

MEMORANDUM



To: Ed Hunzeker
County Administrator

Thru: Chad Butzow, Interim Director
Public Works Department

A handwritten signature in blue ink, appearing to read "Chad Butzow", is written over the typed name.

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

Two handwritten signatures in blue ink are written over the typed names: "C. Mosley" and "B. Wilkins".

Date: February 26, 2019

Subject: **SILVERLEAF, PHASE II & III
PHASE III-A ONLY
PDR-11-14/17-S-21 (F)
RELEASE PORTION OF PERFORMANCE AGREEMENT
RELEASE SURETY BOND
ACCEPT DEFECT SECURITY PORTION OF AGREEMENT
ACCEPT SURETY BOND
ACCEPT BILL OF SALE**

On March 20, 2018, the Board of County Commissioners accepted the *Agreement for Private Subdivision with Public Improvements* securing boulevard, sanitary sewer, water 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 for, **Phase III-A Only**, 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 defect security portion of the Agreement.

- **Authorization to release and return** the Surety Bond, and any riders associated with Phase III-A in the *Agreement for Private Subdivision with Public Improvements*. Documents will be returned to James Schier with Neal Communities of Southwest Florida, LLC located at 5800 Lakewood Ranch Boulevard North, Lakewood Ranch, FL 34240-8479;
- **Surety Bond No. US00082113SU18A** issued through XL Specialty Insurance Company;

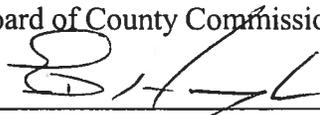
Public Works Department
Fiscal Division
1022 26th Avenue East, Bradenton, FL 34208
Phone number: (941) 708-7450

- **Amount** of Performance Bond \$967,864.95;
- **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 March 20, 2018, securing boulevard, sanitary sewer, water and reclaimed water improvements;
- **Surety Bond No.** US00083251SU18A issued through XL Specialty Insurance Co.;
- **Amount** of Defect Security \$70,877.65;
- **Accept and Execute Bill of Sale.**

Instructions to Board Records

1. Copies of release request to: Claudia Campos (Claudia.campos@ManateeClerk.com), Julie Jensvold (Julie.jensvold@ManateeClerk.com), Abby Lindecamp (abby.lindecamp@ManateeClerk.com), James Schier (jschier@nealcommunities.com), and Brandy Wilkins (brandy.wilkins@mymanatee.org).

**MANATEE COUNTY, a political
subdivision of the State of Florida**
By: Board of County Commissioners

By: 
County Administrator, per R-14-86

cc: Records Management
Sia Mollanazar, P.E., Deputy Director – Engineering Services
Myra Prater, Maintenance Operations Division Manager
Ken LaBarr, Infrastructure Inspections Division Manager
James Schier, Neal Communities of Southwest Florida, LLC

Attachments

RESOLUTION NO.R-14-86

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE DELEGATION OF CERTAIN AUTHORITY TO THE COUNTY ADMINISTRATOR AND COUNTY ATTORNEY REGARDING PERFORMANCE SECURITIES AND DEFECT SECURITIES PURSUANT TO SECTION 910 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE; REPEALING RESOLUTION NO. R-08-169; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 910 of the Manatee County Land Development Code (the "Code") sets forth the procedures for approval of subdivision plats, including requirements for the posting of performance securities and defect securities with the County to secure the completion of certain public and private improvements; and

WHEREAS, pursuant to Resolution No. R-08-169, the Board of County Commissioners of Manatee County, Florida, (the "Board") delegated certain authority to the County Administrator and County Attorney to exercise the County's rights against such securities in accordance with the Code; and

WHEREAS, it is in the best interest of the public health, safety and welfare of the County for the Board to repeal Resolution No. R-08-169 in its entirety and replace it with this Resolution, to further implement the provisions of Section 910 of the Code; and

WHEREAS, the Board finds that by delegating the authority in the specific circumstances set forth herein, the County is better able to protect the public interest.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Manatee County, Florida:

Section 1. Findings. The findings set forth above are hereby adopted as findings of the Board and incorporated herein by reference.

