

# 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

	Permits@fortbendcounty
Right of Way Permit	

hand the same of t	t No: 2022-51911
Applicant: Gateway 359, LLC/Civil-Con	Consultants LLC
	rehouse, Brookshire, TX 77423
Bond No. Date of B	Sond: 10/15/2021 Amount: \$10,000.00
Laying, Construction, Maintenance, and Rep Roads, Streets, Highways, and Drainage Ditc Commissioners Court of Fort Bend County,	sertain Fort Bend County property subject to, "The Order Regulating the pair of Buried Cables, Conduits, and Pole Lines, In, Under, Across or Along ches in Fort Bend County, Texas, Under the Jurisdiction of the Texas," as passed by the Commissioners Court of Fort Bend County, s Court of Fort Bend County, Texas, to the extent that such order is not xas Statutes and Codes Annoted.
Notes:	
	oners Court must be kept on the job site and failure to do so constitutes
grounds for job shutdown.  2. Written notices are required, via em	ail, for certain construction activities in County right-of-way. Contact
	notification procedure applicable to your project.
	n date of permit if construction has not commenced.
	ed within right-of-ways owned and maintained by Fort Bend County only, plicant to acquire all other necessary permits and permissions.
On this <u>22nd</u> day of <u>November</u> , <u>2022</u> , Upon	Motion of Commissioner Mayers , seconded by
Commissioner Morales	_, duly put and carried, it is ORDERED, ADJUDGED AND DECREED that said nowledged by the Commissioners Court of Fort Bend County, Texas, and
Signature	Presented to Commissioners Court and approved.
By: Lean Eghten	Date Recorded 12-1-2022 Comm. Court No. 10 G
County Engineer	
	Clerk of Commissioners Court
N/A By:	By: Amda // //
Drainage District Engineer/Manager	Deputy
Diamage District Liighteer/ividilager	~



## 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

	Right of Way Permit
X	Commercial Driveway Permit
-	mit No: 2022-51911

	nmercial Driveway Pe	rmit	
Permit No	2022-51911		
he following "Notice of Proposed Cable, Conditachments have been reviewed and the notion of Fort Bend County, Texas.			
1) COMPLETE APPLICATION FORM:			
X a. Name of road, street, and/o	r drainage ditch affect	ed.	
X b. Vicinity map showing course			
X c. Plans and specifications			
2) BOND:			
County Attorney, approval whe applicable.	n		
Perpetual bond currently posted.	Bond No:	Amount:	
	Bond No:	Amount: \$5,000.00	
X Performance bond submitted.	Bond No:	Amount: \$5,000.00	
Cashier's Check	Check No:	Amount:	
	Check No:	Amount:	
3) DRAINAGE DISTRICT APPROVAL (WHI	EN APPLICABLE):	Date	
Ve have reviewed this project and agree it i	meets minimum requ	rements.	
Sea Zgh tin		11/8/2022	
Permit Administrator		Date	

