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REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

On this 25 day of MARCH, 2014, Commissioners Court came on to be heard and reviewed the accompanying notice

of PROGRESSIVE ENVIRONMENTAL SERVICES, INC. dba SWS ENVIRONMENTAL SERVICES

Job Location BELLAIRE BOULEVARD

Dated 03/10/14 Bond No. K08698284, Permit No. 84525 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
301 JACKSON STREET
RICHMOND, Texas 77469
281-633-7500

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

By

[Signature]
County Engineer

By

Mark Vogler
Drainage District Engineer/Manager

Presented to Commissioners Court and approved.

Recorded in Volume 3-25-14
Minutes of Commissioners Court.

Clerk of Commissioners Court

By Sunny Fison
Deputy

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

AUTHORIZED

BOND NO. K08698284

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

§

THAT WE, SWS Environmental Services whose address is 600 Grand Panama Blvd., Ste. 200, Panama City, FL 32407, Texas, hereinafter called the Principal, and Westchester Fire Insurance Company, a Corporation existing under and by virtue of the laws of the State of Pennsylvania and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at 436 Walnut Street, Philadelphia, PA 19106, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is Kim Jameson and whose address is Two Riverway, Ste. 900, Houston, TX 77056, 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 Twenty One Thousand Dollars (\$21,000.00) 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 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 27 day of February, 2014.

SWS Environmental Services
PRINCIPAL

BY

Westchester Fire Insurance Company
SURETY

BY Scott D. Chapman, Attorney-In-Fact

Power of Attorney

WESTCHESTER FIRE INSURANCE COMPANY

Know all men by these presents: That WESTCHESTER FIRE INSURANCE COMPANY, a corporation of the Commonwealth of Pennsylvania pursuant to the following Resolution, adopted by the Board of Directors of the said Company on December 11, 2006, to wit:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such persons written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

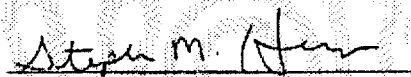
FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested.

Does hereby nominate, constitute and appoint Elaine Lewis, Jeanne Buchan, Justin McQuain, Keith Illa, Kevin McQuain, Marc V Halvorsen, Rhessa F Boulton, Rosalyn D Hassell, Scott D Chapman, all of the City of HOUSTON, Texas, each individually if there be more than one named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding Five million dollars & zero cents (\$5,000,000.00) and the execution of such writings in pursuance of these presents shall be as binding upon said Company, as fully and amply as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office,

IN WITNESS WHEREOF, the said Stephen M. Haney, Vice-President, has hereunto subscribed his name and affixed the Corporate seal of the said WESTCHESTER FIRE INSURANCE COMPANY this 14 day of December 2012.

WESTCHESTER FIRE INSURANCE COMPANY




Stephen M. Haney, Vice President

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF PHILADELPHIA ss.

On this 14 day of December, AD. 2012 before me, a Notary Public of the Commonwealth of Pennsylvania in and for the County of Philadelphia came Stephen M. Haney, Vice-President of the WESTCHESTER FIRE INSURANCE COMPANY to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signature were duly affixed by the authority and direction of the said corporation, and that Resolution, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Philadelphia the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
KAREN E. BRANDT, Notary Public
City of Philadelphia, Phila. County
My Commission Expires September 26, 2014


Notary Public

I, the undersigned Assistant Secretary of the WESTCHESTER FIRE INSURANCE COMPANY, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a substantially true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of the Corporation, this 27 day of February 2014




William L. Kelly, Assistant Secretary

THIS POWER OF ATTORNEY MAY NOT BE USED TO EXECUTE ANY BOND WITH AN INCEPTION DATE AFTER December 14, 2014.

IMPORTANT NOTICE

TO OBTAIN INFORMATION OR MAKE A COMPLAINT:

You may contract **Westchester Fire Insurance Company** for information or to make a complaint at:

**ACE USA
Claims
6600 E. Campus Circle East, Suite 200
Irving, Texas 75063**

**(972) 465-7900
(972) 465-7645 Fax**

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

**Texas Department of Insurance
P. O. Box 149104
Austin, Texas 78714-9104**

(800) 252-3439

ATTACH THIS NOTICE TO YOUR BOND. This notice is for information only and does not become a part or a condition of the attached document and is given to comply with Section 2253-048, Government Code, and Section 53.202, Property Code, effective September 1, 2001.

COUNTY OF FORT BEND

Engineering Department

301 JACKSON STREET
RICHMOND, Texas 77469

Johnny Ortega
Permit Administrator

1124 Blume Road
Phone: (281) 633-7500

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

PERMIT NO. 071525

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.

- X (1) Complete Application Form.
- X a. Name of road, street, and/or drainage ditch affected.
- X b. Vicinity map showing course of direction.
- X c. Plans and specifications.
- X (2) Bond:
- District Attorney, approval when applicable.
- Perpetual bond currently posted.
- No.
- Amount
- X Performance bond submitted.
- No. K08698284
- Amount \$21,000.00
- 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) Adam Wright
- Drainage District Approval when applicable

We have reviewed this project and agree it meets minimum requirements.

