

9F

REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

On this 9 day of FEBRUARY, 2010, before the Fort Bend Commissioners Court came on to be heard and reviewed the accompanying notice of KMCM, INC.

Job Location WEST AIRPORT BOULEVARD

Dated 01/29/10 BOND NO. TXC 71205 Permit No. 83713

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 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 Meyers, seconded by Commissioner Patterson, 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 N/A
Drainage District Engineer/Manager

Presented to Commissioners Court and approved.
Recorded in Volume 2-9-10
Minutes of Commissioners Court.

Clerk of Commissioners Court
By [Signature]
Deputy

POWER OF ATTORNEY

Bond No. TXC71205

KNOW ALL PERSONS BY THESE PRESENTS: That MERCHANTS BONDING COMPANY (MUTUAL) is a corporation duly organized under the laws of the State of Iowa, and that NATIONS BONDING COMPANY is a corporation duly organized under the laws of the State of Texas (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Roger Tracy Williams, Donna S. Mosley, Misty G. Horn,
Kristi Murphy and/or William D. Newman

of Spring and State of Texas their true and lawful Attorney-in-Fact, with full power and authority hereby conferred in their name, place and stead, to sign, execute, acknowledge and deliver in their behalf as surety any and all bonds, undertakings, recognizances or other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

ONE MILLION FIVE HUNDRED THOUSAND (\$1,500,000.00) Dollars

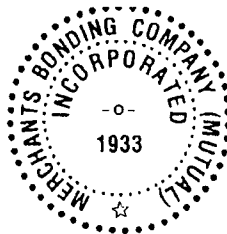
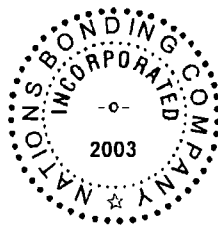
and to bind the Companies thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of the Companies, and all the acts of said Attorney-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This Power-of-Attorney is made and executed pursuant to and by authority of the following bylaws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on November 16, 2002 and adopted by the Board of Directors of Nations Bonding Company on April 19, 2003.

"The Chairman of the Board or President or any Vice President or Secretary shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.

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, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 7th day of May, 2009.



MERCHANTS BONDING COMPANY (MUTUAL)
NATIONS BONDING COMPANY

By

Larry Taylor

President

STATE OF IOWA
COUNTY OF POLK ss.

On this 7th day of May, 2009, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and NATIONS BONDING COMPANY; and that the seals affixed to the foregoing instrument are the corporate seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at the City of Des Moines, Iowa, the day and year first above written.



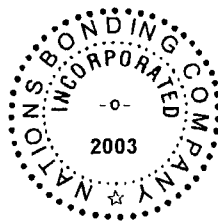
Cindy Smyth

Notary Public, Polk County, Iowa

STATE OF IOWA
COUNTY OF POLK ss.

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and NATIONS BONDING COMPANY, do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 25th day of January, 2010.



William Warner Jr.

Secretary

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 TXC 71205

THE STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT WE, KMCM, INC. whose
address is 10575 WESTOFFICE DR., SUITE B, HOUSTON, Texas, hereinafter called the Principal,
and MERCHANTS BONDING CO. (MUTUAL), a Corporation existing under and by virtue of
the laws of the State of IOWA and authorized to do an indemnifying business in the state of Texas,
and whose principal office is located at AUSTIN, TEXAS, whose officer
residing in the State of Texas, authorized to accept service in all suits and actions brought within said
State is ARTHUR J. GALLAGHER and whose address is PO BOX 1749, SPRING, TX,
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 ***FIEV THOUSAND*** Dollars
(\$ 5,000.00) 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, commercial driveway and median
openings or modifications in the County of Fort bend, and the State of Texas, under the jurisdiction of the
Commissioner's 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, commercial driveway and median openings or
modifications;

NOW, THEREFORE, if the above bounden principal shall faithfully perform all its cable, conduit
and/or pole line activity (including, but no 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

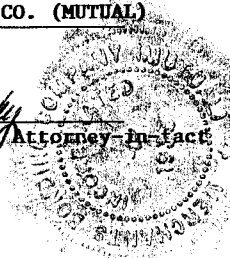
EXECUTED this 25TH day of JANUARY, 2010.

