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;
• **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), Danielle Heaton (Danielle.heaton@manateeclerk.com), Robin Hamilton (Robin.hamilton@manateeclerk.com), Garth Noble (Garth.Noble@meritagemarries.com), and Jane Oliver (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
**EXHIBIT “B”**

**IMPROVEMENTS**

<table>
<thead>
<tr>
<th>Improvement</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  Water Distribution, Sanitary Sewer and Reclaimed Water</td>
<td>$464,264.78</td>
</tr>
<tr>
<td>2  <strong>DEFECT ADDENDUM</strong></td>
<td></td>
</tr>
<tr>
<td>B-2 Water Distribution, B-3 Sanitary Sewer, B-4 Reclaimed Water</td>
<td>$35,712.68</td>
</tr>
<tr>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>
July 14, 2016

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

Attention: Mr. David W. Bartlet, P.E. (dbartlet@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,

[Signature]

Sia Moalanazir, P.E.
Deputy Director – Engineering Services

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
June 24, 2016

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

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. Barnes
Principal

Enclosures: Engineer Cost Estimate
Cc: Thomas Griggs, Meritage Homes
## COST ESTIMATE SUMMARY

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-2 WATER DISTRIBUTION</td>
<td>$120,241.25</td>
</tr>
<tr>
<td>B-3 SANITARY SEWER</td>
<td>$139,600.50</td>
</tr>
<tr>
<td>B-4 RECLAIMED WATER</td>
<td>$97,285.00</td>
</tr>
</tbody>
</table>

### AMOUNTS

- **CONSTRUCTION COST**: $357,126.75
- **10% OF CONSTRUCTION COST**: $35,712.68
- **DEFECT SURETY AMOUNT**: $35,712.68

---

**David W. Bartelt, P.E.**

**Professional Engineer No. 35466**

**EB #5804**

**Florida Engineering and Environmental Services, Inc.**

**4519 George Road, #130  Tampa, FL 33634**

813-880-8106
SERENITY CREEK SUBDIVISION  
A REPLAT OF TRACT N
ON-SITE PUBLIC INFRASTRUCTURE  
COST ESTIMATE BREAKDOWN

8-2 WATER DISTRIBUTION

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Qty.</th>
<th>Unit</th>
<th>Price</th>
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<tbody>
<tr>
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<td>3.0</td>
<td>EA</td>
<td>$990.00</td>
<td>$2,970.00</td>
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<tr>
<td>2</td>
<td>Temporary Jumper</td>
<td>1.0</td>
<td>EA</td>
<td>$5,050.00</td>
<td>$5,050.00</td>
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<tr>
<td>3</td>
<td>8&quot;Tamping Sleeve/Valve</td>
<td>0.0</td>
<td>EA</td>
<td>$</td>
<td>$0.0</td>
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<tr>
<td>4</td>
<td>8&quot;PVC WM (DR 18)</td>
<td>2775</td>
<td>LF</td>
<td>$14.35</td>
<td>$39,281.25</td>
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<tr>
<td>5</td>
<td>8&quot; Gate Valve Assembly</td>
<td>5.0</td>
<td>EA</td>
<td>$1,350.00</td>
<td>$6,750.00</td>
</tr>
<tr>
<td>6</td>
<td>8&quot; MJ Bend</td>
<td>36.0</td>
<td>EA</td>
<td>$280.00</td>
<td>$10,080.00</td>
</tr>
<tr>
<td>7</td>
<td>8&quot; MJ Tee</td>
<td>1.0</td>
<td>EA</td>
<td>$440.00</td>
<td>$440.00</td>
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<tr>
<td>8</td>
<td>Fire Hyd Assem w/ GV</td>
<td>4.0</td>
<td>EA</td>
<td>$4,950.00</td>
<td>$19,800.00</td>
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<tr>
<td>9</td>
<td>Single Service Short</td>
<td>9.0</td>
<td>EA</td>
<td>$680.00</td>
<td>$6,120.00</td>
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<tr>
<td>10</td>
<td>Double Service Short</td>
<td>9.0</td>
<td>EA</td>
<td>$1,050.00</td>
<td>$9,450.00</td>
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<tr>
<td>11</td>
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<td>EA</td>
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<td>13</td>
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<td>LS</td>
<td>$7,000.00</td>
<td>$7,000.00</td>
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WATER DISTRIBUTION SYSTEM TOTAL => $120,241.25

