

CONTRA COSTA COUNTY

ROAD IMPROVEMENT AGREEMENT EXTENSION

Development Number: RA07-01239

Developer: SDC Delta Coves, LLC, A Delaware Limited Liability Company

Original Agreement Date: January 8, 2013

Third Extension New Termination Date: January 8, 2018

Improvement Security

SURETY : Lexon Insurance Comapny

BOND No. 1075688

Date: October 19, 2012

Security Type

Security Amount

Cash:

\$ 3,375.00 (1% cash, \$1,000 Min.)

SURETY BOND:

\$ 1,344,000.00 (Performance)

\$ 674,000.00 (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: _____

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

By: _____

RECOMMENDED FOR APPROVAL:

By: _____
(Engineering Services Division)

(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

Dated: 3-29-17

John Louster
Developer's Signature(s)

Nick TREATS
Printed

Developer's Signature(s)

Printed 7600 E DOUBLETREE TRAIL ROAD
SCOTTSDALE AZ 85258

Address

LEXON INSURANCE COMPANY

Surety or Financial Institution

12890 Lebanon Road, Mt Juliet, TN 37122

Address

Michele Lacrosse
Attorney in Facts Signature

Michele Lacrosse

Printed

POWER OF ATTORNEY

LX- 285983

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Michele Lacrosse, Summer Betting its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

BY

David E. Campbell
David E. Campbell
President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR
Notary Public- State of Tennessee
Davidson County
Mv Commission Expires 07-08-19

BY

Amy Taylor
Amy Taylor
Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 28th Day of Mar, 2017.



BY

Andrew Smith
Andrew Smith
Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

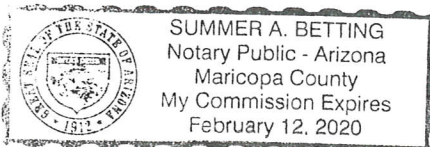
ALL-PURPOSE ACKNOWLEDGEMENT

State of Arizona
County of Maricopa

On March 28th, 2017 before me, Summer A. Betting, Notary Public, personally appeared Michele Lacrosse, Attorney-In-Fact, for Lexon Insurance Company and proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

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

WITNESS my hand and official seal.



Signature

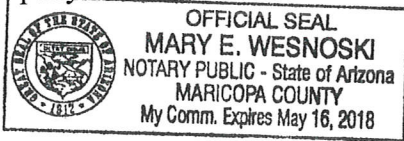
Summer A. Betting

Place Notary Seal Above

NOTARY ACKNOWLEDGMENT

STATE OF ARIZONA)
)ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 29th day of March, 2017 by Nick Taratsas, General Manager Delta Coves and Senior Vice President, DMB Associates, Inc., Project Manager of SDC Delta Coves, LLC, a Delaware limited liability company, for and on behalf of the company.



Mary E. Wesnoski
Notary Public

(Notary Stamp/Seal)