Section 2. Delegation of Authority. The Board hereby delegates to the County Administrator and the County Attorney, and their respective designees, the authority to accept, hold and draw upon performance securities and defect securities posted with the County pursuant to Section 910 of the Code. Such authority shall apply to any subdivision for which (a) the Board has approved the subdivision plat and a related improvements agreement in accordance with Section 910 of the Code. Such authority shall include, without limitation, the following:

- i. The authority to accept, hold, maintain and, upon completion of required improvements or expiration of the required defect guaranty period,

- release performance securities and defect securities posted with the County pursuant to Section 910 of the Code;
- ii. The authority to administer and exercise the County's rights under any related improvements agreement, and to release such improvements agreement in accordance with the provisions thereof upon full performance by the developer;
 - iii. The authority to sign and issue upon the County's behalf any notices of default when a developer defaults in its obligations under an improvements agreement (such notices of default to be issued to the obligor in default of its obligations and to any third-party guarantor, including any entity holding a letter of credit or surety bond in the County's favor);
 - iv. The authority to call upon any such third-party guarantor to complete the required work or to provide the guaranteed monies to the County for the completion of same (in accordance with the performance security or defect security and the related agreement);
 - v. The authority to draw upon a performance security or defect security whenever the County has the right to do so and it is necessary to do so in order to protect the public interest; and
 - vi. The authority of the County Attorney to initiate judicial or administrative proceedings to enforce the County's rights under a performance security or defect security and related improvements agreement.

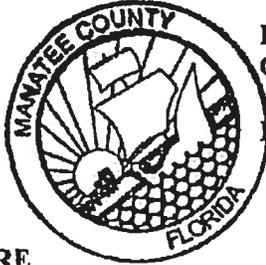
Such authority shall be vested concurrently in the County Administrator and the County Attorney. Should both such officials be unavailable, the authority shall rest with any Deputy County Administrator or any Assistant County Attorney designated in writing by the County Administrator or County Attorney, respectively.

Section 3. Repeal of Resolution No. R-08-169. Resolution No. R-08-169 is hereby repealed.

Section 4. Severability. If any section, sentence, clause, or other provision of this Resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Resolution.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption by the Board of County Commissioners.

PASSED AND DULY ADOPTED with a quorum present and voting this 9th day of September, 2014.



BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: Larry Butts
Chairperson

ATTEST: R.B.SHORE
Clerk of the Circuit Court

By: Robyn Liberty DC
Deputy Clerk

Silverleaf, Ph II & III – Private Residential Project w/Public Improvement
Sanitary Sewer, Water, Reclaimed Water, Boulevard
DEFECT FOR II-A – Sanitary Sewer, Water
DEFECT FOR II-B – Sanitary Sewer, Water, Reclaim Water
DEFECT FOR III-A – Boulevard, Sanitary Sewer, Water, Reclaim Water

EXHIBIT “B-1”
IMPROVEMENTS

	Improvement	Estimated Cost
1	<u>Phase II-A</u> Sanitary Sewer, Water	<u>\$167,210.55</u>
2	<u>Phase II-B</u> Sanitary Sewer, Water, Reclaim Water	<u>\$195,251.55</u>
3	<u>Phase III-A</u> Boulevard, Sanitary Sewer, Water, Reclaim Water	<u>\$967,864.95</u>
4	<u>Phase III-B</u> Sanitary Sewer, Water, Reclaim Water	<u>\$226,721.30</u>
5	<u>Phase III-C</u> Boulevard, Sanitary Sewer, Water, Reclaim Water	<u>\$2,152,505.68</u>
1	<u>DEFECT ADDENDUM - Phase II-A</u> Sanitary Sewer, Water	<u>\$12,862.35</u>
2	<u>DEFECT ADDENDUM - Phase II-B</u> Sanitary Sewer, Water, Reclaim Water	<u>\$12,164.35</u>
3	<u>DEFECT ADDENDUM - Phase III-A</u> Boulevard, Sanitary Sewer, Water, Reclaim Water	<u>\$70,877.65</u>



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

June 07, 2018

ZNS Engineering
Attn: Mr. Jeb C. Mulock, P.E.
201 5th Avenue Drive East
Bradenton, FL 34208

(JebM@znseng.com)

RE: **SILVERLEAF, PHASE II & III – Private Subdivision**
(PDR-11-14/17-S-21(F)) - (DTS #20170542) (MEPS-71)
Phase IIIA – Defect Security Cost Estimate
Required Public Improvements
Reason – (Boulevard, Sanitary Sewer, Water, Reclaim Water)

