necessary documentation and completed and passed all inspections for those required public improvements to release the performance portion (public improvements); and accept the defect security portion of the Agreement which will warrant these improvements for this project. A Bill of Sale is also required for this project which has publicly maintained utilities under private roadway. We therefore, per Resolution R-14-86, respectively request the County Administrator to approve the following:

**NOTE: PUBLIC IMPROVEMENTS AGREEMENT** remains in place securing the defect security portion of the Agreement.

- **Authorization to release and return** the Surety Bond, and any riders associated with this Surety, in conjunction with the performance, in the *Agreement for Public Subdivision Improvements*. Documents will be returned to Garth Noble with Meritage Homes located at 10117 Princess Palm Avenue, Suite 550, Tampa, FL 33610;
- **Surety Bond No. SU1134135** issued through Arch Insurance Company;

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

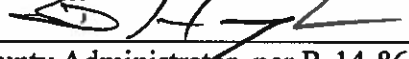
- **Amount of Performance Bond \$464,264.78;**
- **Accept, and Execute Surety Bond** securing Section 1.5 "Maintenance, Defects" of the *Agreement for Private Subdivision with Public Improvements* accepted by the Board of County Commissioners on November 2, 2017, securing B-2 water distribution, B-3 sanitary sewer, and B-4 reclaimed water improvements;
- **Surety Bond No. SU1134135-M**, and Verification Certificate for Indefinite Term Surety Bond issued through Arch Insurance Co.;
- **Amount of Defect Security \$35,712.68;**
- **Accept and Execute Bill of Sale.**

**Instructions to Board Records**

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)), Garth Noble ([Garth.Noble@meritagehomes.com](mailto:Garth.Noble@meritagehomes.com)), and Jane Oliver ([jane.oliver@mymanatee.org](mailto:jane.oliver@mymanatee.org)).

**MANATEE COUNTY, a political  
subdivision of the State of Florida**

By: Board of County Commissioners

By:   
County Administrator, per R-14-86

CB/CM/mjo

cc: Records Management  
Sia Mollanazar, P.E., Deputy Director – Engineering Services  
Myra Prater, Maintenance Operations Division Manager  
Ken LaBarr, Infrastructure Inspections Division Manager  
Garth Noble, Meritage Homes

Attachments

Serenity Creek Subdivision, Replat of Tract N - Private Residential Project w/Public  
Improvement  
DEFECT – B-2 Water Distribution, B-3 Sanitary Sewer, B-4 Reclaimed Water

**EXHIBIT “B”  
IMPROVEMENT’S**

	Improvement	Estimated Cost
1	Water Distribution, Sanitary Sewer and Reclaimed Water	<u>\$464,264.78</u>
2	<b>DEFECT ADDENDUM</b>  B-2 Water Distribution, B-3 Sanitary Sewer, B-4 Reclaimed Water	<u>\$35,712.68</u>
3		



Manatee County Public Works Department  
Engineering Services  
1022 26<sup>th</sup> Avenue East  
Bradenton, FL 34208  
Phone: (941) 708-7462  
www.mymanatee.org

July 14, 2016

Florida Engineering and Environmental Services, Inc.  
4519 George Rd, Suite 130  
Tampa, FL 33634

Attention: Mr. David W. Bartlet, P.E.

(dbartelt@flaengineering.com)

RE: **SERENITY CREEK SUBDIVISION, REPLAT OF TRACT N - (Private Sub)**  
**PDR-04-27/16-S-04(F) (DTS #20160091) (MEPS-531)**  
**3-Year Defect Security Cost Estimate**  
**Public Infrastructure Improvements**  
**Reason - (B-2 Water Distribution, B-3 Sanitary Sewer, B-4 Reclaimed Water)**

Dear Mr. Bartlet:

Your cost estimate for the above referenced bond, dated **June 24, 2016**, for the completion of site improvements to serve the above referenced development, is approved for the appropriate surety.

A Defect Security in the amount of **\$35,712.68** which is 10%, of the submitted actual cost, would be sufficient to assure the County correction of any defects or failures.

If we can be of further assistance, please contact me at (941) 708-7462.

