

**REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT**

On this 26 day of JANUARY, 2010, before the Fort Bend Commissioners Court came on to be heard and reviewed the accompanying notice of HURTADO CONSTRUCTION COMPANY

Job Location OLD RICHMOND

Dated 01/19/10 BOND NO. 6687750 Permit No. 83707

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, date the 3<sup>rd</sup> 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 Meyers, seconded by Commissioner Gotterson, duly put and carried, it is ORDERED, ADJUGED 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  
P.O. Box 1449  
Rosenberg, Texas 77471  
281-633-7500

3. This permit expires one (1) year from date of permit if construction has not commenced.

By [Signature]  
County Engineer

By [Signature]  
Drainage District Engineer/Manager

Presented to Commissioners Court and approved.  
Recorded in Volume 1-26-10  
Minutes of Commissioners Court.

Clerk of Commissioners Court  
By [Signature]  
Deputy

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

BOND NO 6687750  
THE STATE OF TEXAS  
  
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Hurtado Construction Company whose address is 2115 Center Street, Richmond, Texas 77469, hereafter called the Principal, and, First National Insurance Company of America, a Corporation existing under and by virtue of the laws of the State of Washington and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at Safeco Plaza, Seattle, WA 98185, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is Beatrice Casarez, C T Corporation System and whose address is 750 N. St. Paul St., #2900, Dallas, Texas 75201, hereinafter called the Surety, are held and firmly bound unto, James C. Adolphus, County Judge of Fort Bend County, Texas, or his successors in office, in the full sum of Eight Thousand and No/100--- Dollars (\$8,000.00) current, lawful money of the United States of America, to be paid to said James C. Adolphus, 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.

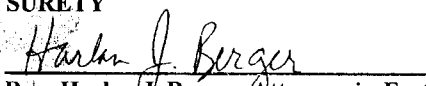
EXECUTED this 15th day of January, 2010

Hurtado Construction Company  
PRINCIPAL

By: 

Houstoun, Woodard, Eason, Gentle,  
Tomforde, and Anderson, Inc.  
dba Insurance Alliance  
1776 Yorktown, Suite 200  
Houston, Texas 77056-4114  
TDI License #1381 FEIN #760362043

First National Insurance Company of  
America  
SURETY

By:   
Harlan J. Berger, Attorney-in-Fact



POWER OF ATTORNEY

First National Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 9197

KNOW ALL BY THESE PRESENTS:

That FIRST NATIONAL INSURANCE COMPANY OF AMERICA, a Washington corporation, does hereby appoint
\*\*\*\*\*C. W. ADAMS; HARLAN J. BERGER; SHARON CAVANAUGH; MICHAEL COLE; CHERYL R. COLSON;
ANDREW J. JANDA; SUE KOHLER; JO ANN PARKER; LELAND L. RAUCH; DONALD E. WOODARD, JR.;
Houston, Texas\*\*\*\*\*

its true and lawful attorney(s)-in-fact, with full authority to execute on behalf of the company fidelity and surety bonds or
undertakings and other documents of a similar character issued by the company in the course of its business, and to bind FIRST
NATIONAL INSURANCE COMPANY OF AMERICA thereby as fully as if such instruments had been duly executed by its regularly
elected officers at its home office.

IN WITNESS WHEREOF, FIRST NATIONAL INSURANCE COMPANY OF AMERICA has executed and attested these presents

this 21st day of March, 2009

Dexter R. Legg

Dexter R. Legg, Secretary

TAMIKOLAJEWSKI

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of FIRST NATIONAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant
Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint
individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety
bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or
evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or
undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced;
provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of
FIRST NATIONAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of FIRST NATIONAL INSURANCE COMPANY OF AMERICA, do hereby certify that the
foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of this corporation, and of a Power of Attorney
issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force
and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 15th day of January, 2010



Dexter R. Legg

Dexter R. Legg, Secretary

Figure: 28 TAC §1.601(a)(3)

**1 IMPORTANT NOTICE**

To obtain information or make a complaint:

2 You may contact Home Office Surety at  
1-206-473-3799

3 You may call (company)'s toll-free telephone  
number for information or to make a complaint  
at:

**(800) 472-5357 Surety Option #7**

4 You may also write to Safeco  
Insurance Company at:

Safeco Plaza  
Seattle, WA 98185

5 You may contact the Texas Department of  
Insurance to obtain information on companies,  
coverages, rights or complaints at:

**(800) 252-3439**

6 You may write the Texas Department of  
Insurance:

P.O. Box 149104  
Austin, TX 78714-9104  
Fax: (512) 475-1771  
Web: <http://www.tdi.state.tx.us>  
E-mail: [ConsumerProtection@tdi.state.tx.us](mailto:ConsumerProtection@tdi.state.tx.us)

**7 PREMIUM OR CLAIM DISPUTES:**

Should you have a dispute concerning your  
premium or about a claim you should contact  
the (agent) (company) (agent or the company)  
first. If the dispute is not resolved, you may  
contact the Texas Department of Insurance.

