



Fort Bend County Engineering
FORT BEND COUNTY, TEXAS

J. Stacy Slawinski, P.E.
County Engineer

February 10, 2022

Commissioner Vincent M. Morales, Jr.
Fort Bend County Precinct 1
22333 Grand Corner Drive
Katy, Texas 77494

RE: Firethorne West Sec. 16

Dear Commissioner:

A final inspection of the roads for the above referenced subdivision was made, and all of the deficiencies have been corrected. The street along with its footage length that is being accepted at this time is as follows:

Winterberry Drive	180.00 LF
West Firethorne Road	<u>503.53 LF</u> (West half)
Total:	683.53 LF

The private streets will be maintained by the Homeowner's Association.

The current bond is # [REDACTED] in the amount of \$ 192,780.00. Reduce bond amount to \$ 35,350.00 for the remaining West Firethorne Road that is not been being accepted at this time (East ½ of the four-lane boulevard). Construction of the east ½ West Firethorne Road within Firethorne West Section 16 was constructed with the full four-lane divided boulevard of West Firethorne Road within West Firethorne Road Phase III. This portion is not eligible for acceptance into Fort Bend County maintenance system yet. It will be inspected and accepted with the remaining established ½ West Firethorne Phase III. This deferral does not waive JDC/Firethorne's obligation to complete the required maintenance period with West Firethorne Road Phase III within the boundaries of the Firethorne Development as a four-lane divided boulevard pursuant to the terms of the Rule 11 Settlement Agreement dated May 19, 2019 between JDC/Firethorne, Ltd. and Fort Bend County.

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

Sincerely,

Brad Clarida
Construction Inspector
Engineer Technician I

BC/gyl

Attachment

cc: Ms. Janet Baccus, Jones|Carter
Mr. Sean Donahue, Jones|Carter
Mr. Wayne Meyer, Firethorne Commercial Association
Mr. Ed Gill, Parks Construction
Mr. Scott Wieghat, FBC Road & Bridge

JBaccus@jonescarter.com
SDonahue@jonescarter.com
wcmeyer@firethorne.info
edgill@parkconstructoinllc.com

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



DECREASE RIDER

To be attached to and form a part of Subdivision Bond - Firethorne West Section 16

Bond No. [REDACTED] issued by the Surety on behalf of Park Construction Associates, LLC/JDC Firethorne, Ltd., a Texas Limited Partnership

as Principal in favor of _____

Robert E. Hebert, County Judge of Fort Bend County, Texas said bond having been issued in the amount of (\$ 192,780.00) effective from the 4th day of April, 2014.

It is hereby understood and agreed the amount of the aforesaid bond is hereby decreased from (\$ 192,780.00) to (\$ 35,350.00) effective as of the 2nd day of February, 2022.

Provided, however, the liability of the Surety for defaults occurring prior to the 2nd day of February, 2022 shall not exceed (\$ 192,780.00) and the total liability of the Surety shall in no event exceed (\$ 192,780.00).

Signed, sealed and dated this 2nd day of February, 2022.

Witness _____

BY: _____

Obligee

(SEAL)

ITS: _____

The Guarantee Company of North America USA

Kourtney Reece
Witness Kourtney Reece

BY: Beverly A. Ireland
Attorney-In-Fact Beverly A. Ireland (SEAL)

Decrease Rider - Rev. 2/20/13

Excellence, Expertise, Experience ... Every time

The Guarantee Company of North America USA
One Towne Square, Suite 1470
Southfield, Michigan 48076
Tel 248-281-0281 • Fax 248-750-0431 • 1-866-328-0567
gcna.com



POWER OF ATTORNEY

KNOW ALL BY THESE PRESENTS: That **THE GUARANTEE COMPANY OF NORTH AMERICA USA**, a corporation organized and existing under the laws of the State of Michigan, having its principal office in Southfield, Michigan, does hereby constitute and appoint **Roxanne G. Brune, David R. Groppell, Beverly A. Ireland, Sharon Cavanaugh, Francine Hay, Kurt A. Risk, Gloria Villa**, its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise.

The execution of such instrument(s) in pursuance of these presents, shall be as binding upon **THE GUARANTEE COMPANY OF NORTH AMERICA USA** as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at the principal office.

The Power of Attorney is executed and may be certified so, and may be revoked, pursuant to and by authority of Article IX, Section 9.03 of the By-Laws adopted by the Board of Directors of **THE GUARANTEE COMPANY OF NORTH AMERICA USA** at a meeting held on the 31st day of December, 2003. The President, or any Vice President, acting with any Secretary or Assistant Secretary, shall have power and authority:

1. To appoint Attorney(s)-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof; and
2. To revoke, at any time, any such Attorney-in-fact and revoke the authority given, except as provided below
3. In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.
4. In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of the Company adopted at a meeting duly called and held on the 6th day of December 2011, of which the following is a true excerpt:

RESOLVED that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, contracts of indemnity and other writings obligatory in the nature thereof, and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, **THE GUARANTEE COMPANY OF NORTH AMERICA USA** has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 26th day of May, 2020.

THE GUARANTEE COMPANY OF NORTH AMERICA USA



Paul J. Brehm

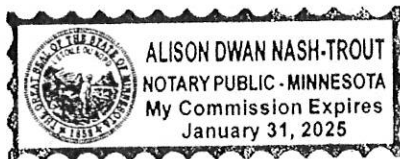
Paul J. Brehm, Senior Vice President

Chad A. Anderson

Chad A. Anderson, Senior Vice President Specialty

STATE OF MINNESOTA
Hennepin County

On this 26th day of May, 2020 before me came the individuals who executed the preceding instrument, to me personally known, and being by me duly sworn, said that each is the herein described and authorized officer of The Guarantee Company of North America USA; that the seal affixed to said instrument is the Corporate Seal of said Company; that the Corporate Seal and each signature were duly affixed by order of the Board of Directors of said Company.



IN WITNESS WHEREOF, I have hereunto set my hand at The Guarantee Company of North America USA offices the day and year above written.

Alison Nash-Trout

I, Chad A. Anderson, Senior Vice President of **THE GUARANTEE COMPANY OF NORTH AMERICA USA**, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by **THE GUARANTEE COMPANY OF NORTH AMERICA USA**, which is still in full force and effect.



IN WITNESS WHEREOF, I have thereunto set my hand and attached the seal of said Company this 2nd day of February, 2022.

Chad A. Anderson

Chad A. Anderson, Senior Vice President Specialty