Sincerely,

  
\_\_\_\_\_  
**Sia Mollanazar, P.E.**  
Deputy Director – Engineering Services

SM/jp/jsh

cc: Record Management  
Jane Oliver, Fiscal Analyst, Public Works Department  
Carmen Mosley, Fiscal Operations Division Manager, Public Works Dept.  
Kenneth LaBarr, Infrastructure Inspection Division Manager, Public Works Dept.  
Karla Ripley, Senior Development Review Specialist, Public Works Dept.  
John Parks, Sr. Development Review Specialist, Building and Development Services  
Fred Goodrich, Sr. Development Review Specialist, Building and Development Services



**FLORIDA ENGINEERING  
AND ENVIRONMENTAL SERVICES, INC.**

Mr. John Pari, P.E.  
Manatee County Public Works  
1022 26<sup>th</sup> Avenue East  
Bradenton, FL 34208

June 24, 2016

RE: SERENITY CREEK SUBDIVISION, A REPLAT OF TRACT N  
On-Site Public Improvements **DEFECT WARRANTY BOND**  
PDR-04-27/13-S-09(P)/FSP-13-10; DTS 20130111

Dear Mr. Pari:

Attached is the Engineer Cost Estimate for the above referenced project. As a point of reference, be advised that this project is the second phase (51 single family lots) of the above referenced previously approved Serenity Creek Subdivision. The Final Site Plan and Construction Drawings were approved with two phases on a single site plan and the Subdivision Plat was simply known as Serenity Creek omitting any reference to a phase. A portion of that plat was illustrated as Tract N and was identified as a future development tract. Because the land area where the proposed infrastructure was built was included in the plat, we are required to name this plat, **SERENITY CREEK SUBDIVISION, A REPLAT OF TRACT N** rather than using the term "Phase II". Please be sure that the approval letters issued utilize the name of the plat exactly as shown in the subject line of this letter. We appreciate your assistance in this regard.

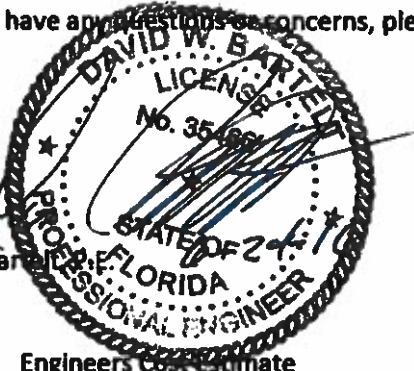
I hereby certify that the Engineer Cost Estimate outlined herein represents our estimate of the cost of **DEFECT WARRANTY** Bond for On-Site Public Improvements to serve the above referenced project. This cost estimate has been prepared in order for the appropriate bond to be posted with Manatee County.

Upon completion of your review and approval of this **DEFECT WARRANTY** Bond Estimate of \$35,712.68 which represents 10% of the cost of construction, please notify our office so that our client, Meritage Homes of Florida, Inc. may obtain the bond.

Should you have any questions or concerns, please do not hesitate to call.

Sincerely,

David W. Barlow  
Principal



Enclosures: Engineers Cost Estimate  
Cc: Thomas Griggs, Meritage Homes

**RECEIVED**

JUN 28 2016

PUBLIC WORKS  
ENGINEERING DIVISION

**SERENITY CREEK SUBDIVISION  
A REPLAT OF TRACT N  
ON-SITE PUBLIC INFRASTRUCTURE  
6-23-2016**

**COST ESTIMATE SUMMARY**

**AMOUNT**

**B-2 WATER DISTRIBUTION**

**\$120,241.25**

**B-3 SANITARY SEWER**

**\$139,600.50**

**B-4 RECLAIMED WATER**

**\$97,285.00**

**CONSTRUCTION COST**

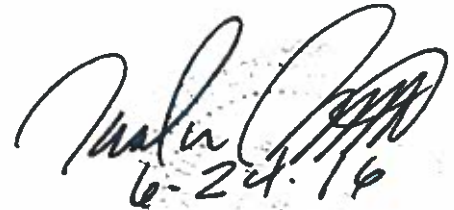
**\$357,126.75**

**10% OF CONSTRUCTION COST**

**\$35,712.68**

**DEFECT SURETY AMOUNT**

**\$35,712.68**

  
6-24-16

---

**DAVID W. BARTELT, P.E.  
PROFESSIONAL ENGINEER NO. 35466  
EB #5804  
FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC.  
4519 GEORGE ROAD, #130 TAMPA, FL 33634  
813-880-9106**