Dear Mr. Mulock:

Your cost estimate for the above referenced bond, dated **March 21, 2018**, 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 **\$70,877.65** 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., County Engineer
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 Review Specialist, Public Works
Greg Marcottte, Sr Planning & Zoning Technician, Building and Development Services

ZNS ENGINEERING

Land Planning Engineering Surveying Landscape Architecture

March 21, 2018

Mr. John Pari
MC Public Works Department
1022 26th Avenue East
Bradenton, FL 34208

**RE: Silverleaf Phase 3A
Defect Security Estimate
Meps-71/20170155/PDR-11-14/17-S-21(P)/FSP-17-32(R)
ZNS File Number: 44329**

Dear Mr. Pari:

I hereby certify that the installation costs outlined herein represents our estimate of the actual cost of all required public improvements to serve the above referenced development. The attached estimate has been prepared in order for a "Defect Security" to be posted with Manatee County for the purpose of correcting any construction, design or material defects or failures within County rights-of-way or easements in the development.

Upon completion of your review and approval of this Defect Security estimate of **\$70,877.65**, please notify our office so that the appropriate surety may be obtained.

Thank you in advance for your prompt attention to this matter. Please advise if you should have any questions or require additional information.

Very Truly Yours,

ZNS ENGINEERING, L.C.

STATE OF
FLORIDA

Jeb C. Wilson, P.E.
President

cc: Jane Oliver w/encl via email
Karen Wilson w/encl via email

SILVERLEAF PHASE 3A

DEFECT SECURITY ESTIMATE

January 2018

ITEM NO	DESCRIPTION	QTY	Unit Price	Total Bid
B BOULEVARD				
1	2" Asphalt Type S-1 (first Lift)	1,850	SY \$ 9.85	\$ 18,222.50
2	1" Asphalt Type S-3 (second lift)	1,850	SY \$ 5.50	\$ 10,175.00
3	10" Base (Soil Cement, or equal)	1,850	SY \$ 19.85	\$ 36,722.50
4	12" Stabilized Subgrade (LBR 40)	2,220	SY \$ 9.75	\$ 21,645.00
5	Curbing (Including transitions & islands)	2,800	LF \$ 13.50	\$ 37,800.00
6	5' Handicap Ramp	2	EA \$ 995.00	\$ 1,990.00
7	5' x 4" Concrete Sidewalk (Common Area only)	844	LF \$ 16.75	\$ 14,137.00
9	Signage (including H/C signs)	1	LS \$ 1,660.00	\$ 1,660.00
SUBTOTAL - ROADWAY				\$ 142,352.00
D SANITARY SEWER				
1	Lift Station	1	LS \$ 175,000.00	\$ 175,000.00
2	8" SDR 26 PVC	1712	LF \$ 75.00	\$ 128,400.00
3	Manholes	8	EA \$ 8,250.00	\$ 66,000.00
4	Services - single	4	EA \$ 650.00	\$ 2,600.00
5	Services - double	15	EA \$ 1,095.00	\$ 16,425.00
6	6" Force Main	750	LF \$ 16.35	\$ 12,262.50
SUBTOTAL - SANITARY SEWER				\$ 400,687.50
E WATER				
1	8" C-900 PVC	580	LF \$ 16.00	\$ 9,280.00
2	6" C-900 PVC	195	LF \$ 14.20	\$ 2,769.00
3	4" C-900 PVC	170	LF \$ 11.00	\$ 1,870.00
4	2" HDPE	80	LF \$ 9.50	\$ 760.00
6	8" Gate Valves	5	EA \$ 1,375.00	\$ 6,875.00
7	6" Gate Valves (not including FH's)	1	EA \$ 1,150.00	\$ 1,150.00
8	Fire Hydrant Assemblies (including 6" GV)	3	EA \$ 5,100.00	\$ 15,300.00
9	Fittings	16	EA \$ 4,190.00	\$ 67,040.00
10	Permanent 2" Blow-Off Assembly	1	EA \$ 1,650.00	\$ 1,650.00
12	Single Service - Short	3	EA \$ 510.00	\$ 1,530.00
13	Single Service - Long	6	EA \$ 585.00	\$ 3,510.00
14	Double Service - Short	9	EA \$ 650.00	\$ 5,850.00
15	Double Service - Long	4	EA \$ 700.00	\$ 2,800.00
SUBTOTAL - WATER				\$ 120,384.00
F RECLAIM WATER				
1	8" PVC	480	LF \$ 17.10	\$ 8,208.00
2	6" PVC	575	LF \$ 14.80	\$ 8,510.00
5	8"x6" Tapping Sleeve & Valve	1	LS \$ 4,150.00	\$ 4,150.00
6	8" Gate Valves	1	EA \$ 1,375.00	\$ 1,375.00
7	6" Gate Valves	1	EA \$ 1,150.00	\$ 1,150.00
8	8" Bends	6	EA \$ 885.00	\$ 5,310.00
9	4" Bend(s)	4	EA \$ 550.00	\$ 2,200.00
10	Permanent 2" Blow-Off Assembly	1	EA \$ 1,650.00	\$ 1,650.00
12	Single Service Short	3	EA \$ 510.00	\$ 1,530.00
13	Single Service Long	2	EA \$ 585.00	\$ 1,170.00
14	Double Service Short	8	EA \$ 650.00	\$ 5,200.00
15	Double Service Long	7	EA \$ 700.00	\$ 4,900.00

