

**SUBDIVISION BOND**

**Bond Number: 08677311**

KNOW ALL MEN BY THESE PRESENTS, That We, Omni Construction Company, Inc. of 25975 Emery Road, Warrensville Heights, Ohio 44128 as Principal, and Fidelity and Deposit Company of Maryland a Maryland corporation authorized to do business in the State of Missouri as Surety, are held and firmly bound unto City of Lee's Summit, Missouri in the penal sum of Two Hundred Two Thousand Six Hundred Fifty Three and 00/100----- (\$202,653.00) Dollars lawful money of the United States of America for the payment of which well and truly to be made, we bind ourselves, our heirs, successors, and assigns, jointly and severally firmly by these present.

WHEREAS the Principal has agreed with the City of Lee's Summit, Missouri and the developer of the Subdivision referenced below to complete, construct and install certain improvements in connection with the Magnolia Place at Charleston Park, Second Plat, Lots 2A - 3 final plat subdivision ("Subdivision"), with said improvements to Battery Drive including asphalt paving, curbing, sidewalk, ADA sidewalk ramp, street signage, clearing, grading and grubbing, fire hydrant assembly, water line, gate valves, and storm pipe, being described more fully in the engineering plans for said project on file with the City Engineer (the "Improvements") all in the manner described more fully in that certain Surety Bond Deposit Agreement Guaranteeing Installation of Subdivision Improvements attached hereto as Exhibit "A" and incorporated herein by reference (the "Deposit Agreement") .

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal shall complete, construct and install said improvements within a period of one year from date hereof, all to be done in accordance with provisions of the Deposit Agreement, then this obligation shall be void otherwise to remain in full force and effect.

THE LIABILITY OF THE SURETY, in any event, shall not exceed Two Hundred Two Thousand Six Hundred Fifty Three and 00/100----- (\$202,653.00) Dollars.

SIGNED, SEALED AND DATED this 16th day of June, 2015.

Omni Construction Company, Inc.

Jori A. Conroy  
Witness

By: [Signature]

Fidelity & Deposit Company of Maryland

Mal Z. Paska  
Witness

By: [Signature]  
GERI PATRONITE, ATTORNEY-IN-FACT



**ENGINEERING COST ESTIMATE**

**ENGINEERING SOLUTIONS**

50 SE 30TH STREET  
LEE'S SUMMIT, MO

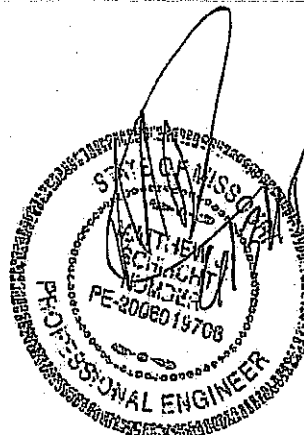
DATE:  
6/2/2015

PROJECT NAME:  
**Battery Drive Improvements**

**SITE LOCATION:**

BATTERY DRIVE & SHENADOAH
LEE'S SUMMIT, MO

ITEM AND DESCRIPTION	UNIT	ESTIMATED QUANTITY	LABOR AND MATERIAL COST PER UNIT	COST PER ITEM
ASPHALT PAVING, INCLUDING CUL-DE-SAC	S.Y.	1,602	25.50	40851.00
CURBING	FT	1,030	13.00	13390.00
GEOGRID	S.Y.	1,717	3.00	5151.00
MoDOT Type 5 Base	S.Y.	1,717	5.25	9014.25
5' SIDEWALK	S.F.	10,300	5.00	51500.00
ADA SIDEWALK RAMP	UNIT	6	500.00	3000.00
STREET SIGNAGE	UNIT	1	350.00	350.00
CLEARING, GRADING & GRUBBING	CY	2,885	4.50	12982.50
FIRE HYDRANT ASEMBLY	UNIT	1	3100.00	3100.00
8" WATER LINE	UNIT	497	21.00	10437.00
8" GATE VALVES	UNIT	2	500.00	1000.00
THRUST BLOCK	UNIT	4	180.00	720.00
TEES, BENDS	LS	6	150.00	900.00
STORM PIPE				
15" HDPE	FT	89	22.50	2009.70
18" HDPE	FT	150	24.50	3664.71
24" HDPE	FT	174	32.00	5567.68
5' x 4' STORM CURB INLET	UNIT	6	3100.00	18600.00
5' x 5' STORM FIELD INLET	UNIT	1	3500.00	3500.00
SILT FENCE	FT	1,932	1.25	2415.00
INLET PROTECTION	UNIT	6	750.00	4500.00
SEEDING / MULCHING	LS	1	6500.00	6500.00
ROCK CHECK AND CONST ENTRANCE	UNIT	2	1750.00	3500.00
<b>TOTAL COST = \$</b>				<b>202,653.00</b>





