

LABOR AND MATERIAL BOND
(CONSTRUCTION)

WHEREAS, the City of Riverside, a municipal corporation of the State of California, and hereinafter referred to as "Principal", have entered into an agreement whereby Principal agrees to install and complete certain designated public improvements, which said agreement, dated MAY 25, 2018, and identified as Agreement for Construction of Improvements for project designated as **Parcel Map 36879**, is hereby referred to and made a part hereof; and

WHEREAS, under the terms of said agreement, Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Riverside to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California;

NOW THEREFORE, said principal and Endurance Assurance Corporation, a corporation organized and doing business under and by virtue of the laws of the State of Delaware, and duly licensed by the State of California for the purpose of making, guaranteeing or becoming sole surety upon bonds or undertakings required or authorized by the laws of the State of California, as Surety, and held firmly bound unto the City of Riverside and all contractors, subcontractors, laborers, material suppliers and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Code of Civil Procedure in the sum of **One Million Three Hundred Sixty Three Thousand and 00/100 dollars (\$1,363,000.00)** for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees incurred by the City of Riverside in successfully enforcing such obligations, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is thereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.


The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of said agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named on
May 25, 2018.


SYCAMORE CANYON DEVELOPMENT, LLC,
a California limited liability company

By: RE Project, LP,
a Texas limited partnership
its managing member

By: RE Project Manager, LLC,
a Texas limited liability company,
its general partner

By: 
Name: M. Thomas Mason
Title: Executive Vice President

Approved as to Form:

By: 
Anthony L. Beaumon
Deputy City Attorney

Endurance Assurance Corporation
Surety

By: 
Attorney-in-fact, Kim Richards

4 Manhattanville Road, 3rd Floor
Address of Corporate Surety

Purchase, NY 10577
City (Zip Code)

914.468.8000
Phone

Old Hickory Insurance Agency
Producer (Bond Issuing Agent)

12890 Lebanon Road
Address

Mt Juliet TN 37122-2870
City (Zip Code)

615.553.9500
Phone

Note: Signature of Attorney-in-fact to be acknowledged before a Notary Public. Attach Power of Attorney.



Public Works Department
951-826-5341

Construction Bond Estimate

OFFSITE

Date: 1/29/2018

Project: Sycamore Canyon
PW170880, 0881, 0882 & 0883

Checker: _____

Engineer: Reinhard Stenzel

ITEM	QNTY			UNIT PRICE	EST. COST
6" CURB & GUTTER		L.F.		\$20.00	\$0.00
8" CURB & GUTTER	3005	L.F.		\$22.00	\$66,110.00
6" CURB ONLY		L.F.		\$18.00	\$0.00
8" CURB ONLY	53	L.F.		\$20.00	\$1,060.00
PCC MOW CURB		L.F.		\$12.00	\$0.00
A.C. BERM		L.F.		\$12.00	\$0.00
X-GUTTERS & APRONS		S.F.		\$8.00	\$0.00
DRIVEWAY APPROACHES		EA.			\$0.00
30'x44'	3	EA.		\$1,900.00	\$5,700.00
24'x38'		EA.		\$1,400.00	\$0.00
20'x27'		EA.		\$900.00	\$0.00
WHEELCHAIR RAMPS	10	EA.		\$1,000.00	\$10,000.00
SIDEWALK	18030	S.F.		\$4.00	\$72,120.00
STAMPED COLORED CONCRETE		S.F.		\$7.00	\$0.00
P.C.C. MOVE-IN		L.S.		\$1,500.00	\$0.00
A.C. PAVING	4.8	IN.	91663 S.F.	\$0.40	\$175,992.96
CRUSHED AGG. BASE	10.2	IN.	91663 S.F.	\$0.25	\$233,740.65
A.C. PAVING		IN.	S.F.	\$0.40	\$0.00
CRUSHED AGG. BASE		IN.	S.F.	\$0.25	\$0.00
ROUGH GRADING	91663	S.F.		\$0.15	\$13,749.45
2"x4" REDWOOD HEADERS		L.F.		\$4.00	\$0.00
PAVING MOVE-IN	2	L.S.		\$1,500.00	\$3,000.00
A.C. OVERLAY	5714	S.F.		\$0.80	\$4,571.20
CLEARING R/W	1	L.S.		\$2,500.00	\$2,500.00
STRIPING	1	L.S.		\$7,000.00	\$7,000.00
REMOVE C&G	46	L.F.		\$12.00	\$552.00
REMOVE A.C. PAVING	22235	S.F.		\$1.00	\$22,235.00
REMOVE SIDEWALK		S.F.		\$1.25	\$0.00
REMOVE D/W	390	S.F.		\$4.00	\$1,560.00
REMOVE A.C. BERM		L.F.		\$4.50	\$0.00
IRRIGATION SYSTEM		S.F.		\$3.50	\$0.00
REV. FRONTAGE/MEDIAN LANDSCAPING		S.F.		\$2.50	\$0.00
TREE PLANTING		EA.		\$350.00	\$0.00
8" V.C.P.	221	L.F.		\$80.00	\$17,680.00
6" LATERAL(New Street)	85	L.F.		\$55.00	\$4,675.00
4" LATERAL(Existing Street)		L.F.		\$65.00	\$0.00
MANHOLE(Sewer or Storm Drain)	12	EA.		\$5,000.00	\$60,000.00
CLEANOUT(Main Line)		EA.		\$1,200.00	\$0.00
CLEANOUT(Lateral)	2	EA.		\$500.00	\$1,000.00
RESURFACING(R&R)		L.F.		\$30.00	\$0.00
ADJUST M.H. TO GRADE	4	EA.		\$400.00	\$1,600.00
SEWER MOVE-IN	2	L.S.		\$1,000.00	\$2,000.00