SILVERLEAF PHASE 3A

DEFECT SECURITY ESTIMATE

January 2018

ITEM NO	DESCRIPTION	QTY	Unit Price	Total Bid
	SUBTOTAL - RECLAIM WATER		\$	45,353.00
	TOTAL REQUIRED PUBLIC IMPROVEMENTS PH 3A		\$	708,776.50
			DEFECT SECURITY AT 10%	\$ 70,877.65

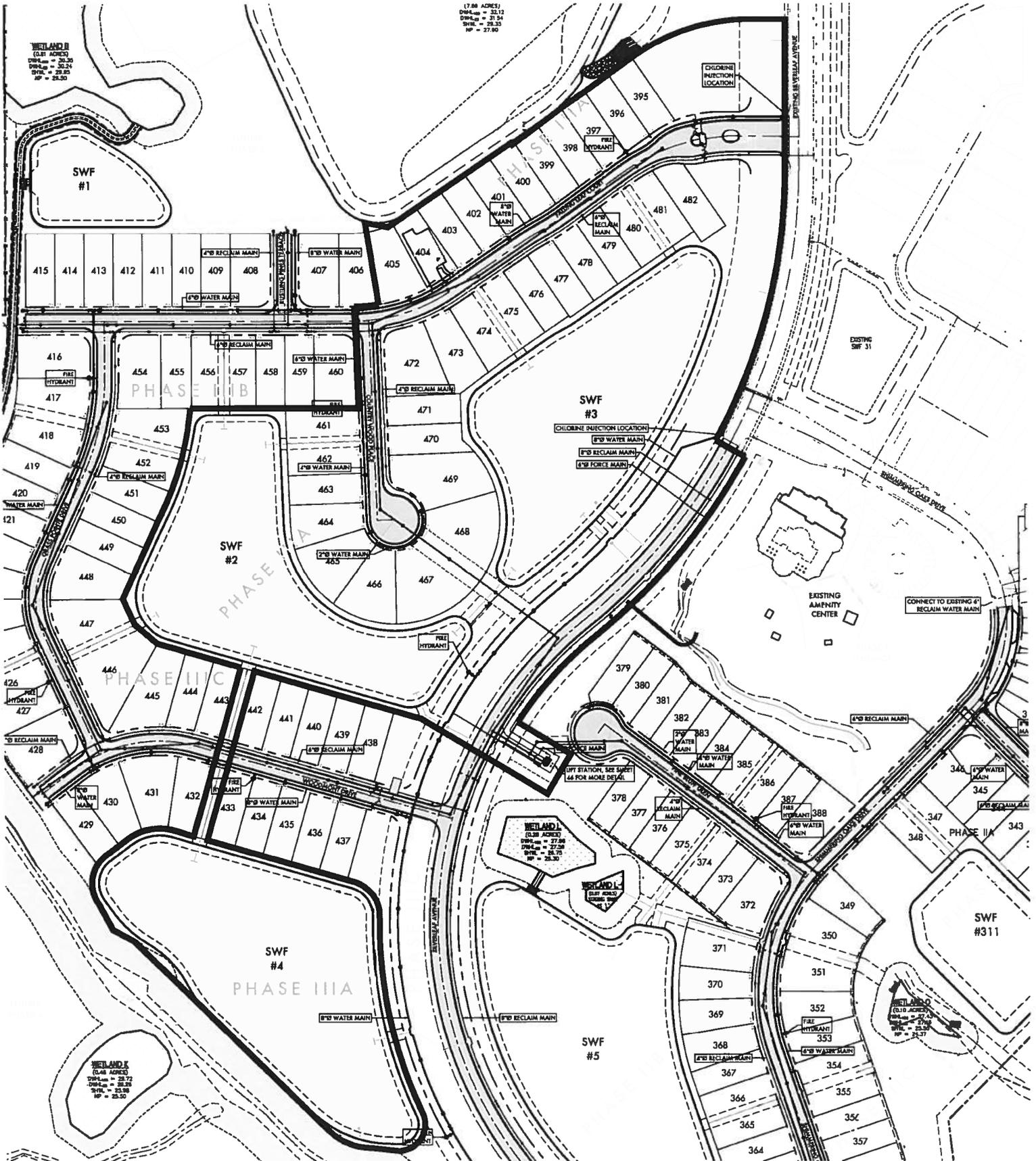
Silverleaf, Ph 1I & III – Private Residential Project w/Public Improvement
Sanitary Sewer, Water, Reclaimed Water, Boulevard
DEFECT FOR II-A – Sanitary Sewer, Water
DEFECT FOR II-B – Sanitary Sewer, Water, Reclaim Water
DEFECT FOR III-A – Boulevard, Sanitary Sewer, Water, Reclaim Water