**8 ATTACH THIS NOTICE TO YOUR POLICY:**

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

**AVISO IMPORTANTE**

Para obtener información o para someter  
una queja:

Usted puede contactar a servicio de la oficina  
principal de Safeco Surety al: 1-206-473-3799

Usted puede llamar al número de teléfono  
gratis de (company)'s para información o  
para someter una queja al:

**(800) 472-5357 Surety Opción De #7**

Usted también puede escribir a Safeco  
Insurance Company

Safeco Plaza  
Seattle, WA 98185

Puede comunicarse con el Departamento de  
Seguros de Texas para obtener información  
acerca de compañías, coberturas, derechos  
o quejas al:

**(800) 252-3439**

Puede escribir al Departamento de Seguros  
de Texas:

P.O. Box 149104  
Austin, TX 78714-9104  
Fax: (512) 475-1771  
Web: <http://www.tdi.state.tx.us>  
E-mail: [ConsumerProtection@tdi.state.tx.us](mailto:ConsumerProtection@tdi.state.tx.us)

**DISPUTAS SOBRE PRIMAS O RECLAMOS:**

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

**UNA ESTE AVISO A SU POLIZA:**

Este aviso es sólo para propósito de información y no se  
convierte en parte o condición del documento  
adjunto.

# COUNTY OF FORT BEND

## Engineering Department

P.O. BOX 1449  
Rosenberg, Texas 77471-1449

Johnny Ortega  
Permit Administrator

1124 Blume Road  
Phone: (281) 341-7500

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

PERMIT NO. 083707

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 direction.
  - c. Plans and specifications.

- (2) Bond:
- District Attorney, approval when applicable.
  - Perpetual bond currently posted.  
No. \_\_\_\_\_  
Amount \_\_\_\_\_
  - Performance bond submitted.  
No. 6687750  
Amount \$8,000.00
  - 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.

  
\_\_\_\_\_  
Johnny Ortega CFM/ Permit Administrator  
(REVISED 5/30/08)

01/19/2010  
\_\_\_\_\_  
Date

**NOTICE OF PROPOSED CABLE, CONDUIT AND/OR POLE LINE ACTIVITY  
IN, UNDER, ACROSS OR ALONG ROADS, STREETS, HIGHWAYS AND DRAINAGE DITCHES  
IN FORT BEND COUNTY**

APPLICANT'S JOB NO. \_\_\_\_\_  
 PERMIT No. 83207 PCT. No. 4  
 BOND No. 6687750

Formal notice is hereby given that \_\_\_\_\_  
 proposes to lay, construct, maintain and/or repair cable, conduit and/or pole line, in, under,  
 across, or along roads, streets, highways and drainage ditches in Fort Bend County, as follows:

**In, Under, or Across Roads and/or Drainage Ditches**

Road or Ditch Name	Distance & Direction From Nearest Intersection	Length of Crossing	Type of Construction			
			Bored	Jacked	Driven	Cased
Old Richmond Rd.	At intersection with Sugarbridge Trail Dr.	98'	✓			
Old Richmond Rd.	275' West of Sugarbridge Trail Dr.	40'	✓			

**Along Roads and/or Drainage Ditches**

Road or Ditch Name	Distance & Direction From Nearest Intersection	To	Distance
Old Richmond Rd.	25' West of Sugarbridge Trail	Sugarbridge Trail Dr.	25'
Old Richmond Rd.	285' West of Sugarbridge Trail Dr.	Sugarbridge Trail Dr.	285'
Old Richmond Rd.	172' West of Sugarbridge Trail Dr.	Sugarbridge Trail Dr.	172'
Old Richmond Rd.	130' West of Sugarbridge Trail	Sugarbridge Trail	130'

Construction of Two Bores, Installation of 249' of 10" w/ 2 Mt.

Sanitary Sewer Pipe, and Construction of Two Driveways.  
207' 16" Waterline Pipe

The Location and description of the proposed installation and appurtenances is more fully shown on the attached detail drawings. The laying, construction, maintenance and/or repair of the proposed installation shall be subject to "A Revised Order Regulating the Laying, Construction, Maintenance and/or Repair of Cables, Conduits, and/or 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 Commissioners Court of Fort Bend County, Texas, dated the 3rd. day of August, 1987, recorded in Volume 639 of the Minutes of the Commissioners Court of Fort Bend County, Texas.

Written notices are required: 1) 48 hours in advance of start of construction and  
 2) when construction is complete and ready for final inspection.

Mail to: Permit Administrator/Fort Bend County Engineering  
 P.O. Box 1449, Rosenberg, TX 77471.

Violation of requirements shall constitute grounds for job shut down.

COMPANY NAME: HURTADO CONSTRUCTION CO.  
 AGENT and/or OWNER

  
 (Signature)

NAME & TITLE BENJAMIN C. VASQUEZ, CM  
 (Please Print)

DATE 01/15/2010

ADDRESS 2115 CENTER ST.  
 (Street/P.O. Box)

RICHMOND TX. 77469  
 City State Zip

TELEPHONE NO: 281 802 8717  
 (accessible 24 hrs/day, 7 days/week)

<p align="center"><b>Does project comply with Fort Bend County Outdoor Lighting Ordinance?</b></p> <p>Yes ( )</p> <p>No ( )</p>
---