**SERENITY CREEK SUBDIVISION  
A REPLAT OF TRACT N  
ON-SITE PUBLIC INFRASTRUCTURE  
COST ESTIMATE BREAKDOWN**

**B-2 WATER DISTRIBUTION**

<u>No.</u>	<u>Description</u>	<u>Qty.</u>	<u>Unit</u>	<u>Price</u>	<u>Amount</u>
1	Connect to exiting WM	3.0	EA	\$990.00	\$2,970.00
2	Temporary Jumper	1.0	EA	\$5,050.00	\$5,050.00
3	8" Tamping Sleeve/Valve	0.0	EA	\$	\$0.0
4	8" PVC WM (DR 18)	2775	LF	\$14.35	\$39,821.25
5	8" Gate Valve Assembly	5.0	EA	\$1,350.00	\$6,750.00
6	8" MJ Bend	36.0	EA	\$280.00	\$10,080.00
7	8" MJ Tee	1.0	EA	\$440.00	\$ 440.00
8	Fire Hyd Assem w/ GV	4.0	EA	\$4,950.00	\$19,800.00
9	Single Service Short	9.0	EA	\$680.00	\$6,120.00
10	Double Service Short	9.0	EA	\$1,050.00	\$9,450.00
11	Single Service Long	6.0	EA	\$785.00	\$4,710.00
12	Double Service Long	7.0	EA	\$1,150.00	\$8,050.00
13	Water System Press Test	1.0	LS	\$7,000.00	<u>\$7,000.00</u>

**WATER DISTRIBUTION SYSTEM TOTAL      =>      \$120,241.25**

*David W. Bartelt*  
6-24-16

DAVID W. BARTELT, P.E.  
PROFESSIONAL ENGINEER NO. 35466  
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FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC.  
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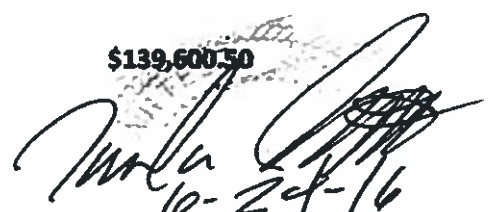
**SERENITY CREEK SUBDIVISION  
A REPLAT OF TRACT N  
ON-SITE PUBLIC INFRASTRUCTURE  
COST BREAKDOWN**

**B-3 SANITARY SEWER**

<u>No.</u>	<u>Description</u>	<u>Qty.</u>	<u>Unit</u>	<u>Price</u>	<u>Amount</u>
1	8" PVC Pipe (0' - 6' cut)	780	LF	\$13.45	\$10,491.00
2	8" PVC Pipe (6' - 8' cut)	1280	LF	\$14.40	\$18,432.00
3	8" PVC Pipe (8'-10' cut)	361	LF	\$16.30	\$5,884.30
4	Manhole (0' - 6' cut)	5.0	EA	\$2,550	\$12,750.00
5	Manhole (6' - 8' cut)	6.0	EA	\$2,900	\$17,400.00
6	Manhole (8' - 10' cut)	2.0	EA	\$3,150	\$6,300.00
7	Single Service	6.0	EA	\$655	\$3,930.00
8	Double Service	19	EA	\$1,050	\$19,950.00
9	Dewatering	2388	LF	\$10.90	\$26,029.20
10	Infil/Exfil Testing	2388	LF	\$0.90	\$2,149.20
11	Mandrel Test Sanitary	2388	LF	\$1.00	\$2,388.00
12	TV Inspection Sanitary	2388	LF	\$2.95	\$7,044.60
13	Air Testing	2388	LF	\$0.65	\$1,552.20
14	Connect to existing MH	2.0	EA	\$2,650	\$5,300.00