#2022-51911



#### 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)

	BON			
THE STATE OF TEXAS	§	KNOW ALL MEN	DV THESE PRESEN	-
COUNTY OF FORT BEND	§	KNOW ALL MEN	BY THESE PRESEN	IIS:
THAT WE, Gateway 359	, LLC			whose (address, phone)
is 6510 FM 359 South, Su		X 77441	(281) 944-9660	, hereinafter called the Principal, and
	hants Bonding Comp	any (Mutual)	a Co	orporation existing under and by virtue
				ing business in the state of Texas, and
whose principal office is located	at (name/address/	(phone) 6700 W	estown Parkway, West l	Des Moines, IA 50266 , whose actions brought within said state is
				X 78759 , hereinafter called the Surety,
and wi				s, or his successors in office, in the full
to be made and done, we, the u assigns, and legal representative THE CONDITION OF T constructing, maintaining and/or streets and highways, commerci Texas, under the jurisdiction of order adopted on the 1st day of 1	Judge of Fort Bendersigned, bind of the services, jointly and seven HIS BOND IS SUCTORY TO THE SERVICES AND	d County, Texas, curselves and eacerally, by these poor that, WHEF more cables, concedian openings of Court of Fort Eag, recorded in Vo	or his successors in ch of us, our heirs, resents.  EAS, the above boluits, and/or pole liner modifications in the lend County, Texas, plume 13, of the Com	ey of the United States of America, to be a office, to which payment well and truly executors, administrators, successors, bunden principal contemplates laying, es in, under, across and/or along roads, he County of Fort Bend, and the State of pursuant to the Commissioners' Court missioners' Court Minutes of Fort Bend, and made a part hereof for all purposes
conduit and/or pole line activity,  NOW, THEREFORE, if the (including, but not limited to the across and/or along roads, stree Fort Bend and State of Texas, us in accordance with minimum respecified to be by said principal make good and reimburse Fort	commercial driver the above bounden playing, construction ts and highways, conder the jurisdiction quirements and condone and perform Bend County, all	way and median of principal shall fail on, maintenance a commercial driver of the Commistenditions of the aned, at the time a loss and damage	openings or modific thfully perform all its and/or repair of cable way and median ope sioners Court of For bove mentioned Co and in the manner thes which Fort Bend	ormance bond covering all such cable, ations; s cable, conduit and/or pole line activity es, conduits and/or pole lines) in, under, enings or modifications in the County of the Bend County, Texas, pursuant to and mmissioners' Court order set forth and erein specified, and shall pay over and County may sustain by reason of any d, otherwise to remain in full force and
This bond is payable at	the County Courth	ouse in the Cour	ity of Fort Bend and	State of Texas.
It is understood that at a additional bonds of the principal		County deems if	self insecure under	this bond, it may require further and/or
EXECUTED this 15th	day of Octob	······································	Gateway 359, LEC PRINCIPAL  BY BCAM  Merchants Bonding	Evens 1000000000000000000000000000000000000

CCM 11-72-7022 # 10G
Fort Bend County Clerk
Return Div Supervisor Admin RAC
#7022-5191

Alyson Carmichael Attorney-in-Fact

SURE)



Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

#### **Alyson Carmichael**

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President 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 or electronic transmission 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 connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and aut hority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 15th day of

October

, 2021

TIONAL STONG COM STONG COM

MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

Procident

STATE OF IOWA COUNTY OF DALLAS ss.

On this 15th day of October , 2021 , before me appeared Larry Taylor, to me personally known, who being by me duly swom did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; 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.



POLLY MASON

Commission Number 750576 My Commission Expires January 07, 2023 Polly mason

Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., 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 15th day of

October

2021

William Manuelle

TIONAL SOUNG COMPONE OF THE PROPERTY OF THE PR

Secretary

William 2

POA 0018 (1/20)

For bond verification contact verify@merchantsbonding.com



MERCHANTS BONDING COMPANY (MUTUAL) • MERCHANTS NATIONAL BONDING, INC. P.O. BOX 14498 • DES MOINES. IOWA 50306-3498 • (800) 678-8171 • (515) 243-3854 FAX

#### **IMPORTANT NOTICE**

#### Have a complaint or need help?

If you have a problem with a claim or your premium, call your insurance company first. If you can't work out the issue, the Texas Department of Insurance may be able to help.

Even if you file a complaint with the Texas Department of Insurance, you should also file a complaint or appeal through your insurance company. If you don't, you may lose your right to appeal.

Merchants Bonding Company (Mutual)

To get information or file a complaint with your insurance company:

Call: Compliance Officer at 800-678-8171

Toll-free: 1-800-678-8171

Email: regulatory@merchantsbonding.com

Mail: P.O. Box 14498, Des Moines, IA 50306-3498

To get insurance information you may also contact your agent:

Bowen Miclette & Britt Insurance Agency LLC

Call: 713-880-7100

Mail: PO Box 922022 Houston, TX 77292

#### The Texas Department of Insurance

To get help with an insurance question or file a complaint with the state:

Call with a question: 1-800-252-3439

File a complaint: www.tdi.texas.gov

Email: ConsumerProtection@tdi.texas.gov

Mail: MC 111-1A, P.O. Box 149091, Austin, TX 78714-9091



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#### **TEXAS ENDORSEMENT**

The following has been added, and supersedes any provision to the contrary.