Page 1 of 3
## B-3 SANITARY SEWER

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<tr>
<th>No.</th>
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<td>8&quot; PVC Pipe (0' – 6' cut)</td>
<td>780</td>
<td>LF</td>
<td>$13.45</td>
<td>$10,491.00</td>
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<td>2</td>
<td>8&quot; PVC Pipe (6' – 8' cut)</td>
<td>1280</td>
<td>LF</td>
<td>$14.40</td>
<td>$18,482.00</td>
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<tr>
<td>3</td>
<td>8&quot; PVC Pipe (8' - 10' cut)</td>
<td>361</td>
<td>LF</td>
<td>$16.30</td>
<td>$5,884.30</td>
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<td>4</td>
<td>Manhole (0' – 6' cut)</td>
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<td>EA</td>
<td>$2,550</td>
<td>$12,750.00</td>
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<tr>
<td>5</td>
<td>Manhole (6' – 8' cut)</td>
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<td>EA</td>
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<td>$17,400.00</td>
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<tr>
<td>6</td>
<td>Manhole (8' – 10' cut)</td>
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<td>EA</td>
<td>$3,150</td>
<td>$6,300.00</td>
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<tr>
<td>7</td>
<td>Single Service</td>
<td>6.0</td>
<td>EA</td>
<td>$655</td>
<td>$3,930.00</td>
</tr>
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<td>8</td>
<td>Double Service</td>
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<td>EA</td>
<td>$1,050</td>
<td>$19,950.00</td>
</tr>
<tr>
<td>9</td>
<td>Dewatering</td>
<td>2388</td>
<td>LF</td>
<td>$10.90</td>
<td>$26,029.20</td>
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<tr>
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<td>Infil/Exfil Testing</td>
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<td>LF</td>
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<td>Mandrel Test Sanitary</td>
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<td>LF</td>
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<td>TV Inspection Sanitary</td>
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<td>$7,044.60</td>
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<td>$1,552.20</td>
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<td>Connect to existing MH</td>
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<td>EA</td>
<td>$2.650</td>
<td>$5,300.00</td>
</tr>
</tbody>
</table>

**SANITARY SEWER TOTAL**

$139,600.00

DAVID W. BARTLET, P.E.
PROFESSIONAL ENGINEER NO. 35466
ER #5804

FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
4510 GEORGE ROAD, #130 TAMPA, FL 33614
813-800-0190

Page 2 of 3
### RECLAIM WATER

<table>
<thead>
<tr>
<th>No.</th>
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<th>Unit</th>
<th>Price</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
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<td>Connect to exiting RCW</td>
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<td>EA</td>
<td>$990.00</td>
<td>$2,970.00</td>
</tr>
<tr>
<td>2</td>
<td>8&quot; PVC</td>
<td>2844</td>
<td>LF</td>
<td>$15.25</td>
<td>$43,310.00</td>
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<tr>
<td>3</td>
<td>8&quot; Gate Valve Assembly</td>
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<td>EA</td>
<td>$1350</td>
<td>$6,750.00</td>
</tr>
<tr>
<td>4</td>
<td>Double Service Long</td>
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<td>EA</td>
<td>$1,150</td>
<td>$14,950.00</td>
</tr>
<tr>
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<td>Double Service Short</td>
<td>9.0</td>
<td>EA</td>
<td>$1,050.00</td>
<td>$9,450.00</td>
</tr>
<tr>
<td>6</td>
<td>Single Service Long</td>
<td>3.0</td>
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<td>$2,235.00</td>
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<td>Single Service Short</td>
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<td>EA</td>
<td>$680.00</td>
<td>$2,720.00</td>
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<tr>
<td>8</td>
<td>8&quot; MJ Bend</td>
<td>27.0</td>
<td>EA</td>
<td>$280.00</td>
<td>$7,560.00</td>
</tr>
<tr>
<td>9</td>
<td>8&quot; MJ Tee</td>
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<td>$6,900.00</td>
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</table>

