## **CONTRA COSTA COUNTY**

### SUBDIVISION AGREEMENT EXTENSION

Development Number: SD14-09328

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

Original Agreement Date: April 21, 2015

Second Extension New Termination Date: April 21, 2019

## **Improvement Security**

SURETY: The Continental Insurance Company

BOND No.: 929525422

Date: March 28, 2011

Security Type

**Security Amount** 

Cash:

\$ <u>7,000.00</u> (1% cash, \$1,000 Min.)

\$ 670,000.00 (Performance)

SURETY BOND:

\$ 338,500.00 (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: July 2, 2018   |
|--|---|
| FOR CONTRA COSTA COUNTY<br>Brian M. Balbas, Public Works Director  | Developer's Signature(s)  Steppe Savage   |
| Ву:  | Printed  Developer's Signature(s)   |
| RECOMMENDED FOR APPROVAL:  By:(Engineering Services Division)  | Printed PLEMANTON 6800 Kull Contr Plemy#320 CA 9456 Address   |
| (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 | The Continental Insurance Company Surety or Financial Institution  100 Matsonford Road Suite 200, Radnor, PA19087  Address  Attorney in Facts Signature |
|  | Daniel P. Dunigan, Attorney-in-Fact   |

Printed

# 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 truthfullness, accuracy or validity of that document.

| State of PENNSYLVANIA   |  |
|---|--|
| County of CHESTER   | •  |
| Onbefore me,  | ARLENE 0STR0FF , Notary Public   |
| personally appeared DANIEL P. DUNIGAN   | Name and Title of Notary   |
|   | COMMONWEALTH OF PENNSYLVANIA  NOTARIAL SEAL ARLENE OSTROFF, Notary Public Willistown Township, Chester County My Commission Expires December 3, 2020  Place Notary Public Seaf Above |
| OPTION  |  |
| Though the information below is not required by law, it may prove valuable to the and reattachment of this for Description of Attached Document   | he persons relying on the document and could prevent fraudulent removal  |
| Title or Type of Document   |  |
| Document Date   |  |
| 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 ☐ Right Humbers Top of thumb | ☐ 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.

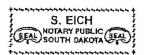
In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 1st day of July, 2015.



The Continental Insurance Company

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



The Continental Insurance Company

D. Bult Assistant Secretary

Form F6850-4/2012

### **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 25<sup>th</sup> 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."

### **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 July 12, 2018 before m             | e, Rosana H. Martinez Sedano, Notary Public  (insert name and title of the officer) |  |
| personally appeared Robert D. Moore and 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 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.    | ROSANA HAYDEE MARTINEZ SEDANO Notary Public - California Alameda County             |  |
|  |                                       | Commission # 2241260  |  |

(Seal)