**SANITARY SEWER TOTAL**

**\$139,600.50**

  
 6-24-16  
 DAVID W. BARTELT, P.E.  
 PROFESSIONAL ENGINEER NO. 35466  
 EB #5804  
 FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC.  
 4519 GEORGE ROAD, #130 TAMPA, FL 33634  
 813-880-9100





**SERENITY CREEK SUBDIVISION  
A REPLAT ON TRACT N  
ON-SITE PUBLIC INFRASTRUCTURE  
COST ESTIMATE BREAKDOWN**

**B-4 RECLAIM WATER**

<u>No.</u>	<u>Description</u>	<u>Qty.</u>	<u>Unit</u>	<u>Price</u>	<u>Amount</u>
1	Connect to exiting RCW	3.0	EA	\$990.00	\$2,970.00
2	8" PVC	2844	LF	\$15.25	\$43,310.00
3	8" Gate Valve Assembly	5.0	EA	\$1350	\$6,750.00
4	Double Service Long	13.0	EA	\$1,150	\$14,950.00
5	Double Service Short	9.0	EA	\$1,050.00	\$9,450.00
6	Single Service Long	3.0	EA	\$745.00	\$2,235.00
7	Single Service Short	4.0	EA	\$680.00	\$2,720.00
8	8" MJ Bend	27.0	EA	\$280.00	\$7,560.00
9	8" MJ Tee	1.0	EA	\$440.00	\$440.00
10	Pressure Test System	1.0	EA	\$6,900.00	<u>\$6,900.00</u>

**RECLAIM WATER SYSTEM TOTAL**

**\$97,285.00**

*David W. Bartelt*  
06-24-14

DAVID W. BARTELT, P.E.  
PROFESSIONAL ENGINEER NO. 36466  
EB #5804  
FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC.  
4519 GEORGE ROAD, #130 TAMPA, FL 33634  
813-880-9106



**EXHIBIT "C"**  
**PERFORMANCE SECURITIES**

	Bond / LoC	Amount
1	Bond No. SU1134135 Issued through Arch Insurance Company	<u>\$35,712.68</u>
	<b>DEFECT ADDENDUM</b>  Surety Bond No. SU 1134135-M Issued through Arch Insurance Company  Verification Certificate for Indefinite Term Surety Bond	<u>\$35,712.68</u>

**SURETY BOND  
FOR DEFECTS OF REQUIRED IMPROVEMENTS**

(Attachment "A")

**BOND NO.** SU 1134135-M

**PROJECT NAME:** Serenity Creek Subdivision, A  
Replat of Tract N

**KNOW ALL MEN BY THESE PRESENT:**

That the Developer, Meritage Homes of Florida, Inc., a Florida corporation as Principal,  
and Arch Insurance Company, a Surety Company, duly  
authorized to transact business in the State of Florida, are held and firmly bound unto the County of  
Manatee, State of Florida, as Obligee, in the sum of \$35,712.68 (Numbers)  
Thirty Five Thousand Seven Hundred Twelve and 68/100 Dollars (Words) for which sum we  
bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally by  
these presents for the specific benefit of the County in accordance with the conditions set forth herein  
and in "Agreement for Public Subdivision Improvements" dated 5/24/2016  
and recorded in O.R. Book 2422, Page 4942, PRMCF ("Agreement").

**THE CONDITION** of the above obligation is such that, Whereas the Principal has entered  
the Agreement with the obligation to warrant those Required Improvements which the Principal is  
presently requesting the Obligee to accept for maintenance to be free from defects or failures  
involving construction, design, or materials.

**NOW THEREFORE**, if the Obligee's inspection of the Required Improvements finds no  
defects within thirty six (36) months from the date of the Obligee's approval and acceptance of those  
Required Improvements, then this obligation shall be null and void; otherwise this obligation shall  
remain in full force and effect. In the event the Defects are not remedied in accordance with the  
terms of the "**Agreement**", which is hereby incorporated herein by reference, the Surety will  
forthwith pay to the Obligee the costs of correcting the Defects in an amount not exceeding the said  
sum specified above. The amount of money required to repair the defects shall be at the sole  
discretion of the County. Means of notification of intent to collect shall be by certified mail to the  
Surety at the address on page 2 (*insert page number for surety address*). Payment will be  
made to the County within thirty (30) days by certified check drawn on behalf of the Board of  
County Commissioners at P.O. Box 1000, Bradenton, FL 34206.

