

REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

On this 8th day of November, 2016, Commissioners Court came on to be heard and reviewed the accompanying notice of Bay Utilities,LLC
Job Location 17715 Madden Road, Richmond, TX 77407
Date 9/19/2016 Bond No. 1052350, Permit No. 2016-10123 to make use of certain Fort Bend County property subject to, "A Revised Order Regulating the Laying, Construction, Maintenance, and Repair of Buried Cables, Conduits, and Pole Lines, In, Under, Across or Along Roads, Streets, Highways, and Drainage Ditches in Fort Bend County, Texas, Under the Jurisdiction of the Commissioners Court of Fort Bend County, Texas," as passed by the Commissioners Court of Fort Bend County, Texas the 3rd day of August, 1987, recorded in Volume _____ of the Minutes of the Commissioners Court of Fort Bend County, Texas, to the extent that such order is not inconsistent with Article 1436a, Vernon's Texas Civil Statutes. Upon Motion of Commissioner _____, seconded by Commissioner _____, duly put and carried, it is ORDERED, ADJUDGED AND DECREED that said notice of said above purpose is hereby acknowledged by the Commissioners Court of Fort Bend County, Texas, and that said notice be placed on record according to the regulation order thereof.

Notes:

1. Evidence of review by the Commissioners Court must be kept on the job site and failure to do so constitutes grounds for job shutdown.
2. Written notices are required:
 - a. 48 hours in advance of construction start up, and
 - b. when construction is completed and ready for final inspection
 Mail notices to: Permit Administrator
 Fort Bend County Engineering
 301 Jackson Street
 Richmond, Texas 77469
 281-633-7500
3. This permit expires one (1) year from date of permit if construction has not commenced.

By: Charles O. Dy
for County Engineer

Presented to Commissioners Court and approved.
Recorded in Volume _____

Minutes of Commissioners Court

By: N/A
Drainage District Engineer/Manager

Clerk of Commissioners Court

By: _____
Deputy

County of Fort Bend
Engineering Department

301 Jackson Street
Richmond, Texas 77469

Phone: (281) 633-7500

**Permit Application Review Form For
Cable, Conduit, and Pole Line Activity
In Fort Bend County**

Permit No. 2016-10123

The following "Notice of Proposed Cable, Conduit, and/or Pole Line activity in Fort Bend County" and accompanying attachments have been reviewed and the notice conforms to appropriate regulations set by Commissioner's Court of Fort Bend County, Texas.

(1) Complete Application Form:

a. Name of road, street, and/or drainage ditch affected.

b. Vicinity map showing course of directions

c. Plans and specifications

(2) Bond:

District Attorney, approval when applicable.

Perpetual bond currently posted.

No: _____

Amount: _____

Performance bond submitted.

No: 1052350

Amount: \$16,000.00

Cashier's Check

No: _____

Amount: _____


(3) Verbal permission given for emergencies, to start construction before approved in Commissioner's Court.

Precinct Engineer Acknowledgment _____ Date

Precinct Commissioner Acknowledgment _____ Date

(4)
Drainage District Approval when applicable

We have reviewed this project and agree it meets minimum requirements.


Assistant County Engineer


Date

PERFORMANCE BOND COVERING ALL CABLE, CONDUIT AND/OR POLE LINE
ACTIVITY IN, UNDER, ACROSS OR ALONG FORT BEND COUNTY ROADS

AUTHORIZED

BOND NO 1052350

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT WE, Bay Utilities, LLC whose address is 28411 Sweetgum, Magnolia, Texas, hereinafter called the Principal, and The Hanover Insurance Company, a Corporation existing under and by virtue of the laws of the State of NH and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at Houston, TX, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is Texas and whose address is 10375 Richmond Ave., Ste 1050, Houston, TX 77042, hereinafter called the Surety, and held and firmly bound unto, **Robert E. Hebert, County Judge of Fort Bend County, Texas**, or his successors in office, in the full sum of Sixteen Thousand and No/100 Dollars (\$ 16,000.00) current, lawful money of the United States of America, to be paid to said Robert E. Hebert, County Judge of Fort Bend County, Texas, or his successors in office, to which payment well and truly to be made and done, we, the undersigned, bind ourselves and each of us, our heirs, executors, administrators, successors, assigns, and legal representatives, jointly and severally, by these presents.