Public Works Department
851-826-5341

Construction Bond Estimate OFFSITE

Date: 1/29/2018

Project: Sycamore Canyon
PW17-0836

Checker: _____

Engineer: Reinhard Stenzel

ADJUST TO GRADE WATER VALVE	2	EA.		\$425.00	\$850.00
4' CATCH BASIN(Add \$100/LF over 4')	3	EA.		\$4,800.00	\$14,400.00
S.D. JUNCTION STRUCTURE	2	EA.		\$3,000.00	\$6,000.00
STORM DRAIN					\$0.00
18" R.C.P.	110	L.F.		\$120.00	\$13,200.00
24" R.C.P.	6	L.F.		\$135.00	\$810.00
30" R.C.P.	833	L.F.		\$145.00	\$120,785.00
36" R.C.P.	1058	L.F.		\$150.00	\$158,700.00
48" R.C.P.	16	L.F.		\$195.00	\$3,120.00
60" R.C.P.	1486	L.F.		\$360.00	\$534,960.00
PARKWAY DRAIN		EA.		\$1,500.00	\$0.00
ADJUST UTIL. VAULT TO GRADE	1	EA.		\$1,000.00	\$1,000.00
6" SEWER		LF.		\$70.00	\$0.00
STORM DRAIN MOVE-IN	2	LS.		\$1,000.00	\$2,000.00
REINFORCED CONC. STRUCTURE		EA.		\$800.00	\$0.00
APWA 151-1 OUTLET STRUCTURE		EA.		\$3,500.00	\$0.00
STANDARD 410 OUTLET		EA.		\$2,500.00	\$0.00
C.S.P. DROP INLET		EA.		\$3,000.00	\$0.00
REMOVE REDWOOD HEADER		LF.		\$2.00	\$0.00
SIGNAL MODIFICATION/INSTALLATION		EA.		\$150,000.00	\$0.00
TRAFFIC & WARNING SIGNS	30	EA.		\$150.00	\$4,500.00
STREET NAME SIGNS	2	EA.		\$250.00	\$500.00
GUARD RAIL BARRICADES		L.F.		\$50.00	\$0.00
REVERSE FRONTAGE WALL OR FENCE		S.F.		\$15.00	\$0.00
CONCRETE BLOCK RETAINING WALL		S.F.		\$20.00	\$0.00
WALL FOOTING		L.F.		\$10.00	\$0.00
CHAIN LINK FENCE		L.F.		\$15.00	\$0.00
TREE REMOVAL- 6" & UP		EA.		\$500.00	\$0.00
RELOCATE TELE. POLE		EA.		\$5,000.00	\$0.00
EXTRA EARTHWORK		C.Y.		\$10.00	\$0.00

TRAILS

1,460 LF

Sub Total

\$1,567,671.26

Enter Current Year

2018 2017

Add 5% for every year after 201

\$391,917.82

15% Contingencies

\$293,938.36

Plan Preparation

Total Preliminary Cost Estimate

\$2,253,527.44

\$255,560
\$1,823,171.26
546,951.38
355,518.40
\$2,725,641.04



ACKNOWLEDGEMENT OF SURETY

State of Tennessee

County of Wilson

On this, 25th day of May, 2018, before me a Notary Public, of the State and County aforesaid, personally appeared, Kim Richards,
(Attorney In Fact Name)

Attorney In Fact of Endurance Assurance Corporation, who acknowledged
(Surety Company Name)

that she being so authorized, executed bond number EACX137000149
Subdivision Labor & Materials Bond for Parcel Map 36879

(description of bond or document being attached to bond)

for Sycamore Canyon Development, LLC

(Principal Name)

In favor of City of Riverside, California

(Obligee Name)

In Witness hereof, I here unto set my hand and official seal.