This Surety Bond shall be construed in accordance to the Laws of Florida, and any action of  
whatever nature, in connection with this Bond and the Agreement shall be filed in the Twelfth  
Judicial Circuit in and for Manatee County, Florida.

# INSURANCE COMPANY SIGNATURE FORM

FOR: Serenity Creek Subdivision, A Replat of Tract N

(Name of Project)

BOND NO. SU 1134135-M

SIGNED AND SEALED this 10th day of November, 20 17

Arch Insurance Company

Surety Company Name

By: *Erin Brown*

Signature - As its Agent

Erin Brown, Attorney-In-Fact

Print Name & Title

210 Hudson Street, Ste. 300, Harborside 3

Address

Jersey City, NJ 07311

City

State

Zip

## WITNESSES OR CORPORATE SEAL

*James A. Bracy*  
Signature  
James A. Bracy  
Print Name

*Anna Granata*  
Signature  
Anna Granata  
Print Name

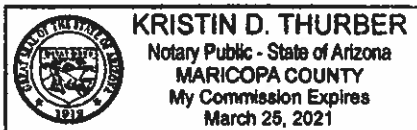
## NOTARY ACKNOWLEDGMENT

STATE OF: Arizona

COUNTY OF Maricopa

The foregoing instrument was acknowledged before me this 10th day of November, 20 17, by Erin Brown as Attorney-In-Fact (Title), on behalf of the Surety identified herein, and who is personally known to me or who has produced Personally Known (Type of Identification) as identification.

## NOTARY SEAL:



*Kristin D. Thurber*  
Notary Public

Kristin D. Thurber

Print Name of Notary

Commission No. 523622 My Commission Expires: 3/25/2021

**DEVELOPER SIGNATURE FORM**FOR: Serenity Creek Subdivision, A Replat of Tract N  
BOND NO. SU 1134135-MSIGNED AND SEALED this 10th day of November, 2018**WITNESSES OR CORPORATE SEAL:**  
WitnessJASON D. MULAULETZ

Type or Print Name

  
WitnessNancy Lieb

Type or Print Name

Meritage Homes of Florida, Inc., a  
Florida corporationBY: SignatoryVice President Asset Management

Type or Print Name

Title (If attorney-in-fact Attach Power of Attorney)

8800 E. RAINBOW DR STE 300

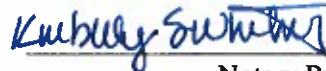
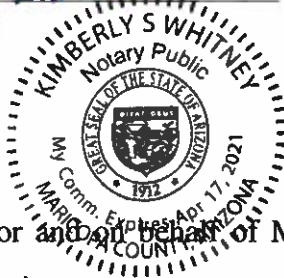
Postal Address

SCOTTSDALE AZ 85048

City State Zip

**NOTARY ACKNOWLEDGMENT**STATE OF: ARIZONACOUNTY OF: MARICOPAThe foregoing instrument was acknowledged before me this 17th day of September, 2018,  
by DARIN E ROWE, as VP - Asset Mgt, (Title), on behalf of the corporation identified  
herein as Developer and who is personally known to me or who has produced  
Personally known (Type of Identification) as identification.

NOTARY SEAL:



Notary Public

Kimberly S. Whitney

Print Name of Notary

Approved and accepted for and on behalf of Manatee County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**MANATEE COUNTY**

A political subdivision of the State of Florida

By: Board of County Commissioners

By: 

County Administrator

STATE OF: FloridaCOUNTY OF: Manatee CountyThe foregoing instrument was acknowledged before me this 1 day of December, 2018,  
by Ed Hunzeker, as County Administrator, (Title), for and on behalf of Manatee County Board of  
County Commissioners, who is personally known to me or who has produced  
Personally known (Type of Identification) as identification.