THE CONDITION OF THIS BOND IS SUCH THAT, WHEREAS, the above bounden principal contemplates laying, constructing, maintaining and/or repairing one or more cables, conduits, and/or pole lines in, under, across and/or along roads, streets and highways in the County of Fort Bend, and the State of Texas, under the jurisdiction of the Commissioners' Court of Fort Bend County, Texas, pursuant to the Commissioners' Court order adopted on the 1st day of December, A.D. 1980, recorded in Volume 13, of the Commissioners' Court Minutes of Fort Bend County, Texas, regulating same, which Commissioners' Court order is hereby referred to and made a part hereof for all purposes as though fully set out herein;

AND WHEREAS, the principal desires to provide Fort Bend County with a performance bond covering all such cable, conduit and/or pole line activity;

NOW, THEREFORE, if the above bounden principal shall faithfully perform all its cable, conduit and/or pole line activity (including, but not limited to the laying, construction, maintenance and/or repair of cables, conduits and/or pole lines) in, under, across and/or along roads, streets and highways in the County of Fort Bend and State of Texas, under the jurisdiction of the Commissioners Court of Fort Bend County, Texas, pursuant to and in accordance with minimum requirements and conditions of the above mentioned Commissioners' Court order set forth and specified to be by said principal done and performed, at the time and in the manner therein specified, and shall pay over and make good and reimburse Fort Bend County, all loss and damages which Fort Bend County may sustain by reason of any failure or default on the part of said principal, then this obligation shall be null and void, otherwise to remain in full force and effect.

This bond is payable at the County Courthouse in the County of Fort Bend and State of Texas.

It is understood that at any time Fort Bend County deems itself insecure under this bond, it may require further and/or additional bonds of the principal.

EXECUTED this 19th day of September, 2016.

Bay Utilities, LLC
PRINCIPAL

BY

The Hanover Insurance Company
SURETY
BY Francine Hay, Attorney-in-Fact

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWER OF ATTORNEY

THIS Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

KNOW ALL PERSONS BY THESE PRESENTS:

That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, (hereinafter individually and collectively the "Company") does hereby constitute and appoint,

Roxanne G. Brune, David R. Groppe, Edward L. Moore, Beverly A. Ireland, Sharen Groppe, Francine Hay, Sharon Cavanaugh, Sue Kohler, James Wynne Tomforde, Kurt Risk and/or Gloria M. Villa

Of Elsey & Associates AND Marsh & McLennan, Houston, Texas each individually, if there be more than one named, as its true and lawful attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, any and all surety bonds, recognizances, undertakings, or other surety obligations. The execution of such surety bonds, recognizances, undertakings or surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company, in their own proper persons. Provided however, that this power of attorney limits the acts of those named herein; and they have no authority to bind the Company except in the manner stated and to the extent of any limitation stated below:

Any such obligations in the United States, not to exceed Thirty Five Million and No/100 (\$35,000,000) in any single instance

That this power is made and executed pursuant to the authority of the following Resolutions passed by the Board of Directors of said Company, and said Resolutions remain in full force and effect:

RESOLVED: That the President or any Vice President, in conjunction with any Vice President, be and they hereby are authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as it acts, to execute and acknowledge for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons.

RESOLVED: That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile. (Adopted October 7, 1981 – The Hanover Insurance Company; Adopted April 14, 1982 – Massachusetts Bay Insurance Company; Adopted September 7, 2001 – Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 23rd day of May, 2016.



THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

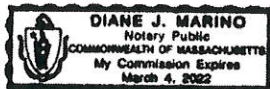
Robert Thomas
Robert Thomas, Vice President

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

J. Michael Pete
J. Michael Pete, Vice President

THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this 23rd day of May 2016 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



