

**CONTRA COSTA COUNTY
SUBDIVISION AGREEMENT (RIGHT-OF-WAY LANDSCAPING) EXTENSION**

Development Number:	Road Acceptance 04-01166 (cross-reference Subdivision 03-08509)
Developer:	Windemere BLC Land Company, LLC
Original Agreement Date:	July 26, 2005
Second Extension New Termination Date:	July 26, 2009

Improvement Security	
Surety	Quanta Indemnity Company (Formerly, National Farmers Union Standard Insurance Company)
Bond No. (Date):	441 019 5 (December 3, 2004)
<u>Security Type</u>	<u>Security Amount</u>
Cash:	\$ 1,590.00 (1% cash, \$1,000 Min.)
Bond:	\$ 157,710.00 (Performance)
	\$ 79,650.00 (Labor & Material)

The Developer and the Surety desire this Agreement to be extended through the above date; and Contra Costa County and said Surety hereby agree thereto and acknowledge same.

Dated: April 7, 2009

Dated: February 25, 2009

FOR CONTRA COSTA COUNTY
Julia R. Bueren, Public Works Director

By: _____

Developer's Signature(s)

See Attached Signature Block

Printed

RECOMMENDED FOR APPROVAL:

By: *Joseph LaFosse*
(Engineering Services Division)

Developer's Signature(s)

Printed

(NOTE: Developer's, Surety's and Financial Institution's Signatures must be Notarized.)

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

Address

Quanta Indemnity Company (Formerly, National Farmers Union Standard Insurance Company)

Surety or Financial Institution

One Financial Plaza, 10th Floor, Hartford, CT 06103

Address

Jeri Apodaca
Attorney In Facts Signature

Jeri Apodaca, Attorney-In-Fact

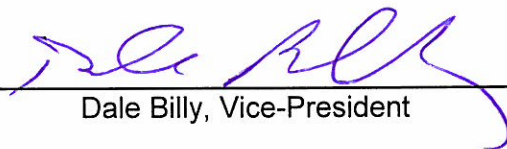
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Bond No. 4410195
Windemere, Phase 4, RA 04-01166 aka Trails
Subdivision Agreement (Right-of-Way Landscaping) Extension

WINDEMERE BLC LAND COMPANY, LLC.,
a California limited liability company

By: LEN-OBS WINDEMERE, LLC.,
a Delaware limited liability company,
its Managing Member

By: LENNAR HOMES OF CALIFORNIA, INC.,
a California Corporation, its Managing Member

By: 
Dale Billy, Vice-President

By: 
David Geist, Authorized Agent

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of **CALIFORNIA**

County of **CONTRA COSTA**

} ss.

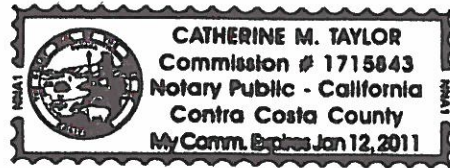
On **February 27, 2009** before me, **Catherine M. Taylor, Notary Public**, personally appeared **Dale Billy and Dave Geist**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Catherine M. Taylor

(Signature of Notary Public)



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law; it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: **Contra Costa County Subdivision Agreement (Right-of-Way Landscaping) Extension, Windemere, Phase 4, RA 04-01166 (X-Ref Sub. 03-08509) aka Phase 4 Trails, Bond #4410195**

Document Date: **February 25, 2009**

Number of Pages: **4**

Signer(s) Other Than Named Above: **Jeri Apodaca, Attorney-In-Fact (Surety)**

Capacity(ies) Claimed by Signer

Signer's Name: **See Below**

- Individual
- Corporate Officer – Title(s): **Dale Billy, Vice-President
David Geist, Authorized Agent**
- Partner - Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other:

RIGHT THUMBPRINT OF SIGNER	
Top of thumb here	

Signer is Representing: **Lennar Homes of California, Inc.**
a California corporation

CERTIFIED RESOLUTION

LENNAR HOMES OF CALIFORNIA, INC.

I, Mark Sustana, the duly elected, qualified and acting Secretary of LENNAR HOMES OF CALIFORNIA, INC., a California corporation, do hereby certify that the following resolutions were duly adopted by Written Consent to Corporate Action by the Board of Directors of the Corporation dated February 12, 2004, and that such resolutions have not been amended or rescinded and are in full force and effect on the date hereof:

RESOLVED, that **Dale Billy** be, and he hereby is, elected Vice President of the Corporation, to serve in such capacity until the next annual meeting of Directors or until his successors are elected and qualified; and

RESOLVED, that all actions, transactions and deeds by **Dale Billy** in his capacity as Vice President, in the name of or on behalf of the Corporation be, and they hereby are, ratified, confirmed and approved in all respects.

IN WITNESS WHEREOF, the undersigned has executed this Certificate as Secretary of the Corporation on this 14th day of March, 2009.


Mark Sustana, Secretary

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Sworn to and subscribed before me this 14th day of March 2009, by Mark Sustana, as Secretary of Lennar Homes of California, Inc., a California corporation, on behalf of the Corporation. He is personally known to me and did not take an oath.




