

**Fort Bend County  
Engineering Department**  
301 Jackson Suite 401  
Richmond, Texas 77469  
281.633.7500  
[Permits@fortbendcountytexas.gov](mailto:Permits@fortbendcountytexas.gov)

Permit No: 2023-63112

**Applicant:** Matula & Matula Construction Inc

**Job Location Site:** Fort Bend Parkway Toll Rd @ Trammel-Fresno Rd, Missouri City, TX 77459

**Bond No.** [REDACTED] **Date of Bond:** 7/14/2023 **Amount:** \$40,000.00

The above applicant came to make use of certain Fort Bend County property subject to, "The 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, of the Minutes of the Commissioners Court of Fort Bend County, Texas, to the extent that such order is not inconsistent with Chapter 181, Vernon's Texas Statutes and Codes Annotated.

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, via email, for certain construction activities in County right-of-way. Contact [permits@fbctx.gov](mailto:permits@fbctx.gov) for a copy of the notification procedure applicable to your project.
3. This permit expires one (1) year from date of permit if construction has not commenced.
4. This permit applies to work performed within right-of-ways owned and maintained by Fort Bend County only, and it is the responsibility of the applicant to acquire all other necessary permits and permissions.

On this 8th day of August, 2023, Upon Motion of Commissioner Prestage, seconded by Commissioner Morales, duly put and carried, it is ORDERED, ADJUDGED 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.

**Presented to Commissioners Court and approved.**

**County Engineer**

Date Recorded 8/08/2023 Comm. Court No. 1204

Clerk of Commissioners Court

**Drainage District Engineer/Manager**

Deputy



**REVIEW BY FORT BEND COUNTY**  
**COMMISSIONERS COURT**

**Fort Bend County**  
**Engineering Department**  
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☒ **Right of Way Permit**  
☐ **Commercial Driveway Permit**  
Permit No: 2023-63112

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  
☒ c. Plans and specifications

**(2) BOND:**

AS PER ORIGINAL

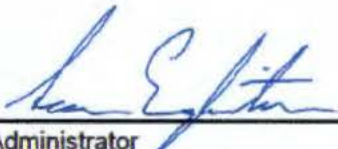
- ☐ County Attorney, approval when applicable.  
☐ Perpetual bond currently posted. Bond No: \_\_\_\_\_ Amount: \_\_\_\_\_  
☒ Performance bond submitted. Bond No: [REDACTED] Amount: \$40,000.00  
☐ Cashier's Check Check No: \_\_\_\_\_ Amount: \_\_\_\_\_

**(3) DRAINAGE DISTRICT APPROVAL (WHEN APPLICABLE):**

\_\_\_\_\_  
Drainage District Approval

\_\_\_\_\_  
Date

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

  
\_\_\_\_\_  
Permit Administrator

7/26/2023

\_\_\_\_\_  
Date



**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. [REDACTED]

THE STATE OF TEXAS           \$  
COUNTY OF FORT BEND       \$

KNOW ALL MEN BY THESE PRESENTS:

THAT WE Matula & Matula Construction Inc whose (address, phone) is 122 West Way, Suite 325 Lake Jackson, TX 77566 Texas, hereinafter called the Principal, and Great American Insurance Company, a Corporation existing under and by virtue of the laws of the state of OH and authorized to do an indemnifying business in the state of Texas, and whose principal office is located at (name/address/phone) Great American Insurance Company, 301 East Fourth Street, Cincinnati, OH 45202, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said state is Becky McDaniel and whose address is Box 121, Baton Rouge, LA 70810-3846, 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 Forty Thousand Dollars and 00/100 Dollars (\$ 40,000.00) current, lawful money of the United States of America, to be paid to said KP George, 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 14th day of July, 2023.

Matula & Matula Construction Inc

PRINCIPAL

BY

Great American Insurance Company

SURETY

BY Kevin McQuain, Attorney-in-Fact





# GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by  
this power of attorney is not more than 1

Bond No. [REDACTED]

## POWER OF ATTORNEY

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, the specific bond, undertaking or contract of suretyship referenced herein; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below. The bond number on this Power of Attorney must match the bond number on the bond to which it is attached or it is invalid.

Name	Address	Limit of Power
Kevin McQuain	480 Wildwood Forest Drive, Suite 760 Spring, TX 77380	\$100,000,000.00

Principal: Matula & Matula Construction Inc

Obligee: County of Fort Bend, K.P. George, County Judge

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 14th day of July, 2023.

Attest

GREAT AMERICAN INSURANCE COMPANY



*Stephen C. Beraha*  
Assistant Secretary

*Mark V. Vicario*  
Divisional Senior Vice President

MARK VICARIO (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 14th day of July, 2023, before me personally appeared MARK VICARIO, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



SUSAN A. KOHORST  
Notary Public  
State of Ohio  
My Comm. Expires  
May 18, 2025

*Susan A. Kohorst*

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

**RESOLVED:** That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

**RESOLVED FURTHER:** That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

## CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 14th day of July, 2023.



*Stephen C. Beraha*  
Assistant Secretary



**Great American Insurance Company of New York  
Great American Alliance Insurance Company  
Great American Insurance Company**

**IMPORTANT NOTICE:**

To obtain information or make a complaint:

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

**1-800-252-3439**

You may write the Texas Department of Insurance at:

P.O. Box 149104  
Austin, TX 78714-9091  
FAX: 1-512-490-1007

Your notice of claim against the attached bond may be given to the surety company that issued the bond by sending it by certified or registered mail to the following address:

Mailing Address: Great American Insurance Company  
P.O. Box 2119  
Cincinnati, Ohio 45202

Physical Address: Great American Insurance Company  
301 E. Fourth Street  
Cincinnati, Ohio 45202

You may also contact the Great American Insurance Company Claim office by:

Fax: 1-888-290-3706  
Telephone: 1-513-369-5091  
Email: [BondClaims@GAIG.COM](mailto:BondClaims@GAIG.COM)

**PREMIUM OR CLAIM DISPUTES:**

If you have a dispute concerning a premium, you should contact the agent first. If you have a dispute concerning a claim, you should contact the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

**ATTACH THIS NOTICE TO YOUR BOND:**

This notice is for information only and does not become a part or condition of the attached document.

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Laura Richard*

Laura Richard, County Clerk

Fort Bend County Texas

August 10, 2023 10:26:38 AM

FEE: \$0.00

DP2

**2023076404**