**EXHIBIT “B-2”
IMPROVEMENTS**

PROVIDE A MAP SHOWING LAYOUT OF THE PUBLIC POTABLE WATER RECLAIMED
WATER AND SANITARY SEWER INFRASTRUCTURE FACILITIES FOR THE ENTIRE
DEVELOPMENT

REQUIRED AT TIME OF DEFECT

EXHIBIT B-2 SILVERLEAF PH 3A UTILITY PLAN



Silverleaf, Ph 1I & III – Private Residential Project w/Public Improvement
Sanitary Sewer, Water, Reclaimed Water, Boulevard
DEFECT FOR II-A – Sanitary Sewer, Water
DEFECT FOR II-B – Sanitary Sewer, Water, Reclaim Water
DEFECT FOR III-A – Boulevard, Sanitary Sewer, Water, Reclaim Water

EXHIBIT “C”
PERFORMANCE SECURITIES

	Bond / LoC	Amount
1	<u>Phase II-A</u> Surety Bond No. US00082109SU18A Issued thru XL Specialty Insurance Company	<u>\$167,210.55</u>
2	<u>Phase II-B</u> Surety Bond No. US00082111SU18A Issued thru XL Specialty Insurance Company	<u>\$195,251.55</u>
3	<u>Phase III-A</u> Surety Bond No. US00082113SU18A Issued thru XL Specialty Insurance Company	<u>\$967,864.95</u>
4	<u>Phase III-B</u> Surety Bond No. US00082115SU18A Issued thru XL Specialty Insurance Company	<u>\$226,721.30</u>
5	<u>Phase III-C</u> Surety Bond No. US00082117SU18A Issued thru XL Specialty Insurance Company	<u>\$2,152,505.68</u>
1	<u>DEFECT ADDENDUM - Phase II-A</u> Surety Bond No. CS2160580 Issued through Great American Insurance Company	<u>\$12,862.35</u>
2	<u>DEFECT ADDENDUM - Phase II-B</u> Surety Bond No. US00083250SU18A Issued through Great American Insurance Company	<u>\$12,164.35</u>
3	<u>DEFECT ADDENDUM - Phase III-A</u> Surety Bond No. US00083250SU18A Issued through Great American Insurance Company	<u>\$70,877.65</u>

**SURETY BOND
FOR DEFECTS OF REQUIRED IMPROVEMENTS**

(Attachment "A")

**BOND NO. US00083251SU18A
Project Name: Silverleaf, Phase IIIA**

KNOW ALL MEN BY THESE PRESENT:

That the Developer, Neal Communities of Southwest Florida, LLC as Principal, and XL Specialty 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 \$70,877.65 (Numbers) Seventy Thousand Eight Hundred Seventy Seven and 65/100 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".