Notary Public, State of Florida

LENNAR HOMES OF CALIFORNIA, INC.


CERTIFIED RESOLUTION

The undersigned, Mark Sustana, as the duly elected and acting Secretary of **LENNAR HOMES OF CALIFORNIA, INC.**, a California corporation (the "Corporation"), do hereby certify that the following Resolutions were duly adopted by Consent of the Board of Directors of the Corporation dated January 23, 2008, and that such Resolutions have not been amended or rescinded and are in full force and effect on the date hereof:

RESOLVED, that without limitation upon the power of the Board of Directors by resolution to confer the same or similar authority upon other officers and individuals from time to time, and without limiting any authority otherwise conferred on directors and vice presidents, **DAVID GEIST** shall have the power and authority in the name and on behalf of this Corporation to execute and deliver subdivision development agreements, purchase agreements, subcontractor agreements; bond agreements, utility agreements, permitting applications and any other necessary documents in connection with the land development operations of the Corporation; and

RESOLVED, that for the purpose of executing and delivering any and all instruments under the authority granted herein, **DAVID GEIST** shall be and is hereby constituted an **Authorized Agent – Land Development Operations** of the Corporation and, any action taken or done pursuant to the authority herein granted shall be an act of the Corporation and binding upon it.

WITNESS my hand and the seal of said Corporation this 23rd day of January, 2008.



Mark Sustana, Secretary

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

Sworn to and subscribed before me this 23rd day of January, 2008, by Mark Sustana, Secretary of **LENNAR HOMES OF CALIFORNIA, INC.**, a California corporation, on behalf of the Corporation, ~~him~~ personally known to me and did not take an oath.





Notary Public, State of Florida

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Orange

On 2/25/09 before me, K. Luu, Notary Public
(Here insert name and title of the officer)

personally appeared Jeri Apodaca

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity (~~ies~~), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

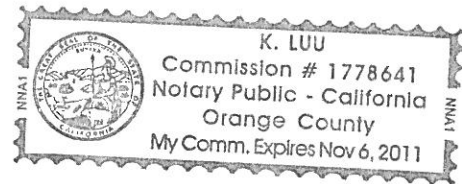
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date _____

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
 Corporate Officer

(Title)

- Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

QUANTA INDEMNITY COMPANY
[formerly National Farmers Union Standard Insurance Company]
New York City, New York 10020

POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: that Quanta Indemnity Company [formerly National Farmers Union Standard Insurance Company], a Colorado corporation, (hereinafter the "Company"), does hereby constitute and appoint:

Jeri Apodaca

of **Irvine, California** to be its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred to sign, seal, and execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar nature issued in the course of its business up to a penal sum not to exceed FIFTY MILLION AND 00/100 DOLLARS (\$50,000,000.00) each, and to bind the Company thereby as fully and to the same extent as if the same were signed by the duly authorized officers of the Company.

This appointment is made under and executed pursuant to and by authority of the following By-law, which By-law is now in full force and effect:

ARTICLE XVIII- EXECUTION OF POLICIES, BONDS, ETC.

Section 2. All bonds, undertakings, contracts, and other instruments, other than as above for and on behalf of the Company which it is authorized by law or its charter to execute, may and shall be executed in the name and on behalf of the Company either by the Chairman or the Deputy Chairman, if any, or the President or a Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations, except that any one or more officers or attorneys-in-fact designated in any resolution of the Board of Directors or the Executive Committee, or in any power of attorney executed as provided for in Section 3 below, may execute any such bond, undertaking or other obligation as provided in such resolution or power of attorney.

Section 3. All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the Deputy Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers: Chairman, Deputy Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or attorneys-in-fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Quanta Indemnity Company [formerly National Farmers Union Standard Insurance Company] has been affixed thereto in New York City, New York this 26th day of March, 2004.

Quanta Indemnity Company
[formerly National Farmers Union Standard Insurance Company]



By _____
Walda Decreus, Assistant Secretary



STATE OF NEW YORK) ss
COUNTY OF NEW YORK)

On this 26th day of March, 2004, before me, a Notary Public, personally came **WALDA DECREUS**, to me known, and acknowledged that she is an Assistant Secretary of Quanta Indemnity Company [formerly National Farmers Union Standard Insurance Company]; that she knows the seal of said corporation; and that she executed the above Power of Attorney and affixed the corporate seal of Quanta Indemnity Company [formerly National Farmers Union Standard Insurance Company] thereto with the authority and at the direction of said corporation.

Carol E. Cincola
Notary Public - State of New York
No. 01C14759623
Qualified in Westchester County
My Commission Expires June 30, 2006

Carol E. Cincola

Notary Public

CERTIFICATE

I, the undersigned, Secretary of Quanta Indemnity Company [formerly National Farmers Union Standard Insurance Company], do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that Article XVIII, Sections 2 and 3 of the By-laws of the Company are now in force.

IN TESTIMONY WHEREOF I have subscribed my name and affixed the seal of said Company. Dated this 25th day of February , 2009.

By *Martha G. Bannerman*

Martha G. Bannerman, Secretary

