

# MEMORANDUM



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

From: Brandy Wilkins, Bond Coordinator  
Public Works Department *B. Wilkins*

Date: May 07, 2019

Subject: **RYE WILDERNESS PHASE IV-A  
PDR-03-08/FSP-05-67  
ACCEPT SURETY BOND CONTINUATION CERTIFICATE  
FOR DEFECT SECURITY AGREEMENT**

On February 23, 2016, 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 Developers Surety Bond 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 Continuation Certificate in conjunction with the *Agreement Warranting Required Improvements* securing general, earthwork, paving, drainage, sanitary sewer, water & reclaim improvements;
  - **Surety Bond No.** 1029753, Continuation Certificate dated April 1, 2019, issued through The Hanover Insurance Company;
  - **Expiration Date** – September 08, 2019;
  - **Amount** of Defect Bond \$70,494.15.

## Instructions to Board Records

1. Copies of release request to: Julie Jenvold ([Julie.jenvold@ManateeClerk.com](mailto:Julie.jenvold@ManateeClerk.com)), Joe Burgess ([jburgess@drhorton.com](mailto:jburgess@drhorton.com)), and Brandy Wilkins ([brandy.wilkins@mymanatee.org](mailto:brandy.wilkins@mymanatee.org)).

cc: Records Management  
Ken LaBarr, Infrastructure Inspection Mgr.  
Joe Burgess, D.R. Horton

Attachment

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

## CONTINUATION CERTIFICATE

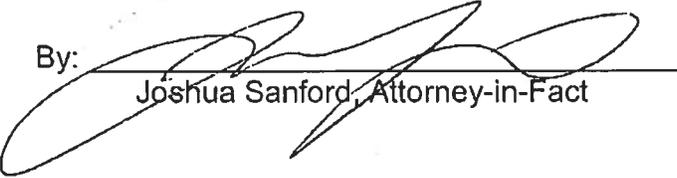
The The Hanover Insurance Company (hereinafter called the Surety) hereby continues in force its Bond No. 1029753 in the sum of Seventy Thousand Four Hundred Ninety Four Dollars and 15/100 (\$70,494.15) Dollars, on behalf of D.R. Horton, Inc. in favor of County of Manatee, State of Florida subject to all the conditions and terms thereof through September 8, 2019 at location of risk.

This Continuation is executed upon the express condition that the Surety's liability shall not be cumulative and shall be limited at all times by the amount of the penalty stated in the bond.

IN WITNESS WHEREOF, the Surety has caused this instrument to be signed by its duly authorized Attorney-in-Fact and its corporate seal to be hereto affixed this 1 day of April, 2019.

The Hanover Insurance Company  
Surety

By:

  
Joshua Sanford, Attorney-in-Fact

**THE HANOVER INSURANCE COMPANY  
 MASSACHUSETTS BAY INSURANCE COMPANY  
 CITIZENS INSURANCE COMPANY OF AMERICA**

**POWER OF ATTORNEY**

**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.**

**KNOW ALL PERSONS BY THESE PRESENTS:**

That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, (hereinafter individually and collectively the "Company") does hereby constitute and appoint,

Stacy Rivera, Jennifer M Garten, Donna M Planeta, Joshua Sanford, Nicole Ann Clark, Almee R Perondine, Aliza Lopez, Kerl Ann Smith, Brian Peters, Danielle D Johnson, Stephani A Trudeau, Adam Martin, Ashley Sinclair and/or Michelle Anne McMahon

Of Willis of Connecticut, LLC of Hartford, CT each individually, if there be more than one named, as its true and lawful attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, any and all surety bonds, recognizances, undertakings, or other surety obligations. The execution of such surety bonds, recognizances, undertakings or surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company, in their own proper persons. Provided however, that this power of attorney limits the acts of those named herein; and they have no authority to bind the Company except in the manner stated and to the extent of any limitation stated below:

**Any such obligations in the United States, not to exceed Twenty Million and No/100 (\$20,000,000) in any single instance**

That this power is made and executed pursuant to the authority of the following Resolutions passed by the Board of Directors of said Company, and said Resolutions remain in full force and effect:

RESOLVED: That the President or any Vice President, in conjunction with any Vice President, be and they hereby are authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as it acts, to execute and acknowledge for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons.

RESOLVED: That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile. (Adopted October 7, 1981 – The Hanover Insurance Company; Adopted April 14, 1982 – Massachusetts Bay Insurance Company; Adopted September 7, 2001 – Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 23rd day of September, 2016.



THE HANOVER INSURANCE COMPANY  
 MASSACHUSETTS BAY INSURANCE COMPANY  
 CITIZENS INSURANCE COMPANY OF AMERICA

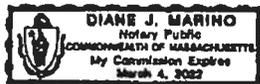
*Robert Thomas*  
 Robert Thomas, Vice President

THE HANOVER INSURANCE COMPANY  
 MASSACHUSETTS BAY INSURANCE COMPANY  
 CITIZENS INSURANCE COMPANY OF AMERICA

*J. Michael Fale*  
 J. Michael Fale, Vice President

THE COMMONWEALTH OF MASSACHUSETTS )  
 COUNTY OF WORCESTER ) ss.

On this 23rd day of September 2016 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



*Diane J. Marino*  
 Diane J. Marino, Notary Public  
 My Commission Expires: March 4, 2022

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 1<sup>st</sup> day of April 2019

CERTIFIED COPY

*Theodore G. Martinez*  
 Theodore G. Martinez, Vice President