Bond #: 929592055 Premium : included in performance bond

COUNTY OF MONTEREY

PAYMENT BOND

(Civil Code Section 9550)

Granite Rock Company

WHEREAS, the County of Monterey has awarded to Principal, as Contractor, a contract for the following project:

MOSS LANDING EMERGENCY ROAD REPAIR PROJECT NO. 621165

AND WHEREAS, Principal, as Contractor, is required to furnish a bond in connection with said contract, to secure the payment of claims of laborers, mechanics, materialmen, and other persons furnishing labor and materials on the project, as provided by law.

| | NOW, THEREFORE, we | Granite Rock Company | | , as Principal, |
|-------|--------------------------------|-------------------------------|----------------|--------------------------|
| and . | Western Surety C | ompany | | 1 , |
| | | | as Surety | , are held and firmly |
| bour | nd unto the County of Montere | y, a political subdivision of | f the State of | f California (hereinafte |
| calle | d "County"), and to the person | ns named in California Civi | il Code secti | on 9100 in the penal |
| sum | ofThree Hundred Thousand | & 00/100 D | Pollars (\$ | 300,000.00) for |
| the p | ayment of which sum in lawf | ul money of the United Sta | tes, well and | truly to be made, we |
| | ourselves, our heirs, executor | | | |
| | ly by these presents. | | 0 | |

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

If the Principal, or any of Principal's heirs, executors, administrators, successors, assigns, or Subcontractors, (1) fails to pay in full all of the persons named in Civil Code Section 9100 with respect to any labor or materials furnished by said persons on the project described above, or (2) fails to pay in full all amounts due under the California Unemployment Insurance Code with respect to work or labor performed on the project described above, or (3) fails to pay for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of the Principal and Subcontractors pursuant to Unemployment Insurance Code section 13020 with respect to such work and labor, then the Surety shall pay for the same.

Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract on the call for bids, or to the work to be performed there under, or the specifications accompanying the same, shall in any way affect its obligation under this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of said contract or the call for bids, or to the work, or to the specifications.

If suit is brought upon this bond by the County and judgment is recovered, the Surety shall pay all litigation expenses incurred by the County in such suit, including attorney's fees, court costs, expert witness fees and investigation expenses.

This bond inures to the benefit of any of the persons named in Civil Code section 9100,

and such persons or their assigns shall have a right of action in any suit brought upon this bond, subject to any limitations set forth in Civil Code sections 9550 et seq. (Civil Code, Division 4, Part 6, Title 3, Chapter 5: Payment Bond for Public Works).

IN WITNESS WHERE OF the above-bounden parties have executed this instrument under their several seals this 8th day of December, 2014, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

| (Corporate Seal) | Granite Rock Company |
|------------------|---|
| | Principal |
| | By Sun July |
| | Name and Title Gregory D. Dishly VP |
| (Corporate Seal) | e |
| - · | Western Surety Company |
| | Surety |
| | By Mh |
| | Name and Title Stacy M. Clinton, Attorney-in-fact |

(Attach notary acknowledgement for all signatures and original or certified copy of unresolved appointment, attorney-in-fact certificate, power of attorney, by laws, or other instrument entitling or authorizing person executing bond on behalf of Surety to do so.)

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

Catherine A Pinney, Nancy L Wallis, K Dixon Wright, Stacy M Clinton, Venetia G Johnson, Donnalyn Revis, Kandace L Reeves, Natalie Ann Horder, Michael Landucci, Teresa Rose, Robert Lee Murphy, Individually

of Petaluma, CA, 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 15th day of August, 2014.



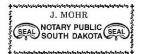
WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota County of Minnehaha } s

On this 15th day of August, 2014, 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.

| wry commission expire | | | |
|-----------------------|--|--|--|
| June 23, 2015 | | | |



- GMohr

J. Mohr. Notary Public

CERTIFICATE



WESTERN SURETY COMPANY

J. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

| State of California | } | | | | |
|---|---|--|--|--|--|
| County of Sonoma | J | | | | |
| On <u>December 8, 2014</u> before me, | K. Dixon Wright, Notary Public Here Insert Name and Title of the Officer | | | | |
| personally appeared Stacy M. Clinton | Name(s) of Signer(s) | | | | |
| K. DIXON WRIGHT Commission # 1958183 Notary Public - California Marin County My Comm. Expires Nov 21, 2015 | who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official/seal. | | | | |
| Place Notary Seal Above | Signature Signature of Notary Public | | | | |
| | TIONAL | | | | |
| and could prevent fraudulent removal and re | eattachment of this form to another document. | | | | |
| Description of Attached Document | 9 | | | | |
| Title or Type of Document: | | | | | |
| | Number of Pages: | | | | |
| Signer(s) Other Than Named Above: | | | | | |
| Capacity(ies) Claimed by Signer(s) | | | | | |
| Signer's Name: Stacy M. Clinton Individual Corporate Officer — Title(s): Partner — Limited General Attorney in Fact Trustee Guardian or Conservator Other: | ☐ Partner — ☐ Limited ☐ General ☐ Attorney in Fact ☐ RIGHT THUMBPRINT ☐ OF SIGNER | | | | |
| Signer Is Representing: | Signer Is Representing: | | | | |
| | | | | | |

| A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. | | | | | |
|---|--|--|--|--|--|
| State of California) County of) | | | | | |
| On December 9, 2014 before me, | Janice C. Shaffer, Notary Public | | | | |
| Date Here Insert Name and Title of the Officer | | | | | |
| personally appeared <u>Gregory D. Diehl</u> | | | | | |
| | Name(s) of Signer(s) | | | | |
| who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. | | | | | |
| Mary Dark | I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. | | | | |
| JANICE C. SHAFFER | Signature of Notary Public | | | | |
| Place Notary Seal Above | TIONAL | | | | |
| Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. | | | | | |
| Description of Attached Document | | | | | |
| Title or Type of Document: | Document Date: | | | | |
| Number of Pages: Signer(s) Other Than Named Above: | | | | | |
| Capacity(ies) Claimed by Signer(s) Signer's Name: Corporate Officer — Title(s): Partner — Limited General Individual Attorney in Fact Trustee Guardian or Conservator Other: Signer Is Representing: | ☐ Partner — ☐ Limited ☐ General ☐ Individual ☐ Attorney in Fact ☐ Trustee ☐ Guardian or Conservator ☐ Other: | | | | |
| | | | | | |