THE CONDITION of the above obligation is such that, Whereas the Principal has entered into a contract, dated _____ (LEAVE BLANK Manatee County Government approval date) 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 attached "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 of surety's address}. Payment will be made to the County within 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 "Agreement for Public Subdivision Improvements" shall be filed in the Twelfth Judicial Circuit in and for Manatee County, Florida.

INSURANCE COMPANY SIGNATURE FORM

FOR Silverleaf, Phase IIIA

(Name of Project)

BOND NO. US00083251SU18A

SIGNED AND SEALED this 13th day of June, 2018

XL Specialty Insurance Company

Surety Company Name

By: Claudette Alexander Hunt

Signature - As its Agent

Claudette Alexander Hunt, Attorney-in-Fact

Print Name & Title

505 Eagleview Blvd.

Address

Exton

PA

19341

City

State

Zip

WITNESSES OR CORPORATE SEAL

Alexander Hansen

Signature

Alexander Hansen

Print Name

Jeannie Reinoso

Signature

Jeannie Reinoso

Print Name

NOTARY ACKNOWLEDGMENT

STATE OF: FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 13th day of June, 2018, By Claudette Alexander Hunt 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:



CAMILLE M. CRUZ
Commission # GG 112026
Expires August 5, 2021
Bonded Thru Budget Notary Services

Camille M. Cruz
Notary Public

Camille M. Cruz

Print Name of Notary

Commission No. GG 112026 My Commission Expires: 08/05/2021

DEVELOPER SIGNATURE FORM

FOR Silverleaf, Phase IIIA
BOND NO. US00083251SU18A

WITNESSES OR CORPORATE SEAL:

P White
Witness
Pamela White
Type or Print Name
Echo Sanders
Witness
Echo Sanders
Type or Print Name

Neal Communities of Southwest Florida, LLC
Developer
BY: James R. Schier
Signature
James R. Schier, VP
Type or Print Name

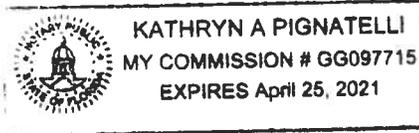
Title (If attorney-in-fact Attach Power of Attorney)
5800 Lakewood Ranch Blvd N.
Postal Address
Sarasota FL 34240
City State Zip

NOTARY ACKNOWLEDGMENT

STATE OF: Florida
COUNTY OF: Sarasota

The foregoing instrument was acknowledged before me this 14th day of June, 2018,
by James R. Schier, as VP, (Title), 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.

NOTARY SEAL:



Kathryn A. Pignatelli
Notary Public
Kathryn A. Pignatelli
Print Name of Notary

Approved and accepted for and on behalf of Manatee County, Florida, this _____ day of _____, 20____.

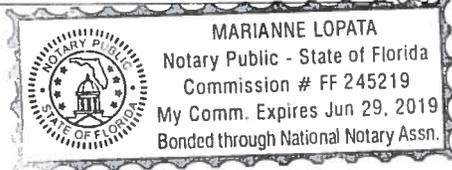
MANATEE COUNTY
A political subdivision of the State of Florida
By: Board of County Commissioners
By: [Signature]
County Administrator

NOTARY ACKNOWLEDGMENT

STATE OF: Florida
COUNTY OF: Manatee

The foregoing instrument was acknowledged before me this 19 day of February, 2019,
by Ed Hunzeker, as County Administrator (Title), on behalf of Manatee County
Government, and who is personally known to me or who has produced
(Type of Identification) as identification.

NOTARY SEAL:



Marianne Lopata
Notary Public
Marianne Lopata
Print Name of Notary



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

THIS IS NOT A BOND NUMBER
LIMITED POWER OF ATTORNEY
XL1526010

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: **Clauette 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*

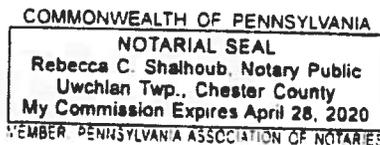
Gregory Boal, VICE PRESIDENT

Attest: *Kevin M. Mirsch*

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

Rebecca C. Shalhoub, NOTARY PUBLIC

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, that PGC I IV, LLC, whose address is 5800 Lakewood Ranch Blvd., Sarasota, FL 34240 (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:

A tract or parcel of land situated in the state of Florida, county of Manatee, lying in Section 01, Township 34S, Range 18E, also known as "**SILVERLEAF PHASE 3A.**"