**RECLAIM WATER SYSTEM TOTAL**  
$97,285.00

---

**signature**

David W. Bartelt, P.E.
Professional Engineer No. 36466
EB #5804

Florida Engineering and Environmental Services, Inc.
4519 George Road, #130 Tampa, FL 33634

Page 3 of 3
EXHIBIT “C”
PERFORMANCE SECURITIES

<table>
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<tr>
<th></th>
<th>Bond / LoC</th>
<th>Amount</th>
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<tr>
<td>1</td>
<td>Bond No. SU1134135 Issued through Arch Insurance Company</td>
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<td><strong>DEFECT ADDENDUM</strong></td>
<td></td>
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<td></td>
<td>Surety Bond No. SU 1134135-M</td>
<td>$35,712.68</td>
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<tr>
<td></td>
<td>Issued through Arch Insurance Company</td>
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<tr>
<td></td>
<td>Verification Certificate for Indefinite Term</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Surety Bond</td>
<td></td>
</tr>
</tbody>
</table>
SURETY BOND
FOR DEFECTS OF REQUIRED IMPROVEMENTS

(Attachment "A")

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, 2017

Arch Insurance Company

By: Erin Brown, Attorney-In-Fact

Signature - As its Agent

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

Print Name

Anna Granata

Signature

Print Name

NOTARY ACKNOWLEDGMENT

STATE OF: Arizona

COUNTY OF Maricopa

The foregoing instrument was acknowledged before me this 10th day of November, 2017, 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:

KIRSTIN D. THURBER
Notary Public

My Commission Expires: 3/25/2021

Commission No. 523622
DEVELOPER SIGNATURE FORM

FOR: Serenity Creek Subdivision, A Replat of Tract N
BOND NO. SU 1134135-M

SIGNED AND SEALED this 10th day of November, 2018
WITNESSES OR CORPORATE SEAL:

[Signature]
Witness

JASON D. MILKAVITZ
Type or Print Name

[Signature]
Witness

Nancy Liu
Type or Print Name

Meritage Homes of Florida, Inc., a Florida corporation

BY: [Signature]
Vice President Asset Management
Title (If attorney-in-fact Attach Power of Attorney)

8800 E. RUTLEDGE RD STE 300
Postal Address
SCOTTSDALE AZ 85258
City State Zip

NOTARY ACKNOWLEDGMENT

STATE OF: ARIZONA
COUNTY OF: MARICOPA
The foregoing instrument was acknowledged before me this 13th day of September, 2018, by [Signature] as Vice President Asset Management, on behalf of the corporation identified herein as Developer and who is personally known to me or who has produced (Type of Identification) as identification.

[Signature]
Notary Public

[Signature]
Print Name of Notary

Approved and accepted for and on behalf of Manatee County, Florida, this ______ day of December, 2018.

MANATEE COUNTY
A political subdivision of the State of Florida
By: Board of County Commissioners
By: [Signature]
County Administrator

STATE OF: Florida
COUNTY OF: Manatee County
The foregoing instrument was acknowledged before me this 1 day of December, 2018, by [Signature] as County Administrator, for and on behalf of Manatee County Board of County Commissioners, who is personally known to me or who has produced (Type of Identification) as identification.

[Signature]
Notary Public

[Signature]
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.

POW E R O F A T T O R N E Y

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 there to, 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

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.
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:

Signature: ____________________________
Print Name: Nisha Jordan

Signature: ____________________________
Print Name: Navin Khan

Meritage Homes of Florida, Inc.
a Florida corporation

By: ____________________________
Frederick R. Vandercook, Division President

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 21st 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.

______________________________
Signature of Notary Public

______________________________
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 ______ day of December, 20__ 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.

MARIANNE LOPATA
Notary Public - State of Florida
Commission # FF 245219
My Comm. Expires Jun 29, 2019
Bonded through National Notary Assn.

__________________________
NOTARY PUBLIC Signature

__________________________
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.