



Fort Bend County Engineering
FORT BEND COUNTY, TEXAS

J. Stacy Slawinski, P.E.
County Engineer

July 30, 2021

Commissioner Vincent M. Morales Jr.
Fort Bend County Precinct 1
1517 Eugene Heimann Circle, Suite 300
Richmond, Texas 77469

RE: Sienna Village of Destrehan Sec 5

Dear Commissioner:

A final inspection of the roads for the above referenced subdivision was made, and all of the deficiencies have been corrected except as noted in the attached letter from Sienna Municipal Utility District No. 4, which detail areas of additional warranty. The streets, along with their footage lengths, are as follows:

Mount Logan	564.18 LF
Lazy Vine Lane	1,151.27 LF
Big Vine Court	<u>999.16 LF</u>
Total:	2,714.16 LF

The current bond is # [REDACTED] in the amount of \$ 209,612.20. Release bond to:

Mr. Glenn Harris
Harris Construction Company, Ltd.
6602 Guhn Road
Houston, Texas 77040

If you should have any questions or need additional information please feel free to call.

Sincerely,

Kevin Kalily
Construction Inspector
Engineer Technician I

KK/gyl

Attachment
cc:

Ms. Amanda Carriage, LJA Engineering
Mr. Derek Goff, Johnson Development
Ms. Katie McDermott, Harris Construction
Mr. Jeremy Davis, City of Missouri City
Mr. Scott Wiegat, FBC Road & Bridge
File

acarriage@lja.com
derekgo@johnsondev.com
katie@harrisconstruct.com
Jeremy.Davis@Missouricitytx.gov

301 Jackson St., Suite 401 | Richmond, TX 77469
Phone 281-633-7500



Fort Bend County Engineering
FORT BEND COUNTY, TEXAS

J. Stacy Slawinski, P.E.
County Engineer

BOND RELEASE AUTHORIZATION

THE FOLLOWING DOCUMENT(S) CAN BE RELEASED UPON ORDER OF
COMMISSIONERS COURT:

BOND

Number Amount \$ 209,612.20

Principal Harris Construction Company, Ltd. / Toll-Gtis Property Owner, LLC a Texas limited

Surety Liberty Mutual Insurance

CONSTRUCTION PROJECT (Name or location):

Sienna Village of Destrehan Sec 5

COURT APPROVED: _____#_____

DATE OF RETURN: _____

BY: _____

Deputy County Clerk

NOTIFICATION OF RELEASE OF BOND

A release order has been issued by the Fort Bend County Commissioners Court
on _____, 2021, Item #_____ for the above referenced:

Release to: Mr. Glenn Harris
Harris Construction Company, Ltd.
6602 Guhn Road
Houston, Texas 77040

Information on the issuance and release of this security is on file at the Fort Bend County Clerk's Office.
Inquiries should be addressed to Fort Bend County Engineering, 301 Jackson, Suite 401, Richmond,
Texas 77469 or call 281-633-7501.

Sean Eglinton, P.E., CFM
Engineer III

July 6, 2021

Mr. Rick Staigle, PE
Fort Bend County Engineering Department
301 Jackson Street, Suite 401
Richmond, Texas 77469

Re: Bond Cancellation Inspection Additional Warranty Items
Sienna Village of Destrehan Section 5
Sienna Municipal Utility District No. 4
LJA Job No. 1414-1505 (6.1)

Dear Mr. Staigle:

A bond cancellation inspection was performed on Sienna Village of Destrehan Section 5 on March 17, 2020. This section of roadway is located within the service area of Sienna Municipal Utility District No. 4, the District. The punch list from Fort Bend County was received on May 28, 2020 and the following significant deficiencies were noted in the particular concrete panels along Big Vine Court, Lazy Vine Lane and Mount Logan (the "Panels") as shown on Exhibit A

- Repairs with 1 year warranty from contractor (One-Year Repairs) to be enforced by the District:
 - Pavement areas that were removed and replaced:
 - On Mount Logan at the West end of the plat limit
 - On Mount Logan 100' West of Lazy Vine Lane
 - 2622 to 2614 Big Vine Court
 - 2710 to 2714 Big Vine Court
 - On Mount Logan 175' East from Lazy Vine Lane
 - 2610 Big Vine Court
 - 2615 Big Vine Court
 - 2607 Big Vine Court
 - 2639 Lazy Vine Lane
 - 2635 Lazy Vine Lane
 - Bird baths where grinding was used per detail:
 - At Mount Logan and Lazy Vine Lane
 - On Mount Logan at the East end of the plat boundary (on north side)
 - Across from 2514 Big Vine Court
 - 2602 Big Vine Court
 - 2711 Big Vine Court
 - 60' East of 2639 Lazy Vine Lane
 - Across from 2635 Lazy Vine Lane
 - Across from 2639 Lazy Vine Lane
 - 2631 Lazy Vine Lane

- o Repairs with 2 year warranty from contractor to be enforced by District (Two-Year Repairs):
 - Pavement areas where injectable sealant was used in lieu of remove and replace:
 - 2702 Big Vine Court

The contractor, Harris Construction Company, Ltd. (the "Contractor"), pursuant to a construction contract dated August 10, 2020, (the "Construction Contract") has completed these repairs for the Panels noted above and shown on the attached Exhibit A (the "Repairs") and has provided the District with an additional maintenance bond for the Repairs shown on the attached Exhibit A.