The following actions shall be commenced within 2 years and 1 day from the date the cause of action first accrues:

1. Any claim, action, suit or proceeding against the Surety.

FILED AND RECORDED OFFICIAL PUBLIC RECORDS

Laura Richard, County Clerk Fort Bend County Texas

November 30, 2022 04:47:42 PM

FEE: \$0.00

TS

2022145831

**井2022-51911** 



### 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 TEXAS	§	KNOW ALL MEN	N BY THESE PRESENTS:
COUNTY OF FORT BEND	§	KNOW ALL MEN	I DI INESE PRESENTS.
THAT WE, Gateway	359, LLC		whose (address, phone)
is 6510 FM 359 Sout		shear, TX 77441	(281) 944-9660 , hereinafter called the Principal, and
	Merchants Bondin	ng Company (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
-			estown Parkway, West Des Moines, IA 50266 , whose
officer residing in the State	e of Texas, au	thorized to accept serv	vice in all suits and actions brought within said state is
Keenan Lehmann and held and firmly bound	d whose addre	ss is 9500 Arboretum Boul	evard, Suite 100, Austin, TX 78759, hereinafter called the Surety, t Bend County, Texas, or his successors in office, in the full
to be made and done, we, to assigns, and legal represent THE CONDITION Constructing, maintaining a streets and highways, commendate, under the jurisdiction order adopted on the 1st day County, Texas, regulating states as though fully set out here	unty Judge of Formation of the Committed	ort Bend County, Texas, in bind ourselves and earnd severally, by these part is SUCH THAT, WHEF one or more cables, concy and median openings of ssioners' Court of Fort I A.D. 1980, recorded in Ventiles in the court order in the court order is so provide Fort Bendires to provide Fort Bendires	REAS, the above bounden principal contemplates laying, duits, and/or pole lines in, under, across and/or along roads, or modifications in the County of Fort Bend, and the State of Bend County, Texas, pursuant to the Commissioners' Court olume 13, of the Commissioners' Court Minutes of Fort Bend is hereby referred to and made a part hereof for all purposes d County with a performance bond covering all such cable,
NOW, THEREFORE (including, but not limited to across and/or along roads, Fort Bend and State of Texa in accordance with minimula specified to be by said prin make good and reimburse failure or default on the pareffect.	, if the above bo the laying, con- streets and high as, under the jur m requirements cipal done and Fort Bend Cour t of sald princip	ounden principal shall fa estruction, maintenance a nways, commercial drive risdiction of the Commis and conditions of the a performed, at the time a nty, all loss and damag pal, then this obligation	ithfully perform all its cable, conduit and/or pole line activity and/or repair of cables, conduits and/or pole lines) in, under, eway and median openings or modifications in the County of escioners Court of Fort Bend County, Texas, pursuant to and above mentioned Commissioners' Court order set forth and and in the manner therein specified, and shall pay over and es which Fort Bend County may sustain by reason of any shall be null and void, otherwise to remain in full force and entry of Fort Bend and State of Texas.
	it at any time Fo		itself insecure under this bond, it may require further and/or
	1		
EXECUTED this _13	oth day of	October , 2021	Gateway 359, LLC  PRINCIPAL  BY  Bran Eury  Merchants Bonding Company (Mutual)
CCM 11-22-7022# 10G			SURETY

Fort Bend County Clerk Return Div Supervisor Admin RAC # 2022 - 51911

Alyson Carmichael Attorney-in-Fact



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#### **Alvson Carmichael**

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

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In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 15th day of

October

, 2021

2003

MERCHANTS BONDING COMPANY (MUTUAL) MERCHANTS NATIONAL BONDING, INC.

STATE OF IOWA COUNTY OF DALLAS ss.

On this 15th day of October , 2021 , 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 MERCHANTS NATIONAL BONDING, INC.; 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.



**POLLY MASON** 

Commission Number 750576 My Commission Expires January 07, 2023

tolly mason

Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., 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. October

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 15th day of

Secretary

Villiam



MERCHANTS BONDING COMPANY (MUTUAL) • MERCHANTS NATIONAL BONDING, INC. P.O. BOX 14498 • DES MOINES, IOWA 50306-3498 • (800) 678-8171 • (515) 243-3854 FAX

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Merchants Bonding Company (Mutual)

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Toll-free: 1-800-678-8171

Email: regulatory@merchantsbonding.com

Mail: P.O. Box 14498, Des Moines, IA 50306-3498

To get insurance information you may also contact your agent:

Bowen Miclette & Britt Insurance Agency LLC

Call: 713-880-7100

Mail: PO Box 922022 Houston, TX 77292

#### The Texas Department of Insurance

To get help with an insurance question or file a complaint with the state:

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FILED AND RECORDED OFFICIAL PUBLIC RECORDS

Laura Richard, County Clerk Fort Bend County Texas November 30, 2022 04:47:42 PM

FEE: \$0.00

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2022145832