NOTARY SEAL:



Notary Public

Marianne Lopata

Print Name of Notary



**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 Note, Loan, Letter of Credit, 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:

David G. Jensen, Erin Brown, Kristin Thurber, Terry Crull and Vicki L. Breunig of Scottsdale, AZ (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.

## VERIFICATION CERTIFICATE FOR INDEFINITE TERM SURETY BOND

---

THIS IS TO CERTIFY that Bond No. SU 1134135-M issued by Arch Insurance Company dated this 19th day of January, 2017, in the amount of Thirty Five Thousand Seven Hundred Twelve Dollars and 68/100 Dollars (\$35,712.68), on behalf of Meritage Homes of Florida, Inc. (as Principal), and in favor of Board of County Commissioners of Manatee County, Florida (as Obligee), covers a term which began on the 19th day of January, 2018, 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 April 27, 2018

Arch Insurance Company

BY:



Erin Brown

Attorney-in-Fact





**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 Note, Loan, Letter of Credit, Currency Rate, Interest Rate or Residential Value Guarantees.***

## **POWER OF ATTORNEY**

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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.



## BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that Meritage Homes of Florida, Inc. a Florida corporation, whose address is 10150 Highland Manor Drive, Suite 120, Tampa, Florida 33610 (hereinafter referred to as SELLER), for and in consideration of the sum of Ten and No Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, from Manatee County, Florida, a political subdivision of the State of Florida, whose address is Post Office Box 1000, Bradenton, Florida 34206 (hereinafter referred to as COUNTY) has granted, bargained, sold, transferred, conveyed and delivered to the COUNTY, its executors, administrators, successors and assigns forever, the following: Serenity Creek

1. All wastewater lines, including but not limited to all pipes, structures, fittings, valves, pumps, laterals, force mains, lift stations, equipment and appurtenances hereto, located within or upon that certain real property owned by the SELLER and described below; and

2. All potable water lines, including but not limited to all pipes, fittings, valves, services, tees, equipment and appurtenances thereto, located within or upon that certain real property owned by the SELLER and described below; and

3. All reclaimed water lines, pipes, fittings, valves, services, tees, equipment and appurtenances thereto, including but not limited, located within or upon that certain real property owned by the SELLER and described below.

All on the property described in Exhibit "A", attached hereto and made a part hereof, situate, lying and being in the County of Manatee, State of Florida.

TO HAVE AND TO HOLD the same unto the COUNTY, its executors, administrators, successors and assigns forever. The COUNTY shall have all rights and title to the above described personal property.

AND the SELLER hereby covenants to and with the COUNTY and assigns that SELLER is the lawful owner of the said personal property; that said personal property is free from all liens and encumbrances; that SELLER has good right and lawful authority to sell said personal property; and that SELLER fully warrants title to said personal property and shall defend the same against the lawful claims and demands of all persons whomever.

IN WITNESS WHEREOF, the SELLER has hereunto set its hand and seal, by and through its duly authorized representatives, this the \_\_\_\_ day of \_\_\_\_\_, 2016.

WITNESSES:

Meritage Homes of Florida, Inc.

a Florida corporation

Signature: Nisha Jordan

Print Name: Nisha Jordan

By: Frederick R. Vandercook

Frederick R. Vandercook, Division President

Signature: Navin Khan

Print Name: Navin Khan

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of October, 2016, by Frederick R. Vandercook, as Division President of Meritage Homes of Florida, Inc., a Florida corporation, on behalf of the corporation, who is personally known to me, or has produced \_\_\_\_\_ as identification.