1. All wastewater lines, pipes, valves, pumps, laterals, tees, bends, joints, manholes, facilities, equipment, and appurtenances thereto, including but not limited to 1 lift station, 1,712 LF 8" PVC, 750 LF 6" FM, 8 manholes; and

2. All potable water lines, pipes, valves, laterals, tees, bends, joints, facilities, equipment and appurtenances thereto, including but not limited to 580 LF 8" WM, 195 LF 6" WM, 170 LF 4" WM, 80 LF 2" HDPE, 3 fire hydrants, located within or upon that certain real property owned by the SELLER and described below; and

3. All reclaimed water lines, pipes, valves, laterals, tees, bends, joints, facilities and appurtenances thereto, including, but not limited to 480 LF 8" PVC, 575 LF 6" PVC, located within or upon that certain real property owned by the SELLER and described below; and

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 18 day of April, 2018.

WITNESSES:

PGCI IV, LLC

Signature: Christina Sadler
Print Name: Christina Sadler

BY: James Schier
James Schier
As Manager

Signature: Jackie Polino
Print Name: Jackie Polino

STATE OF FLORIDA
COUNTY OF Sam Suta

The foregoing instrument was acknowledged before me this 18 day of April, 2018, by James Schier, as Manager, of PGCI IV, LLC on behalf of the Company. They are personally known to me or have produced _____ as identification.

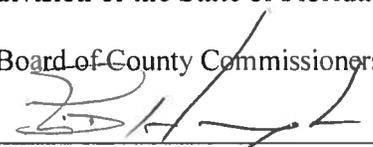
Ivory Crofoot
Signature of Notary Public
Print Name: IVORYCROFOOT
Commission No. # FF182543
My Commission Expires: 12/10/18



WHEREFORE, the County and Developer and/or CDD have executed this Bill of Sale as of this _____ day of _____, 2018.

**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 19 day of February, 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.



Signature of Notary Public

Print Name: Marianne Lopatz

Commission No.: FF 245219

My Commission Expires: June 29, 2019

Exhibit A-1

Legal Description

A TRACT OF LAND LYING IN SECTION 1, TOWNSHIP 34 SOUTH, RANGE 18 EAST, AND SECTION 6, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA AND DESCRIBED AS FOLLOWS:

COMMENCE AT A 4-INCH BY 4-INCH CONCRETE MONUMENT FOUND AT THE SOUTH 1/4 CORNER OF SAID SECTION 1 AND REFERENCED IN FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CERTIFIED CORNER REFERENCE DOCUMENT #27800; THENCE N.00°02'09"E. ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 1, ALSO ALONG THE EAST LINE OF THE 330-FOOT-WIDE FLORIDA POWER AND LIGHT EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 497, PAGES 282-283 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, A DISTANCE OF 2,986.67 FEET TO THE SOUTHWEST CORNER OF THE TRACT OF LAND RECORDED IN OFFICIAL RECORDS BOOK 1656, PAGE 7239 OF SAID PUBLIC RECORDS; THENCE S.89°57'22"E. ALONG THE SOUTH LINE OF SAID TRACT OF LAND RECORDED IN OFFICIAL RECORDS BOOK 1656, PAGE 7239, A DISTANCE OF 399.98 FEET; THENCE N.00°01'53"E. ALONG THE EAST LINE OF SAID TRACT OF LAND RECORDED IN OFFICIAL RECORDS BOOK 1656, PAGE 7239, A DISTANCE OF 728.99 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 301, ALSO KNOWN AS STATE ROAD 43 (150-FOOT-WIDE PUBLIC RIGHT-OF-WAY AS RECORDED IN FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP SECTION NO. 1302-(104) 202); (THE FOLLOWING TWO CALLS ARE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 301): (1) THENCE N.60°14'12"E, A DISTANCE OF 47.48 FEET; (2) THENCE N.60°16'12"E, A DISTANCE OF 2,570.30 FEET TO THE INTERSECTION OF SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 301 AND THE EAST LINE OF THE NORTHEAST 1/4 OF THE AFOREMENTIONED SECTION 1; THENCE S.00°08'25"W. ALONG SAID EAST LINE OF THE NORTHEAST 1/4 OF THE AFOREMENTIONED SECTION 1, A DISTANCE OF 953.99 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE AFOREMENTIONED SECTION 6; THENCE S.89°20'56"E. ALONG SAID NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 1,307.26 FEET TO THE WEST MAINTAINED RIGHT-OF-WAY LINE OF CHIN ROAD (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) AS RECORDED IN MANATEE COUNTY ROAD PLAT BOOK 1, PAGE 105 AND IN ACCORDANCE WITH THE BOUNDARY LINE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1731, PAGE 1952 OF THE AFOREMENTIONED PUBLIC RECORDS; THENCE S.00°03'54"E. ALONG SAID WEST MAINTAINED RIGHT-OF-WAY LINE OF CHIN ROAD, A DISTANCE OF 1,899.42 FEET TO THE INTERSECTION OF SAID WEST MAINTAINED RIGHT-OF-WAY LINE OF CHIN ROAD AND THE NORTH RIGHT-OF-WAY LINE OF OLD TAMPA ROAD (84-FOOT-WIDE PUBLIC RIGHT-OF-WAY IN THIS LOCATION) AS RECORDED IN OFFICIAL RECORDS BOOK 1190, PAGES 1916-1920, ALSO AS RECORDED IN OFFICIAL RECORDS BOOK 1947, PAGES 5714-5716 BOTH OF THE AFOREMENTIONED PUBLIC RECORDS; (THE FOLLOWING TWO CALLS ARE ALONG SAID NORTH RIGHT-OF-WAY OF OLD TAMPA ROAD): (1) THENCE N.89°12'20"W., A DISTANCE OF 206.60 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 442.00 FEET AND A CENTRAL ANGLE OF 20°13'11"; (2) THENCE WESTERLY ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 155.98 FEET TO THE END OF SAID CURVE; THENCE N.04°44'15"W. ALONG A LINE NOT TANGENT TO THE PREVIOUS DESCRIBED CURVE, A DISTANCE OF 244.27 FEET; THENCE S.82°56'36"W., A DISTANCE OF 830.89 FEET; THENCE S.45°07'06"W., A DISTANCE OF 1,003.20 FEET; THENCE S.06°46'03"E., A DISTANCE OF 707.18 FEET TO THE NORTHWESTERLY MAINTAINED RIGHT-OF-WAY OF OLD TAMPA ROAD (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 1947, PAGES 5701-5704 OF SAID PUBLIC RECORDS); (THE FOLLOWING 18 CALLS ARE ALONG SAID NORTHWESTERLY MAINTAINED RIGHT-OF-WAY OF OLD TAMPA ROAD): (1) THENCE S.49°47'07"W., A DISTANCE OF 185.49 FEET; (2) THENCE S.48°04'06"W., A DISTANCE OF 36.86 FEET; (3) THENCE S.49°16'09"W., A DISTANCE OF 97.02 FEET; (4) THENCE S.49°58'55"W., A DISTANCE OF 111.82 FEET; (5) THENCE S.50°02'28"W., A DISTANCE OF 123.71 FEET; (6) THENCE S.57°33'53"W., A DISTANCE OF 77.56 FEET; (7) THENCE S.58°21'24"W., A DISTANCE OF 119.05 FEET; (8) THENCE S.57°41'29"W., A DISTANCE OF 73.83 FEET; (9) THENCE S.56°39'17"W., A DISTANCE OF 110.53 FEET; (10) THENCE S.58°32'05"W., A DISTANCE OF 90.70 FEET; (11) THENCE S.62°21'39"W., A DISTANCE OF 106.25 FEET; (12) THENCE S.60°26'20"W., A DISTANCE OF 99.45 FEET; (13) THENCE S.65°24'13"W., A DISTANCE OF 98.62 FEET; (14) THENCE S.66°33'03"W., A DISTANCE OF 75.14 FEET; (15) THENCE S.73°21'31"W., A DISTANCE OF 127.68 FEET; (16) THENCE S.78°14'38"W., A DISTANCE OF 100.56 FEET; (17) THENCE S.80°40'02"W., A DISTANCE OF 100.90 FEET; (18) THENCE S.85°14'18"W., A DISTANCE OF 83.46 FEET TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE AFOREMENTIONED SECTION 1; THENCE N.89°24'21"W. ALONG SAID SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 1, A DISTANCE OF 585.80 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 11,935,962 SQUARE FEET OR 274.0120 ACRES, MORE OR LESS.

