## DEVELOPMENT – PAVING, WATER MAINS, STORM AND SANITARY SEWERS

Bond Number: 30182097

### MAINTENANCE BOND

KNOW ALL BY THESE PRESENTS that we, H &	H Plumbing & Utilities, Inc., as
Principal, and Western Surety Company	, as Surety, are held and firmly
bound unto the City of Midwest City, Oklahoma, a mu full and just sum of Six Thousand Two Hundred Nine	
such sum being not less than ten percent (10%) of the t Sanitary Sewer - 10601 SE 15th Street	otal contract price to construct or install
(the "Improvement"), for a period of 1 year the City Council of the City of Midwest City (the "Mai and truly to be made, we, and each of us, bind ourselve severally, firmly by these presents:	years after acceptance of the improvement by intenance Period"), for the payment of which, well
The conditions of this obligation are such that the Principal and Element Homes LLC  February , 20 23 , agreed to construct City and to maintain the Improvement against any failure.	dated the 7th day of or install the Improvement in the City of Midwest
during the Maintenance Period.	nos due de descrito materiais de worministra
NOW, THEREFORE, if the Principal, during the Main against any failures due to defective materials or works otherwise it shall remain in full force and effect.	
It is further agreed that if the Principal or the Surety shifailures due to defective materials or workmanship for shall be necessary, that the cost of making the repairs s of Midwest City, or some person or persons designated repairs. If, upon thirty (30) days notice, the Principal or amount necessary to make the repairs, the amount necessary to make the repairs, the amount necesspiration of thirty (30) days, and suit may be instituted repairs and shall be conclusive upon the parties as to the that the cost of all repairs shall be so determined from the condition of the Improvement may require.	the Maintenance Period, and at any time repairs hall be determined by the City Council of the City by them to ascertain the cost of making the the Surety do not make the repairs or pay the ssary to make the repairs shall be due upon the i to obtain the amount necessary to make the e amount due on this bond to make the repairs, and
Signed, sealed, and delivered this 7th	day of February , 20 23
ATTEST:	H & H Plumbing & Utilities, Inc.  Principal  By Alexandric  Western Surety Company
ATTEST: Castello Secretary	By Melanie Ankeney Attorney-in-Fact
Approved as to form and legality this Amazon	June , 20 13 Shall Mayl

Approved as to form and legality this Aday of Judity

Accepted by the City Council of the City of Midwest City this

Sura Hawach

City Clerk

Mayor

# Western Surety Company

#### POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

# David J McKee, Ted H Rarrick, Melanie Ankeney, Jennifer Castillo, Patrick R Hedges, Joseph A Clarken III, Individually

of Phoenix, AZ, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

#### - In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 19th day of June, 2021.

RETY COLUMN

WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota County of Minnehaha s

On this 19th day of June, 2021, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent, Notary Public

#### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 7<sup>th</sup> day of February, 2023.



WESTERN SURETY COMPANY

J. Nelson, Assistant Secretar

Form F4280-7-2012

Go to www.cnasurety.com > Owner / Obligee Services > Validate Bond Coverage, if you want to verify bond authenticity.



### CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 2/7/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

NORMAN	OK 73072	INSURER F:	
		INSURER E:	
381 W ADKINS HILL RD		INSURER D: Westchester Surplus Lines Insurance Company	
H & H PLUMBING & UTILITIES, INC		INSURER C: Travelers Property Casualty Company of America	25674
INSURED		INSURER B: THE CHARTER OAK FIRE INS CO	25615
SCOTTSDALE	AZ 85258	INSURER A: THE PHOENIX INSURANCE COMPANY	25623
SUITE 118		INSURER(S) AFFORDING COVERAGE	NAIC#
8687 E VIA DE VENTURA		E-MAIL ADDRESS: lh@TatumInsurance.com	
Tatum Insurance LLC		PHONE (A/C, No, Ext): (480) 939-4300 FAX (A/C, No):	
PRODUCER		CONTACT NAME: Laura Hafenscher CPCU AIS	
uns ceruncate does not comer rights to			

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL	SUBR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMIT	S	
-	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	\$ 1,000	),000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300	0,000
							MED EXP (Any one person)	\$ 5	5,000
Α		Y	Y	DT-CO-3K760728-PHX-23	01/01/2023	01/01/2024	PERSONAL & ADV INJURY	\$ 1,000	),000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$ 2,000	),000
	POLICY X PRO-						PRODUCTS - COMP/OP AGG	\$ 2,000	),000
	OTHER:							\$	
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000	),000
	MANY AUTO			,			BODILY INJURY (Per person)	\$	
В	OWNED SCHEDULED AUTOS ONLY	Y	Y	810-3K753909-23-26-G	01/01/2023	01/01/2024	BODILY INJURY (Per accident)	\$	
	HIRED NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$	
	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7							\$	
	W UMBRELLA LIAB X OCCUR						EACH OCCURRENCE	\$ 5,000	),000
С	EXCESS LIAB CLAIMS-MADE		Y	CUP-3K782106-23-26	01/01/2023	01/01/2024	AGGREGATE	\$ 5,000	),000
	DED RETENTION \$	1						\$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						₩ PER OTH- STATUTE ER		
_	ANY PROPRIETOR/PARTNER/EXECUTIVE	N/A	37	IID 2K7(1150 22 26 C	01/01/2023	01/01/2024	E.L. EACH ACCIDENT	\$ 1,000	0,000
В	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	INTA	Y	UB-3K761159-22-26-G	01/01/2023	/01/2023   01/01/2024	E.L. DISEASE - EA EMPLOYEE	\$ 1,000	0,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	\$ 1,000	0,000
							CLAIMS MADE	2,000	0,000
D	Contractors Pollution Liability			G74392386 001	01/01/2023	01/01/2024	DEDUCTIBLE	2	2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