KMCM, INC.
PRINCIPAL

Kenneth A. Moore
BY

MERCHANTS BONDING CO. (MUTUAL)
SURETY

Kristi Murphy
BY Kristi Murphy Attorney-in-Fact



**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. 83713 PCT. No. 3
 BOND No. TXC 71205

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
<u>WEST AIRPORT</u>	<u>200' EAST FROM FM 1464</u>	<u>88'</u>	<input checked="" type="checkbox"/>			

Along Roads and/or Drainage Ditches

Road or Ditch Name	Distance & Direction From Nearest Intersection	To	Distance
	<u>N/A</u>		

General Description

INSTALL 2" WATER LINE UNDER WEST AIRPORT

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: Kmcm INC.
 AGENT and/or OWNER

Mark Orme
 (Signature)

NAME & TITLE MARK ORME / PROJECT MANAGER
 (Please Print)

DATE 1-28-2010

ADDRESS 10575 WEST OFFICE DR.
 (Street/P.O. Box)

HOUSTON TX 77042
 City State Zip

TELEPHONE NO: 281-330-3084
 (accessible 24 hrs/day, 7 days/week)

<p>Does project comply with Fort Bend County Outdoor Lighting Ordinance?</p> <p>Yes () <u>N/A</u> No ()</p>

January 28, 2010

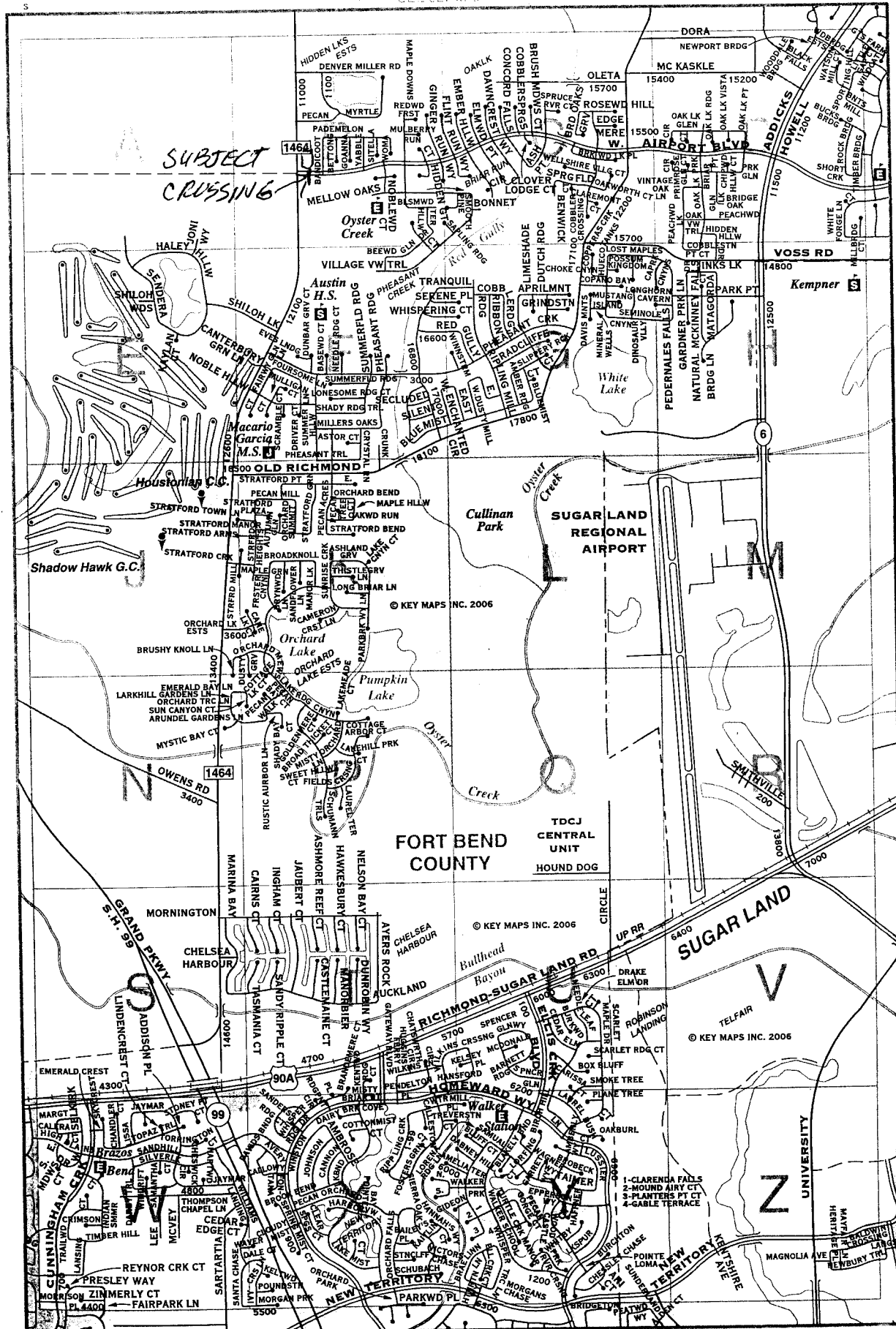
To Whom it May Concern:

This road crossing will be made without any equipment or personnel operating within the traffic lanes of West Airport Blvd.

KMCM, INC.

Mark Orem

MARK OREM



SEE 568 MAP