Christy Garrow

Signature of Notary Public

Christy Garrow

Print Name

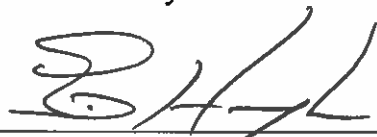
Commission No.: FF 214857

My Commission Expires: March 29, 2019

**WHEREFORE, the County and Developer and/or CDD have executed this Bill of Sale as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.**

**MANATEE COUNTY, a political  
subdivision of the State of Florida**

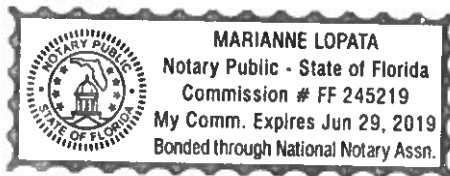
By: Board of County Commissioners

By:   
County Administrator

STATE OF: Florida

COUNTY OF: Manatee

The foregoing instrument was acknowledged before me this 7 day of December, 2018, by ED HUNZEKER (County Administrator) for and on behalf of the Manatee County Board of County Commissioners **who is personally known to me** or has produced N/A as identification





NOTARY PUBLIC Signature

Marianne Lopata

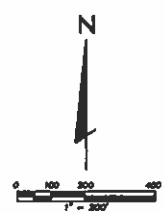
Printed Name

## **Exhibit "A"**

### **Legal Description**

**Tract M within Serenity Creek Subdivision, A Replat of Tract N, according to the plat thereof recorded in Plat Book 59, Page 180, in the Public records of Manatee County, Florida.**

# SERENITY CREEK SUBDIVISION, A REPLAT OF TRACT N A SUBDIVISION IN SECTION 33, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA

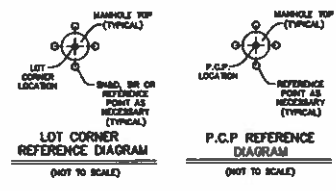
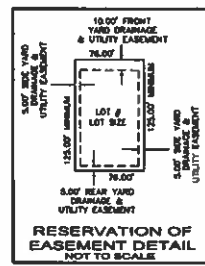
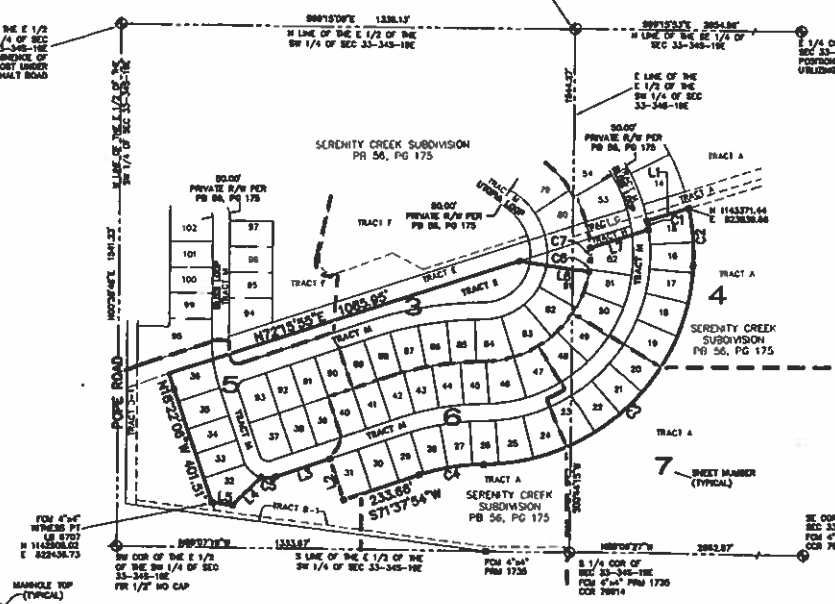