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

03/10/2014
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. HU3-309-1023
PERMIT No. 84525 PCT. No. 2
BOND No. K08698284

Formal notice is hereby given that Progressive Environmental Services, Inc. dba SWS Environmental Services
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
TI South	1/4 mile East of Kirkwood	N/A	Bored: Jacked: Driven: Cased
Drainage Ditch			

Along Roads and/or Drainage Ditches

Road or Ditch Name	Distance & Direction From Nearest Intersection	To	Distance
TI South Drainage Ditch	1/4 mile East of Kirkwood	N/A see attached drawing	N/A

General Description

Remove concrete flume and concrete pipe from flume to manhole inside fence. Backfill voids with soil; the eroded area and area where flume/pipe were removed. Level backfilled soil even with existing grade of surrounding area and slope of the ditch. See attached drawing.

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.

Progressive Environmental Services, Inc. dba

COMPANY NAME: SWS Environmental Services
AGENT and/or OWNER

(Signature)
NAME & TITLE James Weber, Jr.
(Please Print)

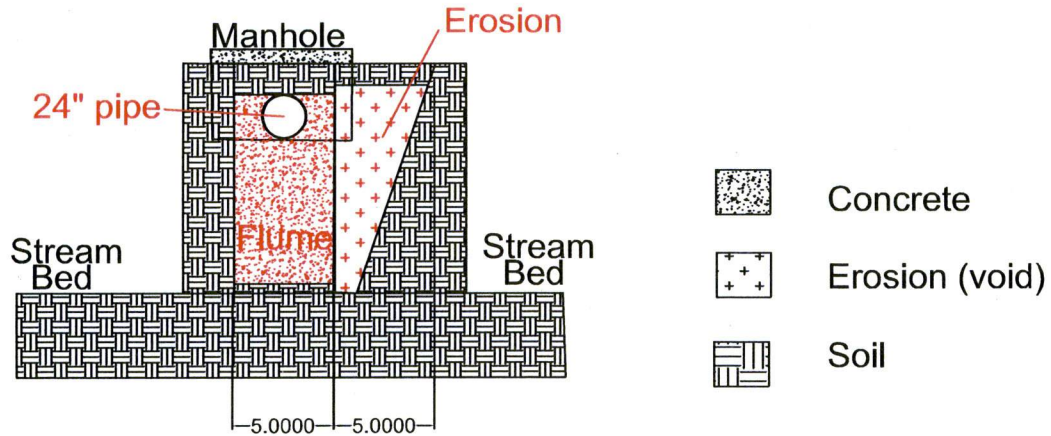
DATE February 27, 2014

ADDRESS 1700 North E Street
(Street/P.O. Box)

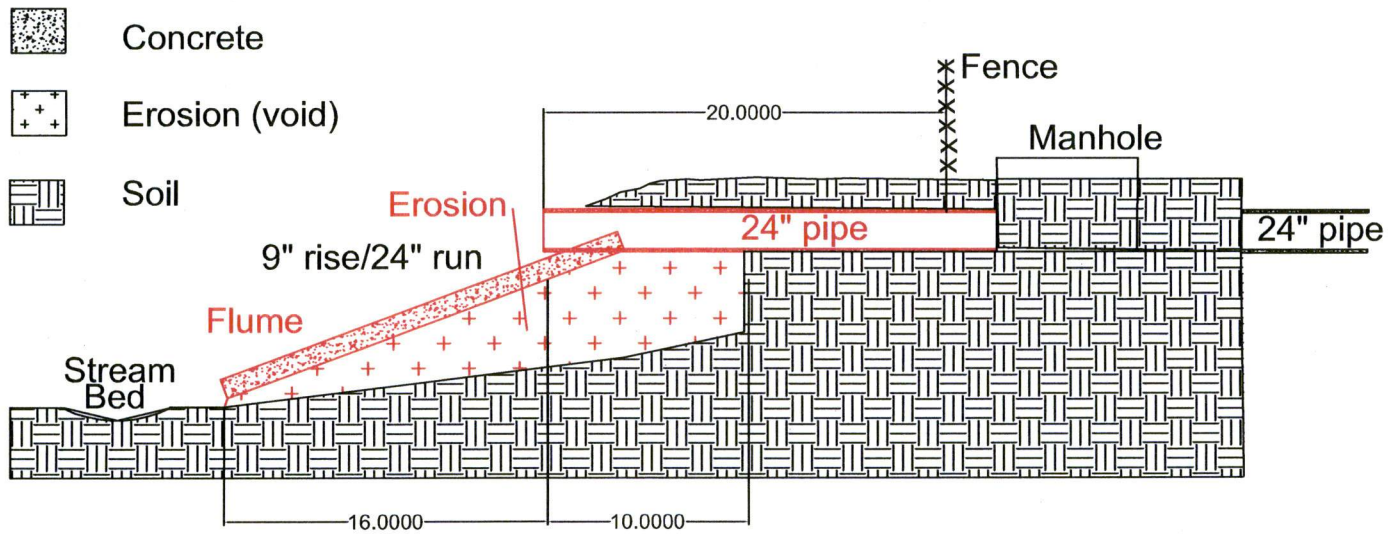
La Porte Texas 77571
City State Zip

TELEPHONE NO: 325-261-1900
(accessible 24 hrs/day, 7 days/week)