PROJECT: SANITARY SEWER 10601 SE 15TH STREET MIDWEST CITY OK. PUBLIC SANITARY SEWER. General Liability: Blanket AI when required by written contract (#CGD246 04-19). Blanket Waiver of Subrogation when required by written contract (#CGD316 02-19). Blanket Primary/Non-Contributory when required by written contract (#CGD246 04-19). Automobile: Blanket AI when required by written contract (CAF135). Workers Compensation: Blanket Waiver of Subrogation when required by written contract (WC00313 00). Blanket 30 day notice of cancellation when required by written contract (ILT405)\*\*. Umbrella Liability: Blanket AI follow form with underlying coverages. \*\*Except 10-day notice of cancellation for non-payment of premium (IL0236).

CERTIFICATE HOLDER	CANCELLATION
CITY OF MIDWEST CITY	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
100 N MIDWEST CITY	AUTHORIZED REPRESENTATIVE
MIDWEST CITY OK 73110	Laura Hafenscher

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OWNER'S AFFIDAVIT OF ACCEPTANCE & CONTRACTOR'S LIEN WAIVER
PROJECT NAME: Sanitary Sewer
PROJECT LOCATION: 10601 SE 15th Street, Midwest City, OK  TYPE OF CONSTRUCTION: Sanitary Sewer
OWNER'S AFFIDAVIT OF ACCEPTANCE
I, the undersigned, hereby certify that the above construction was performed in an acceptable manner satisfactory to the owner of the above project and certify the cost of such project is \$62,928.25 less the City of Midwest City, Engineering Division Inspection Fees.  By Date: 5-18-23
STATE OF Oklahoma) )ss.
STATE OF Oklahoma) )ss. COUNTY OF Oklahoma)
Before me, the undersigned Notary Public in and for the state and county aforesaid, on this/8 day of
My Commission Expires: 8/19/24 Monta Salvell NOTARY PUBLIC NOTARY PUBLIC
CONTRACTOR'S LIEN WAIVER
This is to certify that all expenditures for labor and material for the construction of the above project has been paid. We, the undersigned, do here by waive and release all of our rights, claims and lien rights against this installation and improvements so constructed.
By CONTRACTOR Date: May 18, 2023
STATE OF Oklahoma )ss.
COUNTY OF McClain )
Before me, the undersigned Notary Public in and for the state and county aforesaid, on this <u>18th</u> day of <u>May</u> , <u>2023</u> , personally appeared <u>Carl Hendrix</u> to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that <u>he</u> executed the same as <u>a</u> free and voluntary act and deed for the uses and purposes herein set forth.
My Commission Expires: 3/25/2024 EVAL BARRY PUBLIC AND NOTARY PUBLIC AND NOTARY PUBLIC
My Commission #00004054  My Commission #00004054

# H & H Plumbing & Utilities, Inc.

Lic. No. OK 076003 381 W. Adkins Hill Road, Norman, OK 73072-9218 (405) 288-2346 (405) 288-2349 FAX

Sheet (1) of (1)

	Element Homes LLC	Ph.#: 405-550-4349			Sanitary Sewer	
Address:	10601 SE 15th Street	Fax #:			10601 SE 15th Str	eet
	Midwest City, OK 73130	Email:			Midwest City, OK	
abor, mat	terials, taxes, permits, staking, and main	tenance bonds for a comp	lete <b>S</b> a	nitary Sev	ver installation as	described on the
	outlined below.			· · ·		
Public Sar	nitary Sewer					
TEM#	ITEM		UNIT	Qty	PRICE	TOTAL
1	8" Sanitary Sewer SDR-35		LF	405	23.00	9,315.00
2	STD 4' Diam Manhole		EA	4	2,900.00	11,600.00
3	Extra Depth Manhole		VF	7.35	275.00	2,021.25
4	8"x4" WYE w/ 1/8 Bend		EA	2	175.00	350.00
5	4" Riser		VF	18	15.00	270.00
6	Crushed Rock Bedding		CY	83	65.00	5,395.00
7	Bore w/ Steel Encasement for 8" Main		LF	59	375.00	22,125.00
8	Trenching Depth 6'-8'		LF	254	10.00	2,540.00
9	Trenching Depth 8'-10'		LF	151	12.00	1,812.00
10	Leakage Test		LS	1	2,500.00	2,500.00
11	Deflection Test		LS	1	2,500.00	2,500.00
12	Manhole Test		LS	1	2,500.00	2,500.00
					_	62,928.25
	Inspection fees					1,258.57
	Maintenance bonds					125.00
					_	64,311.82

		Contract An	\$ 64,311.82		
Submitted By:	Carl Hendrise	Title: _	Vice President	Date: _	2/7/2023
Accepted By:		Title: _		Date: _	

#### CITY OF MIDWEST CITY \*\*\* CUSTOMER RECEIPT \*\*\*

Qty

Batch ID: MIDWAMD 2/10/23 03 Receipt no: 129861

Type SvcCd Description Amount

E5

ENGINEERING FEES

1.00 \$1258.57

SEWER 10601 SE 15

Trans number:

5114928

FEES / ENGINEERING 01000003771520

Tender detail

CK Ref#: 3385 \$1258.57 Cotal tendered: \$1258.57 Total tendered:
Total payment: \$1258.57

Trans date: 2/10/23 Time: 11:29:28

THANK YOU FOR YOUR PAYMENT