Once the County has deemed that all punch list items have been addressed and the maintenance bond stated above has been provided to the County, the County agrees to issue the final acceptance letter for Sienna Village of Destrehan Section 5 and release the existing subdivision bond for the above-mentioned plat. The Contractor has provided a warranty of the Repairs in its Construction Contract and a maintenance bond to cover such warranty for the Repairs for a period of one year or two years based on the significant deficiencies listed above. Upon the issuance of the final acceptance letter, the District agrees to enforce the warranty in the Construction Contract relating to the Repairs completed by the Contractor shown on the attached Exhibit A for (1) a period of one (1) year from the date of the Fort Bend County final acceptance letter for One-Year Repairs; (2) a period of two (2) years from the date of the Fort Bend County final acceptance letter for Two-Year Repairs. Prior to the warranty period expiring, the County will re-inspect the Repairs on the attached Exhibit A to ensure that there has been no vertical movement or excessive additional cracking or spalling on cracks that have been sealed nor excessive cracking or bird baths on Panels that have been removed and replaced. If Repairs do not meet the County standards (standards at the time the Repairs were made), the District agrees to enforce the warranty in the Construction Contract and/or the maintenance bond in order for the Contractor to correct the Repairs to the Panels. The District is only agreeing to enforce the warranty for time periods for the significant deficiencies listed above from the date of the County's final acceptance letter, based on the inspections being requested prior to the expiration date and the repair areas pass inspection.

Sincerely,

A handwritten signature in black ink, appearing to be 'RS' with a stylized flourish at the end.

Mr. Ray Sick
President
Sienna Municipal Utility District No. 4



FORT BEND COUNTY PUNCH LIST
REPAIR METHODS - EXHIBIT A

SIENNA
VILLAGE OF DESTREHAN
SECTION 5

A SUBDIVISION OF 15.038 ACRES OF LAND SITUATED IN THE
DAVID ATTREHAN TRACT, LUGA, BENTON COUNTY, TEXAS.
35 LOTS 3 RESERVES (2.679 ACRES) 2 BLOCKS
MARCH 16, 2015 JOB NO. 1414-1500P-509

OWNERS
TOLL-GTIS PROPERTY OWNER LLC

10110 WEST SAM HOUSTON PARKWAY NORTH, SUITE 350, HOUSTON, TEXAS 77064
PH (281) 894-8655

ENGINEER
LJA Engineering, Inc.
2929 Braught Drive
Houston, Texas 77042
Phone 713.953.5500
Fax 713.953.5505
T.E.P.L.S. Firm No. 0110501

NOTED: ALL REPAIRS TO BE COMPLETED BY THE DATE OF THE
REGISTERED PROFESSIONAL LAND SURVEYOR
TECH REGISTRATION NO. 497

Sienna Municipal Utility District No. 4

MAINTENANCE BOND

Bond #58S214839

MAINTENANCE BOND

STATE OF TEXAS

Contract Date June 29, 2021

COUNTY OF Fort Bend

Date Bond Executed _____

PRINCIPAL Harris Construction Company, LLC

SURETY Liberty Mutual Insurance Company

OWNER Sienna Municipal Utility District No. 4

PENAL SUM OF BOND (in words and figures) Seventy-One thousand seven hundred seventy-five and 00/100th Dollars \$[71,775.00], being 100 percent of the Contract Price.

CONTRACT for Roadway Construction within Sienna Village of Destrehan Section 5 for Sienna Municipal Utility District No. 4, Fort Bend County, Texas. (the "Contract").

KNOW ALL PERSONS BY THESE PRESENTS, that we, Principal and Surety above named, are held and firmly bound unto Owner, its successors and assigns, in the penal sum of the amount stated above, for the payment of which sum well and truly to be made, we bind ourselves and our respective heirs, executors, administrators, officers, directors, shareholders, partners, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal entered into that certain Contract with Owner, which Contract is expressly incorporated herein for all purposes.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH, that if Principal well and truly repair any and all defects in the work occasioned by or resulting from defects in materials furnished by, or workmanship of, the Principal in performing the work covered by the Contract, including any guaranty or warranty required under the Contract, then this obligation is void; otherwise it is to remain in full force and effect. Should the Principal fail to well and truly repair any and all defects in the work occasioned by or resulting from defects in materials furnished by, or workmanship of, the Principal in performing the work as required by the Contract in all its terms, the Surety will be liable for all damages, losses, expenses and liabilities that the Owner may suffer in consequence thereof.

The parties intend this maintenance bond to be a common law bond to be constructed in accordance with Texas law.

Surety hereby agrees, for value received, that no change, extension of time, alteration or addition to the terms of the Contract or to work performed under the Contract, or to the plans, specifications or drawings accompanying the Contract, will in any way affect its obligations on this Bond and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Contract or to the work to be performed thereunder.

