E OF CONTRACTOR	REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT	Fort Bend County Engineering Department 301 Jackson Suite 401 Richmond, Texas 77469 281.633.7500 Permits@fortbendcountytx.gov
CIVID CONTRACTOR	X Right of Way Permit Commercial Driveway Permit	
	Permit No: 2020-39880	
Applicant: Graycor C	Construction Company, Inc./Langan	
Job Location Site: 10	507 Harlem Road, Richmond, TX 77407	
Bond No.	Date of Bond: 10/6/2020 Amount:	\$185,926.61

The above applicant came to make use of certain Fort Bend County property subject to, "The 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, to the extent that such order is not inconsistent with Chapter 181, Vernon's Texas Statutes and Codes Annoted.

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, submit notification to Permit Administrator thru MyGovernmentOnline.org portal.
- 3. This permit expires one (1) year from date of permit if construction has not commenced.
- 4. This permit applies to work performed within right-of-ways owned and maintained by Fort Bend County only, and it is the responsibility of the applicant to acquire all other necessary permits and permissions.

On this <u>27th</u> day of <u>October</u>, <u>2020</u>, 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.

Signa	ture	Presented to Commissioners Court and approved.		
By:	County Engineer	Date Recorded Comm. Court No		
	N/A	Clerk of Commissioners Court		
By:		Ву:		
	Drainage District Engineer/Manager	Deputy		



PERMIT APPLICATION REVIEW FORM FOR CABLE, CONDUIT, AND POLE LINE ACTIVITY IN FORT BEND COUNTY



Commercial Driveway Permit

Permit No: 2020-39880

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:

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

- b. Vicinity map showing course of directions
- c. Plans and specifications

(2) BOND:

County Attorney, approval when applicable.				
Perpetual bond currently posted.	Bond No:	Amount:		
X Performance bond submitted.	Bond No:	Amount: \$185,926.61		
Cashier's Check	Check No:	Amount:		

(3) DRAINAGE DISTRICT APPROVAL (WHEN APPLICABLE):

Drainage District Approval

Date

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

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Permit Administrator

10/16/2020

Fort Bend County Engineering Department

301 Jackson Suite 401

Richmond, Texas 77469

281.633.7500 Permits@fortbendcountytx.gov

Date

PERFORMANCE BOND COVERING ALL CABLE, CONDUIT AND/OR POLE LINE ACTIVITY IN, UNDER, ACROSS OR ALONG FORT BEND COUNTY ROAD, COMMERCIAL DRIVEWAY AND MEDIAN OPENINGS OR MODIFICATIONS (AUTHORIZED)

BOND NO

(Replaces Bond executed 9/22/20)

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

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THAT WE, <u>Graycor Construction Company, Inc.</u> whose (address, phone) is <u>Two Mid America Plaza, Suite 400, Oakbrook</u> <u>Terrace, IL 60108, 630.684.7110</u>, hereinafter called the Principal, and <u>Western Surety Company</u>, a Corporation existing under and by virtue of the laws of the state of <u>SD</u> and authorized to do an indemnifying business in the state of Texas, and whose principal office is located at (*name/address/phone*) <u>Western Surety Company</u>, 151 North Franklin St., Chicago, IL 60606, <u>312.8225000</u>, whose officer residing in the State of Illinois, authorized to accept service in all suits and actions brought within said state is Texas and whose address is <u>801 Warrenville Road</u>, <u>Suite 700</u>, <u>Attn: Andrea Warning Lisle</u>, IL 60532 hereinafter called the Surety, and held and firmly bound unto , KP George, County Judge of Fort Bend County, Texas, or his successors in office, in the full sum of <u>One Hundred Eighty Five Thousand Nine Hundred Twenty Six and 61/00</u> Dollars (<u>\$ 185,926.61</u>) current, lawful money of the United States of America, to be paid to said KP George, 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, commercial driveway and median openings or modifications 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 <u>1st</u> day of <u>December</u>, A.D. <u>1980</u>, recorded in Volume <u>13</u>, 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, commercial driveway and median openings or modifications; Madden Roadway Permit at 10507 Harlem Road, Richmond, TX 77407, APP #43371;

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, commercial driveway and median openings or modifications 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 6th day of October 2020.

Graycor Construc	tion, Compa	ny, Inc.	
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BY:		$\overline{)}$	
Western Surety Co	ompany	1	
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BY: Lauren Blair, Attorney-in-Fact

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Page 1

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Lauren Blair, Individually

of St. Louis, MO 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 it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 27th day of February, 2018.

State of South Dakota County of Minnehaha

On this 27th day of February, 2018, 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 the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; 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 corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

June 23, 2021

J. MOHR HAN NOTARY PUBLIC (FA

WESTERN SURETY COMPANY

Bruflat, Vice President

CERTIFICATE

J. Mohr, Notary Public

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation 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 corporation this 6th day of October, 2020.



WESTERN SURETY COMPANY

J. Relson, Assistant Secretary

Form F4280-7-2012

Go to www.cnasurety.com > Owner / Obligee Services > Validate Bond Coverage, if you want to verify bond authenticity.



Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.