Does project comply with Fort Bend County Outdoor Lighting Ordinance?
Yes (x)
No ()



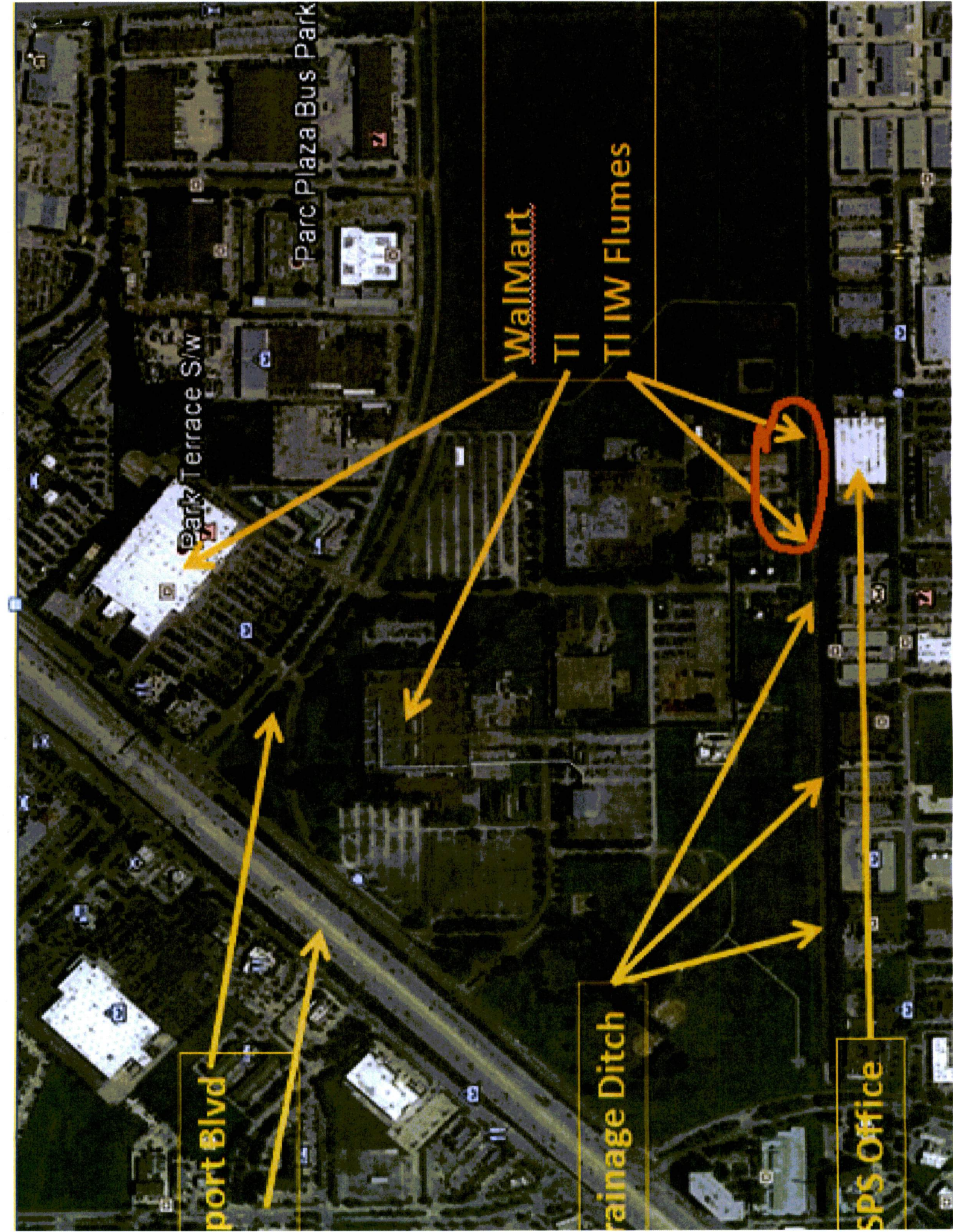
South Elevation



West Elevation

Notes:

1. Remove concrete flume and concrete pipe from flume to manhole inside fence.
2. Backfill voids with soil; the eroded area and area where flume/pipe were removed.
3. Level backfilled soil even with existing grade of surrounding area and slope of the ditch.



port Blvd

Park Terrace S/W

Parc Plaza Bus Park

Walmart

TI

TI IW Flumes

Rainage Ditch

SPS Office

