

# CONTRA COSTA COUNTY

## ROAD IMPROVEMENT AGREEMENT EXTENSION

**Development Number:** RA06-01208

**Developer:** Shapell Homes, A Division of Shapell Industries, Inc., A Delaware Corporation

**Original Agreement Date:** November 18, 2008

**Fourth Extension New Termination Date:** November 18, 2016

### Improvement Security

**SURETY :** National Fire Insurance Company of Harford

**BOND No.** 929 390 933

**Date:** August 3, 2006

**Security Type**

**Security Amount**

**Cash:**

**\$ 112,900.00 (1% cash, \$1,000 Min.)**

**SURETY BOND:**

**\$ 2,142,200.00 (Performance)**

**\$ 5,642,700.00 (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: \_\_\_\_\_

Dated: October 5, 2015

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

*R. M. Nelson*  
Developer's Signature(s)

By: \_\_\_\_\_

Richard M. Nelson  
Printed

RECOMMENDED FOR APPROVAL:

*Robert D. Moore*  
Developer's Signature(s)

By: *Julia R. Bueren*  
(Engineering Services Division)

Robert D. Moore  
Printed

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

\_\_\_\_\_  
Address

National Fire Insurance Company of Harford  
Surety or Financial Institution

100 Matsonford Road, Radnor, PA 19087  
Address

FORM APPROVED: Victor J. Westman, County Counsel

After Approval Return to Clerk of the Board

*Daniel P. Dunigan*  
Attorney in Facts Signature

Daniel P. Dunigan  
Printed

Printed

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Alameda)

On October 7th, 2015 before me, April Crawford, Notary Public-----  
(insert name and title of the officer)

personally appeared Robert D. Moore and Richard M. Nelson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

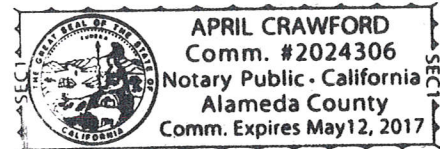
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

April Crawford

(Seal)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

Civil Code § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

State of PENNSYLVANIA

County of CHESTER

On OCTOBER 5, 2015 before me, ARLENE OSTROFF, Notary Public

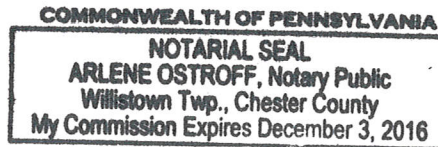
personally appeared DANIEL P. DUNIGAN

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 [Handwritten Signature] Notary Public Signature



Place Notary Public Seal Above

OPTIONAL

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

Description of Attached Document

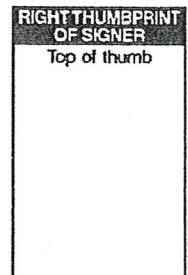
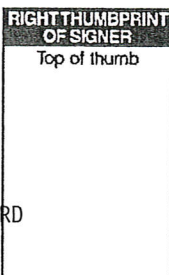
Title or Type of Document

Document Date Number of Pages:

Signer's Name:

- Individual
Corporate Officer - Title(s):
Partner - Limited General
Guardian or Conservator
Attorney-in-Fact
Trustee
Other:
Signer is representing

- Individual
Corporate Officer - Title(s):
Partner - Limited General
Guardian or Conservator
Attorney-in-Fact
Trustee
Other:
Signer is representing



NATIONAL FIRE INSURANCE COMPANY OF HARTFORD

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company (herein called "the CNA Companies"), are duly organized and existing insurance companies having their principal offices in the City of Chicago, and State of Illinois, and that they do by virtue of the signatures and seals herein affixed hereby make, constitute and appoint

William F Simkiss, Daniel P Dunigan, Richard J Decker, Joseph W Kolok, Jr, Brian C Block, James L Hahn, Individually

of Paoli, PA, their true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on their behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of their insurance companies and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Boards of Directors of the insurance companies.

In Witness Whereof, the CNA Companies have caused these presents to be signed by their Vice President and their corporate seals to be hereto affixed on this 15th day of June, 2015.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

Handwritten signature of Paul T. Bruflat, Vice President

State of South Dakota, County of Minnehaha, ss:

On this 15th day of June, 2015, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company described in and which executed the above instrument; that he knows the seals of said insurance companies; that the seals affixed to the said instrument are such corporate seals; that they were so affixed pursuant to authority given by the Boards of Directors of said insurance companies and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance companies.



My Commission Expires February 12, 2021

Handwritten signature of S. EICH, Notary Public

CERTIFICATE

I, D. Bult, Assistant Secretary of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance companies printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance companies this 5TH day of OCTOBER, 2015.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

Handwritten signature of D. Bult, Assistant Secretary

NATIONAL FIRE INSURANCE COMPANY OF HARTFORD  
Chicago, Illinois  
Statement of Net Admitted Assets and Liabilities  
December 31, 2014

ASSETS

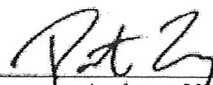
|                                   |    |             |
|-----------------------------------|----|-------------|
| Bonds                             | \$ | 103,826,210 |
| Cash and short-term investments   |    | 10,224,110  |
| Investment income due and accrued |    | 978,692     |
| Net deferred tax asset            |    | 6,079,506   |
| Total Assets                      | \$ | 121,108,518 |

LIABILITIES AND SURPLUS

|  |    |             |
|--|----|-------------|
| Losses   | \$ | -           |
| Loss adjustment expense                        |    | -           |
| Other expense                                  |    | 69,127      |
| Unearned premiums                              |    | -           |
| Payable to parent, subsidiaries and affiliates |    | 23,562      |
| Total Liabilities                              | \$ | 92,689      |
| Surplus Account:                               |    |             |
| Capital paid up                                | \$ | 5,000,000   |
| Gross paid in and contributed surplus          |    | 47,200,000  |
| Unassigned funds                               |    | 68,815,829  |
| Surplus as regards policyholders               | \$ | 121,015,829 |
| Total Liabilities and Capital                  | \$ | 121,108,518 |

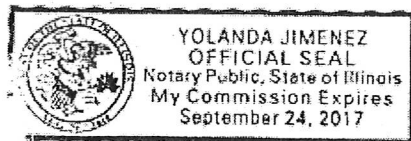
I, Peter Locy, Assistant Vice President of National Fire Insurance Company of Hartford hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2014, as filed with the various Insurance Departments and is a true and correct statement of the condition of National Fire Insurance Company of Hartford as of that date.

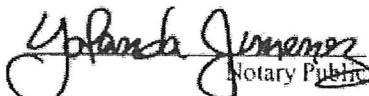
National Fire Insurance Company of Hartford

By   
Assistant Vice President

Subscribed and sworn to me this 19th day of March, 2015.

My commission expires:



  
Notary Public