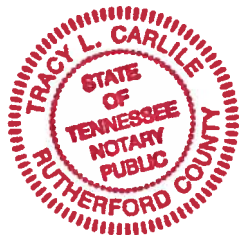


Tracy L. Carlile, Notary Public

Notary County of Residence: Rutherford

Notary Commission Expires: November 20, 2021

Notary Seal:



ENDURANCE ASSURANCE CORPORATION

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POWER OF ATTORNEY

Know all Men by these Present, that ENDURANCE ASSURANCE CORPORATION, a Delaware corporation (the "Corporation"), with offices at 4 Manhattanville Road, 3rd Floor, Purchase, NY 10577, has made, constituted and appointed and by these presents, does make, constitute and appoint CHRISTOPHER L. DOBBS, JALENE BROWN, TRACY L. CARLILE, KIM RICHARDS, DIANE HUNTER its true and lawful Attorney(s)-in-fact, at MT. JULIET in the State of TN and each of them to have full power to act without the other or others, to make, execute and deliver on its behalf, as surety or co-surety; bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf, as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Corporation for any portion of the penal sum thereof in excess of the sum of TEN MILLION Dollars (\$10,000,000).

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Corporation as fully and to the same extent as if signed by the President of the Corporation under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the Board of Directors of the Corporation by unanimous written consent on the 9th of January, 2014, a copy of which appears below under the heading entitled "Certificate".

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the Board of Directors of the Corporation by unanimous written consent on January 9, 2014, and said resolution has not since been revoked, amended or repealed:

RESOLVED, that in granting powers of attorney pursuant to certain resolutions adopted by the Board of Directors of the Corporation by unanimous written consent on January 9, 2014, the signature of such directors and officers and the seal of the Corporation may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Corporation in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, the Corporation has caused these presents to be duly signed and its corporate seal to be hereunto affixed and attested this 1st day of November, 2017 at Purchase, New York.

(Corporate Seal)
ATTEST

MARIANNE L. WILBERT, SENIOR VICE PRESIDENT

ENDURANCE ASSURANCE CORPORATION

By *Sharon L. Sims*

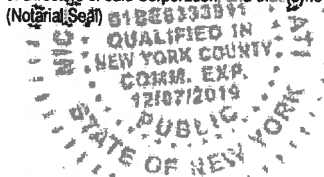
SHARON L. SIMS, SENIOR VICE PRESIDENT

STATE OF NEW YORK
COUNTY OF WESTCHESTER

ss: PURCHASE

On the 1st day of November, 2017 before me personally came SHARON L. SIMS, SENIOR VICE PRESIDENT to me known, who being by me duly sworn, did depose and say that (s)he resides in SCOTCH PLAINS, NEW JERSEY that (s)he is a SENIOR VICE PRESIDENT of ENDURANCE ASSURANCE CORPORATION, the Corporation described in and which executed the above instrument; that (s)he knows the seal of said Corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation, and that (s)he signed his (her) name thereto by like order.

(Notarial Seal)



Nicholas James Benenati

NICHOLAS JAMES BENENATI, Notary Public - My Commission Expires 12/07/2019

CERTIFICATE

STATE OF NEW YORK
COUNTY OF WESTCHESTER

ss: PURCHASE

I, CHRISTOPHER DONELAN the PRESIDENT of ENDURANCE ASSURANCE CORPORATION, a Delaware Corporation (the "Corporation"), hereby certify:

1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of the Corporation and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;

2. The following are resolutions which were adopted by the Board of Directors of the Corporation by unanimous written consent on January 9, 2014 and said resolutions have not since been revoked, amended or modified:

*RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Corporation any and all bonds, undertakings or obligations in surety or co-surety with others:

CHRISTOPHER DONELAN, SHARON L. SIMS, MARIANNE L. WILBERT

And be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Corporation."

3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 25th day of May, 2018.

(Corporate Seal)

Christopher Donelan

CHRISTOPHER DONELAN, PRESIDENT

Any reproductions are void.

Primary Surety Claims Submission: suretybondclaims@sompo-intl.com

Surety Claims Hotline: 877-676-7575

Mailing Address: Surety Claims Department, Sompo International, 1221 Avenue of the Americas, 18th Floor, New York, NY 10020

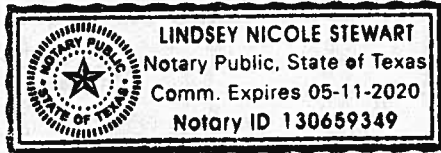
STATE OF TEXAS

COUNTY OF DALLAS

§
§
§

This instrument was acknowledged before me on May 29th, 2018 by M. Thomas Mason, Executive Vice President of **Sycamore Canyon Development, LLC**, a California limited liability company, on behalf of said limited liability company.

[SEAL]



L. Stewart

Notary Public, State of Texas

Printed Name of Notary: Lindsey Stewart

My Commission Expires: 5/11/2020