

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

Fort Bend County Engineering Department 301 Jackson Suite 401

301 Jackson Suite 401 Richmond, Texas 77469 281.633.7500

Permits@fortbendcountytx.gov

X	Right of Way Permit
X	<b>Commercial Driveway Permit</b>
Perr	mit No: 2022-57499

Applica	III. D.L. EI	nott Enterprises, inc.				
Job Loc	cation Site:	Pool Hill Rd, Fulshear, TX	77441			
Bond N	o.	Date of Bond:	9/20/2022	Amount:	\$20,000.00	34
Laying, G Roads, S Commis Texas, o	Construction, Streets, Highwasioners Cour of the Minute	Maintenance, and Repair of ways, and Drainage Ditches in t of Fort Bend County, Texas	F Buried Cables on Fort Bend Co on Tas passed by tof Fort Bend	the Commission County, Texas, Und the Commission County, Texas, t	oject to, "The Order Regulating Pole Lines, In, Under, Across or ler the Jurisdiction of the ners Court of Fort Bend County, o the extent that such order is r	Along
2. W pr 3. TI 4. TI	rounds for jo Vritten notice ermits@fbct: his permit ex his permit ap	b shutdown. es are required, via email, for x.gov for a copy of the notific pires one (1) year from date	certain constr cation procedu of permit if co hin right-of-wa	ruction activities are applicable to anstruction has n ays owned and m	ot commenced. aintained by Fort Bend County	t
notice of	f said above		put and carried by the Co	mmissioners Co	gc, seconded ), ADJUDGED AND DECREED tha urt of Fort Bend County, Texas,	at said
Signatur  By:	ounty Engineer	Efith		Recorded	sioners Court and approved.	E
By:	Adam rainage Distric	t Engineer/Manager	Clerk By:	of Commissione  Amdy  Deputy	ers Court	



Permit Administrator

### REVIEW BY FORT BEND COUNTY COMMISSIONERS COURT

#### Fort Bend County Engineering Department

301 Jackson Suite 401 Richmond, Texas 77469 281.633.7500 Permits@fortbendcountytx.gov

10/21/2022

Date

	X	Right of Way Permit
-	Х	Commercial Driveway Permit
	and the second	nit No: 2022-57499

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 directions X c. Plans and specifications (2) BOND: County Attorney, approval when applicable. Bond No: Perpetual bond currently Amount: posted. Performance bond submitted. **Bond No** Amount: \$20,000.00 Cashier's Check Check No: Amount: (3) DRAINAGE DISTRICT APPROVAL (WHEN APPLICABLE): We have reviewed this project and agree it meets minimum requirements.

#### 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

THE	STATE	OF 1	EXAS	5

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

THAT WED.L. Elliott Enterprises, Inc. whose (address, phone) is 16535 Hollister St. Ste A 281-895-0924Texas, hereinafter called the Principal, and Liberty Mutual Insurance Company Corporation existing under and by virtue of the laws of the state of MA and authorized to do an indemnifying business in the state of Texas, and whose principal office is located at (name/address/phone) Liberty Mutual Insurance Company 617-357-9500, whose officer residing in the State of Texas, authorized to accept and state is David M. Carey and whose address is 7900 Windrose Ave. 175 Berkeley Street , Boston, MA 02116 service in all suits and actions brought within said state is David M. Carey and whose address is 7900 Windrose Ave.

Plano, TX 75024 , hereinafter called the Surety, and held and firmly bound unto , KP George, County Judge of Fort Bend County, Texas, or his successors in office, in the full sum of Twenty Thousand Dollars and 00/100 ) current, lawful money of the United States of America, to be paid to said KP George. Dollars (\$ 20,000.00 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 laving, 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 20th day of September

D.L. Elliott Enterprises, Inc.

PRINCIPAL

Liberty Mutual Insurance Company

SURETY

BY Jillian O'Neal, Attorney-in-Fact

CCM 11-1-7022 # 10E Fort Bend County Clerk Return Div Supervisor Admin RAC 2022-574 99

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This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees. For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.



Liberty Mutual Insurance Company The Ohio Casualty Insurance Company West American Insurance Company

#### POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Jillian O'Neal TX its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge the following of the city of The Woodlands, state of surety bond:

Principal Name: D.L. Elliott Enterprises, Inc.		
Obligee Name: Fort Bend County		
Surety Bond Number:_	Bond Amount: _	See Bond Form
WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or reto this 12th day of March, 2021.    1912   1919   19	The Ohio Casualty Ins Liberty Mutual Insurar West American Insurar By: David M. Carey, Ass	surance Company nce Company nce Company

On this 12th day of March, 2021, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia. Pennsylvania. on the day and year first above written.



COUNTY OF MONTGOMERY

Commonwealth of Pennsylvania - Notary Seal Teresa Pastella, Notary Public Montgomery County My commission expires March 28, 2025 Commission number 1126044

Member, Pennsylvania Association of Notaries

By: Turesa Pastella
Teresa Pastella, Notary P.

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorneyin-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-infact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed. COMPA

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, of Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company do hereby certify that this power of attorney executed by said Companies is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 20th day of







Renee C. Llewellyn, Assistant Secretary

## FILED AND RECORDED OFFICIAL PUBLIC RECORDS



Laura Richard, County Clerk Fort Bend County Texas November 03, 2022 02:21:05 PM

FEE: \$0.00

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