The bound parties have executed this instrument pursuant to authority of their respective governing body, to be effective on the same date of the Contract.

Sienna Municipal Utility District No. 4

MAINTENANCE BOND

Harris Construction Company, LLC

PRINCIPAL

By [Signature] Harris Construction Company,Name LLCTitle Larry A. HarrisManagerAddress 6602 Guhn RoadHouston, Texas 77040

ATTEST

By [Signature]Name Katie McDermottTitle Secretary

(SEAL)

Liberty Mutual Insurance Company

SURETY

By [Signature]Name Michelle UleryTitle Attorney In Fact

(SEAL)

ATTEST

By [Signature]Name Brittany HolmesTitle Account Manager

Physical Address:

10713 W. Sam Houston Parkway N., Suite 650
Houston, Texas 77064

Mailing Address:

Same as AboveTelephone: 713-744-1761

Local Recording Agent Personal Identification Number:

746941Agency Name: Southern American Insurance Agency, Inc.Agency Address 13823 Schmidt Road, Cypress, TX 77429Agency Telephone 281-890-9294**Surety must attach its original Power of Attorney to this bond.**

CERTIFICATE AS TO CORPORATE PRINCIPAL

I, _____, certify that I am the secretary of the corporation named as Principal in the Bond; that _____, who signed the Bond on behalf of Principal, was then _____ of the corporation; that I know his or her signature, and his or her signature is genuine; and that the Bond was duly signed for and on behalf of the corporation by authority of its governing body.

(Corporate Seal)

Signature of Corporate Secretary



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.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No. 8200515

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Michelle Ulery, Kelly J. Brooks, C.A. McClure, Kenneth L. Meyer

all of the city of Cypress state of TX each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president, and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 13th day of February, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

State of PENNSYLVANIA ss
County of MONTGOMERY

On this 13th day of February, 2019, before me personally appeared David M. Carey who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 29th day of June, 2021.



By: Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-800-832-8240 between 9:00 am and 4:30 pm EST on any business day.



TEXAS
IMPORTANT NOTICE

To obtain information or make a complaint.

You may call toll-free for information or to make a complaint at
1-877-751-2640

You may also write to

2200 Renaissance Blvd., Ste. 400
King of Prussia, PA 19406-2755

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at
1-800-252-3439

You may write the Texas Department of Insurance
Consumer Protection (111-1A)
P. O. Box 149091
Austin, TX 78714-9091
FAX: (512) 490-1007
Web: <http://www.tdi.texas.gov>
E-mail: ConsumerProtection@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES.

Should you have a dispute concerning your premium or about a claim you should first contact the agent or call 1-800-843-6446. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR
POLICY:

This notice is for information only and does not become a part or condition of the attached document.

TEXAS
AVISO IMPORTANTE

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis para informacion o para someter una queja al
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Web: <http://www.tdi.texas.gov>
E-mail: ConsumerProtection@tdi.texas.gov

DISPUTAS SOBRE PRIMAS O RECLAMOS.

Si tiene una disputa concuerne a su prima o a un reclamo, debe comunicarse con el agente o primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI)

UNA ESTE AVISO A SU POLIZA.

Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto

MAINTENANCE BOND

BOND NO. 58S214839

KNOW ALL MEN BY THESE PRESENTS:

That **Harris Construction Company, LLC**, as Principal, hereinafter called Contractor, and **Liberty Mutual Insurance Company**, as Surety, hereinafter called Surety, are held and firmly bound unto **Sienna MUD No. 4** as Obligee, hereinafter called Owner, in the penal sum **Seventy One Thousand, Seven Hundred Seventy Five and No/00 Dollars** (\$71,775.00), for the payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Contractor has by written agreement dated 29th of June, 2021 entered into a contract with Owner for **Roadway Construction within Sienna Village of Destrehan Section 5** in accordance with the General Conditions, the Drawings and Specifications, which contract is by reference incorporated herein, and made a part hereof, and is referred to as the Contract.

NOW, THEREFORE, the condition of this obligation is such that, if Contractor shall remedy any defects due to faulty materials or workmanship which shall appear within a period of One Year from the date of substantial completion of the work provided for in the Contract, then this obligation to be void, otherwise to remain in full force and effect.

Any and all claims must be submitted to Liberty Mutual Insurance Company prior to the expiration date of this bond.

Signed and sealed this **12th** day of **July**, 2021


Witness *Katie McDermott*
Secretary


Sheila Fink, Secretary
Witness

Harris Construction Company, LLC
Principal

By: 

Harris Construction Company,
LLC

Liberty Mutual Insurance Company
Larry A. Harris
Manager

By: 

Michelle Ulery, Attorney-in-Fact



**Liberty
Mutual**
SURETY

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.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No. 8200515

POWER OF ATTORNEY

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all of the city of Cypress state of TX each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seal of the Companies have been affixed thereto this 13th day of February, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 13th day of February, 2019 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania on the day and year first above written



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Jopier Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

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I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 23rd day of July, 2021.



By: Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

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