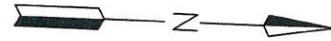
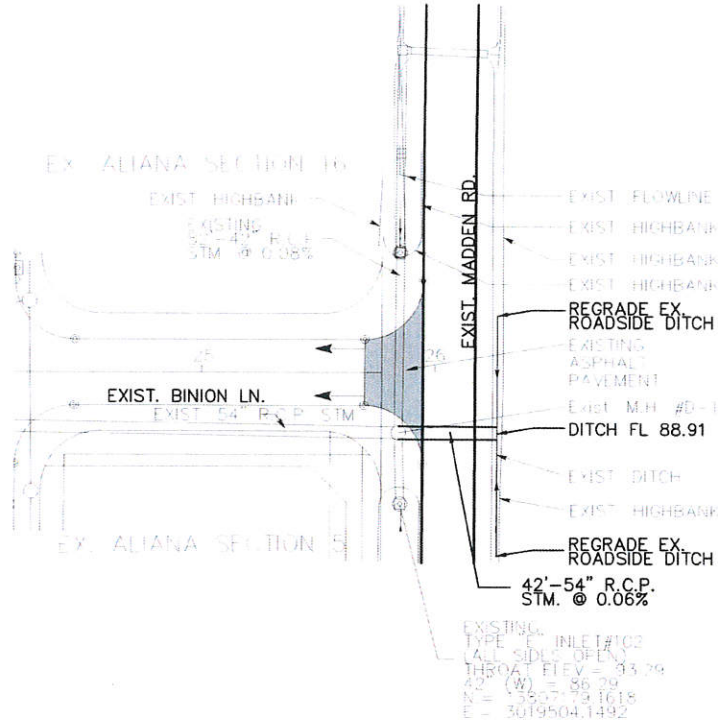
Diane J. Marino
Diane J. Marino, Notary Public
My Commission Expires March 4, 2022

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 19th day of September 2016

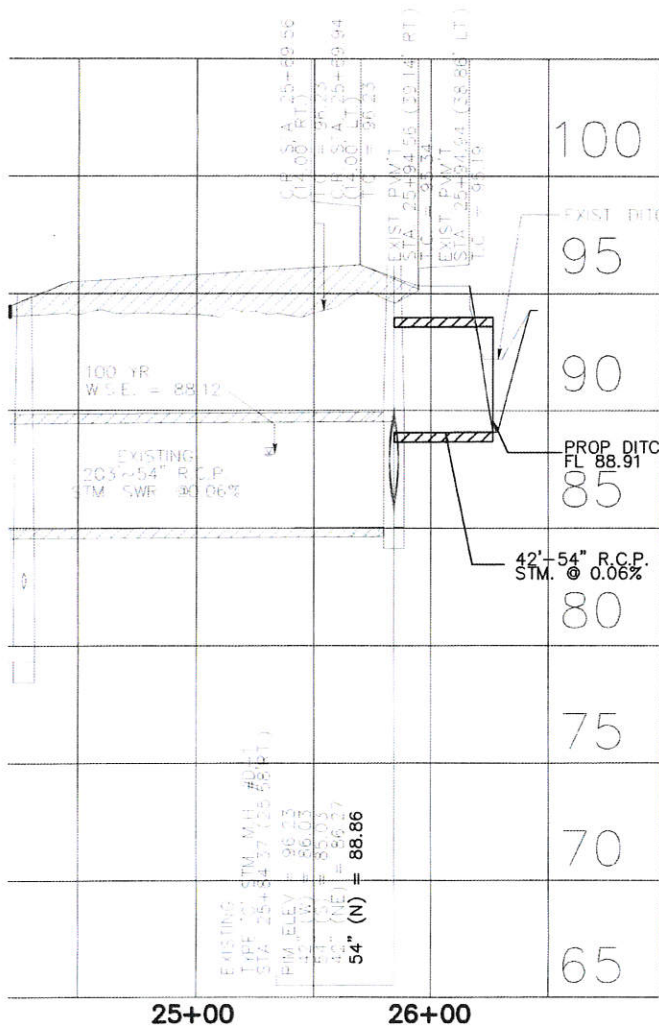
CERTIFIED COPY

Theodore G. Martinez
Theodore G. Martinez, Vice President



DRAWING SCALE
 HORZ : 1" = 50'
 VERT : 1" = 5'

