

**REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT**

On this 12 day of APRIL, 2011, before the Fort Bend Commissioners Court came on to be heard and reviewed the accompanying notice of LEVEL CONSTRUCTION, INC.

Job Location SUMMER PARK DRIVE

Dated 03/24/11 BOND NO 20-SUR-211214 Permit No. 83929

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 Statues. 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 4-12-11  
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 ROAD, COMMERCIAL  
DRIVEWAY AND MEDIAN OPENINGS OR MODIFICATIONS**

**AUTHORIZED**

**BOND NO** 20-SUR-211214

**THE STATE OF TEXAS**

§

**KNOW ALL MEN BY THESE PRESENTS:**

**COUNTY OF FORT BEND**

§

THAT WE, Level Construction, Inc. whose address is 2100 Richmond Avenue #224, Houston, TX 77057 Texas, hereinafter called the Principal, And American Safety Casualty Insurance Company, a Corporation existing under and by virtue of the laws of the state of Oklahoma and authorized to do an indemnifying business in the state of Texas, and whose principal office is located at 100 Galleria Parkway SE Suite 700 Atlanta GA 30339, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought whining said state is Texas and whose address is 23901 Calabasas Rd, #1085 Calabasas, CA 91302 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 TEN THOUSAND XX/100 Dollars (\$10,000) 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 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, 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 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 21ST day of MARCH, 20 11.

LEVEL CONSTRUCTION, INC.

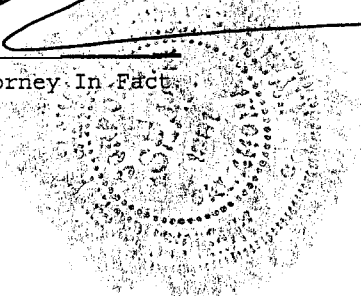
PRINCIPAL  
[Signature] P.M.

BY

AMERICAN SAFETY CASUALTY INSURANCE COMPANY

SURETY  
[Signature]

BY Mark Levinson, Attorney In Fact





### POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that American Safety Casualty Insurance Company has made, constituted and appointed, and by these presents does make, constitute and appoints

**Mark Levinson**

its true and lawful attorney-in-fact, for it and its name, place, and stead to execute on behalf of the said Company, as surety, bonds, undertaking and contracts of suretyship to be given to

#### ALL OBLIGEEES

provided that n bond or undertaking or contract of suretvship executed under this authority shall exceed in amount the sum of  
Ten Thousand Dollars (\$10,000.00)

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company of the 6<sup>th</sup> day of August, 2009.

**RESOLVED**, that the President in conjunction with the Secretary or any Assistant Secretary may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the Company, to execute and deliver and affix the seal of the Company to bands, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any power of attorney previously granted to such persons.

**RESOLVED FURTHER**, that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the company when:  
(i) when signed by the President or any Vice-President and attested and sealed (if a seal is required) by any Secretary or Assistant Secretary or (ii) when signed by the President or any Vice-President or Secretary or Assistant Secretary, and counter-signed and sealed (if a seal is required) by a duly authorized attorney-in-fact or agent; or (iii) when duly executed and sealed (if a seal is required) by one or more attorney-in-fact or agents pursuant to and within the limits of the authority evidenced by the power of attorney issued by the Company to such person or persons.

**RESOLVED FURTHER**, 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, recognizance, or other suretyship obligations of the Company; and such signature and seal when so used shall have the same force and effects as though manually affixed.

**IN WITNESS WHEREOF**, American Safety Casualty Insurance Company has caused its official seal to be hereunto affixed, and these presents to be signed by its President and attested by its Secretary this 6<sup>th</sup> day of August, 2009

Attest:  
  
Ambuj Jain



Joseph D. Scollo, Jr.

