

CONTRA COSTA COUNTY
SUBDIVISION AGREEMENT EXTENSION

Development Number: SD05-08971
Developer: Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation
Original Agreement Date: September 17, 2013
Second Extension New Termination Date: September 17, 2017

<u>Improvement Security</u>		
SURETY :	<u>The Continental Insurance Company</u>	
BOND No.	<u>929 574 175</u>	Date: <u>July 15, 2013</u>
Security Type	Security Amount	
Cash:	\$ <u>10,000.00</u>	(1% cash, \$1,000 Min.)
SURETY BOND:	\$ <u>1,028,000.00</u>	(Performance)
	\$ <u>519,000.00</u>	(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: MAY 23, 2017

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

Steve Savage
 Developer's Signature(s)

By: _____

Steve Savage
 Printed

RECOMMENDED FOR APPROVAL:

Robert D. Moore
 Developer's Signature(s)

By: _____
 (Engineering Services Division)

Printed
6800 Koll Center Pkwy, #320 Pleasanton
 Address CA 94566

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

THE CONTINENTAL INSURANCE COMPANY
 Surety or Financial Institution
 100 Matsonford Road, Suite 200, 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, Attorney-in-Fact
 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)

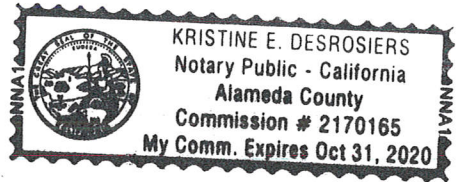
On June 8, 2017 before me, Kristine E. Desrosiers, Notary Public
(insert name and title of the officer)

personally appeared Steve Savage,
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 Kristine E. Desrosiers (Seal)



ACKNOWLEDGMENT

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State of California
County of Alameda)

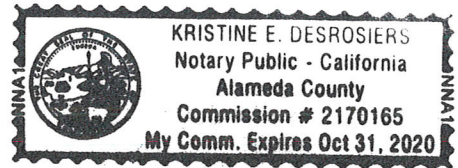
On June 8, 2017 before me, Kristine E. Desrosiers, Notary Public
(insert name and title of the officer)

personally appeared Robert D. Moore,
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 *Kristine E Desrosiers* (Seal)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

Civil Code § 1189

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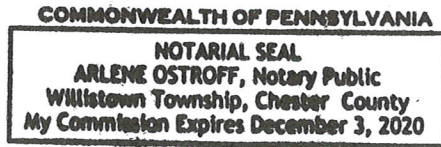
State of PENNSYLVANIA

County of CHESTER

On May 23, 2017 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 The Continental Insurance Company



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



POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

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

of Paoli, PA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its 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 the insurance company 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 Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 1st day of July, 2015.

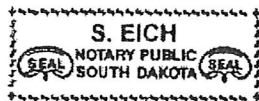


The Continental Insurance Company

Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 1st day of July, 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 The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires February 12, 2021

S. Eich Notary Public

CERTIFICATE

I, D. Bult, Assistant Secretary of The Continental Insurance Company, 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 company 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 company this 23 RD day of MAY, 2017.



The Continental Insurance Company

D. Bult Assistant Secretary

Authorizing Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF THE CONTINENTAL INSURANCE COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company at a meeting held on May 10, 1995.

“RESOLVED: That any Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Group Vice President to the Secretary of the Company prior to such execution becoming effective.”

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execution power of attorneys on behalf of The Continental Insurance Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

“Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the “Authorized Officers”) to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, “Electronic Signatures”); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company.”

THE CONTINENTAL INSURANCE COMPANY
 Radnor, Pennsylvania
 Statement of Net Admitted Assets and Liabilities
 December 31, 2016


<u>ASSETS</u>	
Bonds	\$ 1,134,642,999
Stocks	146,454,381
Cash and short-term investments	208,940,675
Receivables for securities	15,218
Investment income due and accrued	14,853,145
Amounts recoverable from reinsurers	86,857,208
Funds held by or deposited with reinsured companies	1,463,083
Net deferred tax asset	56,055,855
Premiums and considerations	16,951,925
Other assets	1,251,000
Total Assets	\$ 1,667,485,489

<u>LIABILITIES AND SURPLUS</u>	
Losses	\$ 812,077,677
Loss adjustment expense	37,646,991
Unearned premiums	-
Other expenses	750,799
Ceded reinsurance premiums payable (net of ceding commissions)	23,147,409
Funds held by company under reinsurance treaties	2,535,486
Provision for reinsurance	76,000,000
Other liabilities	(785,015,440)
Total Liabilities	\$ 167,142,922

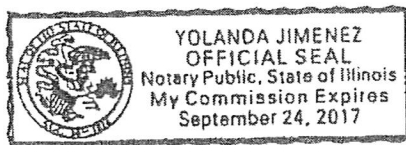
Surplus Account:	
Capital paid up	\$ 53,566,360
Gross paid in and contributed surplus	1,423,436,994
Special Surplus	257,617,903
Unassigned funds	(234,278,690)
Surplus as regards policyholders	<u>\$ 1,500,342,567</u>
Total Liabilities and Capital	\$ 1,667,485,489

I, Troy Wray, Assistant Vice President of Continental Insurance Company hereby certify that the above is an accurate representation of the financial statement of the Company dated December 31, 2016, as filed with the various Insurance Departments and is a true and correct statement of the condition of Continental Insurance Company as of that date.

THE CONTINENTAL INSURANCE COMPANY

By 
 Assistant Vice President

Subscribed and sworn to me this 10 day of March 2017
 My commission expires:



By 
 Notary Public