EXISTING INLET #102
 TYPE C SIDE DRAIN
 INVERT ELEV = 88.29
 42" (W)
 N = 3557.94618
 E = 3019504.1492



FORT BEND COUNTY ENGINEERING DEPARTMENT

APPROVED: *[Signature]*
 DEVELOPMENT COORDINATOR

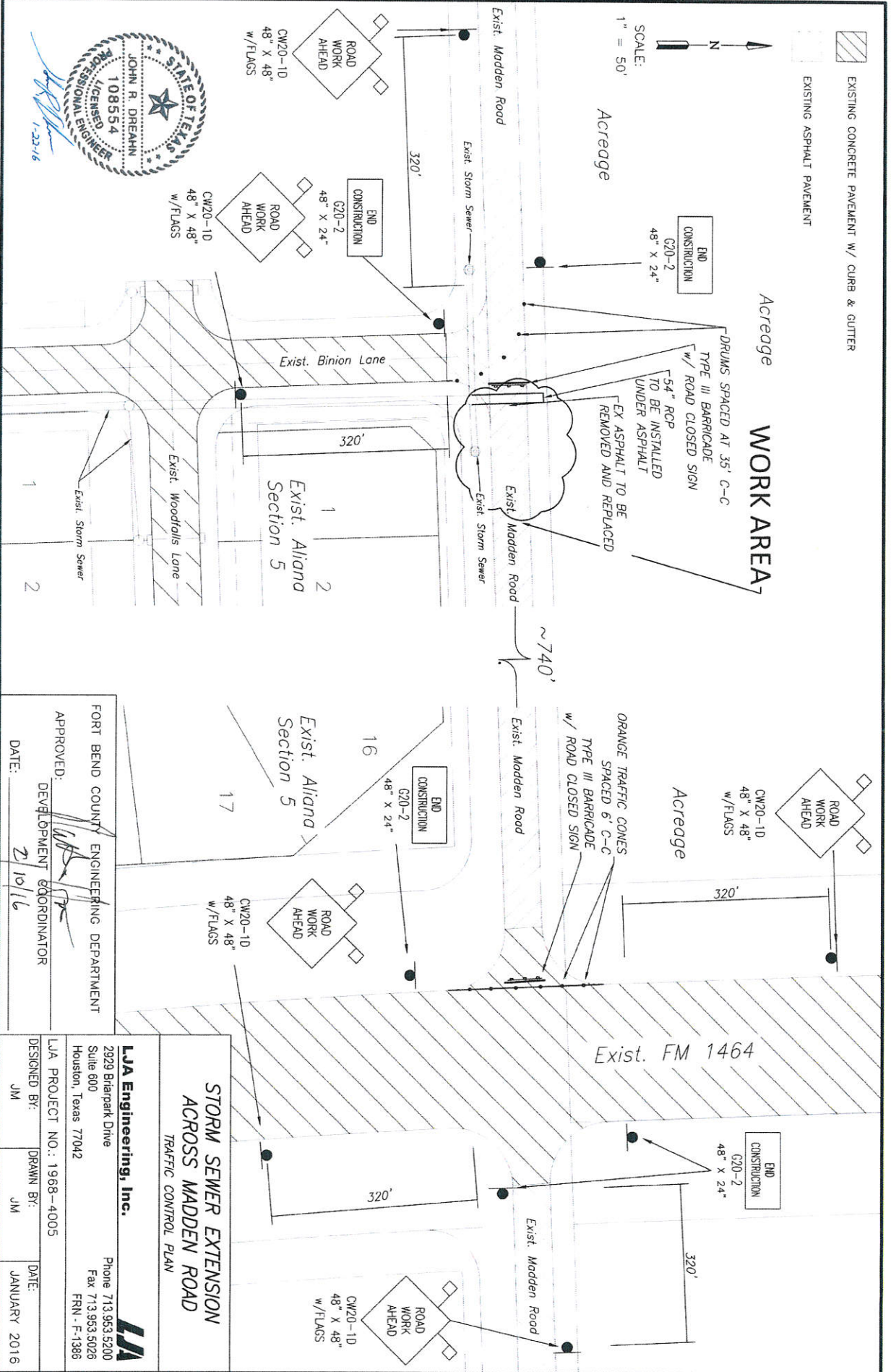
DATE: 2/17/16

**STORM SEWER EXTENSION
 ACROSS MADDEN ROAD**

LJA Engineering, Inc. 
 2929 Briarpark Drive Phone 713.953.5200
 Suite 600 Fax 713.953.5026
 Houston, Texas 77042 FRN - F-1386

LJA PROJECT NO.: 1968-4005

DESIGNED BY: JM	DRAWN BY: JM	DATE: DECEMBER 2015
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FORT BEND COUNTY ENGINEERING DEPARTMENT
 APPROVED: [Signature]
 DEVELOPMENT COORDINATOR
 DATE: 2/10/16

LJA Engineering, Inc.
 2929 Briarpark Drive
 Suite 600
 Houston, Texas 77042
 Phone 713.953.5200
 Fax 713.953.5026
 FRN - F-1386

STORM SEWER EXTENSION
 ACROSS MADDEN ROAD
 TRAFFIC CONTROL PLAN

LJA PROJECT NO.: 1968-4005
 DESIGNED BY: JM
 DRAWN BY: JM
 DATE: JANUARY 2016