STATE OF GEORGIA )  
COUNTY OF COBB )

On this 6<sup>th</sup> day of August, 2009, before me personally came Joseph D. Scollo, Jr., to me known, who, being by me duly sworn, did depose and say that he is the President of American Safety Casualty Insurance Company, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; that is was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

JAMI BAILEY  
Notary Public, Hall Co., GA  
My Commission Expires Aug. 13, 2012

Jami Bailey, Notary Public

I, the undersigned, Secretary of American Safety Casualty Insurance Company, an Oklahoma corporation, DO HEREBY CERTIFY, that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney, is now in force.

Signed and sealed in the City of Atlanta, in the State of Georgia

Dated this 21 day of March, 2011



Ambuj Jain



**FORT BEND COUNTY ENGINEERING  
 PERMIT DEPARTMENT  
 CONSTRUCTION OF DRIVEWAYS AND CULVERTS ON COUNTY EASEMENTS AND RIGHT OF WAYS  
 COMMERCIAL PIPE PERMIT APPLICATION  
 P.O. BOX 1449 • 1124 BLUME ROAD  
 ROSENBERG, TX 77471  
 (Phone) 281-633-7502 or 7503 • (Fax) 281-342-7366**

**APPLICANT INFORMATION**

Application No. 83929  
 (County Use Only)

Applicant Name LEVEL CONSTRUCTION  
 Applicant Mailing Address 6100 RICHMOND AVE Suite # 224  
 City HOUSTON State TX Zip 77057  
 Work Phone 832-242-3456 Daytime Phone 281-232-6491  
 Property Owner's Name NIDAL ABUATA Phone 281-830-5141  
 Property Owner's Mailing Address 910 INDUSTRIAL BLVD SUITE C  
 City SUGARLAND State TX Zip 77478

**LOCATION OF PROPERTY**

Subdivision RESERVE "2B" OF SUMMER PARK APARTMENT COMMUNITY Sec \_\_\_\_\_ Lot \_\_\_\_\_ Blk \_\_\_\_\_  
 Physical Address 425 SUMMER PARK DV, STAFFORD TX 77477  
 PLAT NUMBER 20070046

(ATTACH A SITE MAP)

**SITE USE**

Driveway Curb & Gutter Section \_\_\_\_\_ Driveway - Open Ditch Section \_\_\_\_\_  
 Culvert Only \_\_\_\_\_

**DRIVEWAY REQUIREMENTS**

Length 20' minimum and 40' maximum Number of drives 3  
 (See - Fort Bend County Procedures to be followed for Commercial Driveway, and Median Openings or Modifications)  
 Available on website [www.co-fort-bend.tx.us](http://www.co-fort-bend.tx.us)

Does project comply with Fort Bend County Lighting Regulation Yes (✓) No ( )  
 (See- Fort Bend County Outdoor Lighting Regulation on website [www.co-fort-bend.tx.us](http://www.co-fort-bend.tx.us) )

- By signing and submitting this permit application, I am stating that I am the owner of this property and I am aware of and agree to abide by the Fort Bend County Regulations of Subdivisions and I am aware of Section 2, Item F in the Permits for the Construction of Driveways & Culverts on County Easements and Right of Ways in Fort Bend County, and am responsible to obtain all other required permits associated with the above mentioned property. Driveway and Pipe Permits shall provide that construction pursuant to the permit will be commenced within six months and be completed within nine months from the date of the permit and that fees collected for said permits shall not be refundable or transferable. I further understand the permit fee, in the form of CASH or PERSONAL CHECK or COMPANY CHECK or a CASHIERS CHECK or MONEY ORDER payable to FORT BEND COUNTY, must be attached.
- The undersigned applicant, agent or attorney hereby certifies to Commissioners' Court to be strictly bound to Commissioners' Court to construct the driveway and/or culvert in strict conformity with the plans, specifications, terms, provisions and conditions of the permit and any other written material incorporated by reference in this application.
- Other permits may be required for development. Please contact the Fort Bend County Road & Bridge Department for pipe sizing or the Fort Bend County Health Department for information on On-Site Sewage Facility permits prior to planning construction.
- Failure to possess or obtain required permits will result in legal action against the property owner as allowed by law.