- NOTES:**
1. BEARINGS AND COORDINATES FOR THIS PLAT (IN U.S. SURVEY FEET) ARE BASED ON THE NATIONAL GEODETIC SURVEY (NAD83), STATE PLANE COORDINATES, FLORIDA WEST ZONE, NORTH AMERICAN DATUM 1983/1990 ADJUSTMENT. BEARINGS FOR THIS SURVEY ARE BASED UPON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING 180°00'00" AS SHOWN ON THE MAP OF SURVEY.
  2. ELEVATIONS FOR THIS PLAT ARE BASED UPON THE NORTH AMERICAN VERTICAL DATUM, 1988 ADJUSTMENT (DAMD 88). CONTROL BENCHMARK UTILIZED IS DESIGNATED 775 64 435 RM 3" BY THE NATIONAL GEODETIC SURVEY, PD-AD8846, A FOUND CONCRETE MONUMENT, 12" DIAMETER WITH A FOOT SIDE, STAMPED "775 64 435 RM 3" NO 27, ELEVATION = 47.21 FEET, ADJUSTED, AS PUBLISHED BY THE NATIONAL GEODETIC SURVEY WEB SITE AT [www.ngs.noaa.gov](http://www.ngs.noaa.gov). CONVERSION FACTOR: ADD 0.05 FEET TO CONVERT TO NATIONAL GEODETIC VERTICAL DATUM, 1929 ADJUSTMENT (MVD 29). (CONVERTED UTILIZING VERTCON VERSION 2.0)
  3. EASEMENTS OF 10' ALONG ALL FRONT, 5' ALONG ALL SIDE & REAR LOT LINES FOR THE PURPOSE OF ACCOMMODATING SURFACE AND UNDERGROUND DRAINAGE AND UNDERGROUND UTILITIES. ALL UTILITIES WILL BE PLACED UNDERGROUND.
  4. SEE MAP SHEETS FOR LEGAL DESCRIPTION CALLS.

CURVE TABLE				
CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	520.0'	26.89'	26.89'	N09°17'02"W
C2	648.0'	172.22'	171.71'	S04°14'41"E
C3	818.0'	833.77'	847.45'	S48°28'41"W
C4	817.0'	195.44'	194.82'	S80°42'22"W
C5	75.0'	44.78'	44.10'	S88°43'35"W
C6	315.0'	33.88'	33.88'	N08°17'28"E
C7	345.0'	36.74'	36.72'	N09°08'29"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	N72°01'30"E	126.64'
L2	N18°22'08"W	128.00'
L3	S71°37'54"W	167.00'
L4	S48°31'38"W	117.88'
L5	N83°23'38"W	61.00'
L6	S80°37'30"E	304.79'
L7	N72°38'28"E	176.74'

- LEGEND**
- BB = DEED BOOK
  - CCR = CERTIFIED CORNER RECORD
  - CCR = CORNER
  - FLC = FLORIDA DESIGN CONSULTANTS
  - FLC = FOUND CONCRETE MONUMENT
  - FLC = FOUND IRON ROD
  - LB = SURVEYING AND MAPPING BUSINESS
  - NAD83 = NATIONAL GEODETIC SURVEY
  - (NAD) = NON-RADIAL
  - O/A = OVERALL
  - OMB = OFFICIAL RECORDS BOOK
  - PM = PLAT BOOK
  - PPC = PERMANENT CONTROL POINT
  - PPC = PLACED
  - PLS = PROFESSIONAL LAND SURVEYOR
  - PPC = POINT OF BEGINNING
  - PPC = POINT OF COMMENCEMENT
  - PPC = PERMANENT REFERENCE MONUMENT
  - PPC = RADIAL
  - PPC = SET 4"x4" CONCRETE MONUMENT
  - PPC = THIS 180°00' (UNLESS OTHERWISE NOTED)
  - SEC 33 = SECTION 33
  - SW 1/4 = SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT WETLAND LINE
  - SW 1/4 = TYPICAL
  - SW 1/4 = SET 4"x4" CONCRETE MONUMENT
  - SW 1/4 = THIS 180°00' (UNLESS OTHERWISE NOTED)
  - SW 1/4 = PERMANENT CONTROL POINT (PPC)
  - SW 1/4 = MONUMENT AS REQUIRED BY STATE STATUTE 177.08(1)
  - SW 1/4 = FOUND CONCRETE MONUMENT
  - SW 1/4 = SIZE AND DESIGNATION NOTED
  - SW 1/4 = SECTION CORNER
  - SW 1/4 = BENCHMARK



**FLORIDA DESIGN CONSULTANTS, INC.**  
— THINK IT. ACHIEVE IT. —

3939 STANLEY BOULEVARD, NEW PORT RICHEY, FLORIDA 34889  
PHONE: (888) 832-1047 FAX: (727) 848-5445 WWW.FLORIDIAN.COM L.B. 80.8797  
JULY 2015 2012-0042 (508)

## KEY SHEET