**FIDELITY AND DEPOSIT COMPANY**

OF MARYLAND

600 Red Brook Blvd., Suite 600, Owings Mills, MD 21117

**Statement of Financial Condition**

As Of December 31, 2014

**ASSETS**

Bonds.....	\$ 142,720,308
Stocks .....	21,816,223
Cash and Short Term Investments .....	2,077,768
Reinsurance Recoverable .....	10,375,303
Other Accounts Receivable .....	46,778,921
<b>TOTAL ADMITTED ASSETS .....</b>	<b>\$ 223,768,523</b>

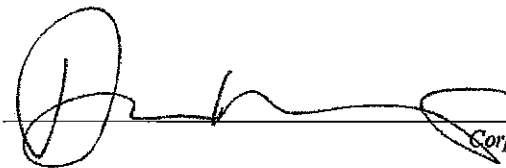
**LIABILITIES, SURPLUS AND OTHER FUNDS**

Reserve for Taxes and Expenses .....	\$ 1,321,332
Ceded Reinsurance Premiums Payable.....	49,965,411
Securities Lending Collateral Liability.....	4,009,064
<b>TOTAL LIABILITIES .....</b>	<b>\$ 55,295,807</b>
Capital Stock, Paid Up.....	\$ 5,000,000
Surplus.....	163,472,717
Surplus as regards Policyholders .....	168,472,716
<b>TOTAL.....</b>	<b>\$ 223,768,523</b>

Securities carried at \$58,191,540 in the above statement are deposited with various states as required by law.

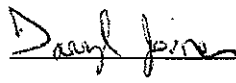
Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of market quotations for all bonds and stocks owned, the Company's total admitted assets at December 31, 2014 would be \$227,936,393 and surplus as regards policyholders \$172,640,586.

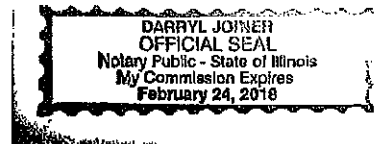
I, DENNIS F. KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2014.

  
 \_\_\_\_\_  
 Corporate Secretary

State of Illinois }  
 City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 15th day of March, 2015.

  
 \_\_\_\_\_  
 Notary Public





**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **THOMAS O. MCCLELLAN, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Carol BEDNAR, Geri PATRONITE, Terralyn C. COLOSIMO, Mark L. RADER and Dale A. KAPROSY, all of Cleveland, Ohio, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 16th day of March, A.D. 2015.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: *Eric D. Barnes*  
*Secretary*  
*Eric D. Barnes*

*Thomas O. McClellan*  
*Vice President*  
*Thomas O. McClellan*

State of Maryland  
County of Baltimore

On this 16th day of March, A.D. 2015, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **THOMAS O. MCCLELLAN, Vice President, and ERIC D. BARNES, Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposed and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

*Maria D. Adamski*

Maria D. Adamski, Notary Public  
My Commission Expires: July 8, 2015



**EXTRACT FROM BY-LAWS OF THE COMPANIES**

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

**CERTIFICATE**

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 16th day of June, 2015.



*Gerald F. Haley*

Gerald F. Haley, Vice President