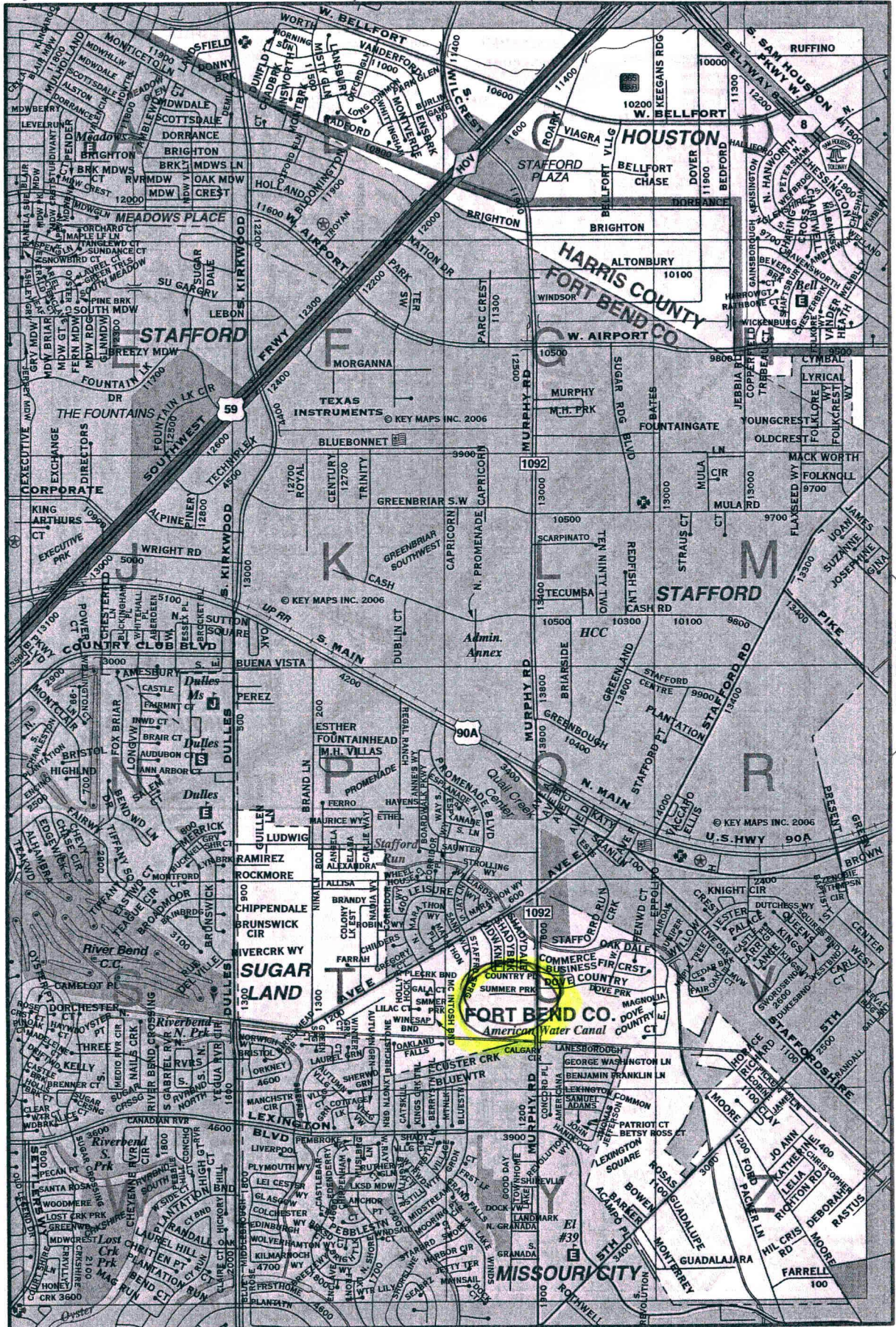
*[Handwritten Signature]*

3-14-11

Signature of Applicant, Agent or Attorney

Date

\* RAMESH V BHAGAVATULA  
 Printed Name  
PROJECT MANAGER  
LEVEL CONSTRUCTION



SEE 570 MAP

