

Attachment D

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This bond replaces and supersedes Federal Insurance Company Bond No. 8302-79-50

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS, that Green Gate San Ardo LLC, as Principal, and U.S. Specialty Insurance Company, a corporation organized and existing under and by virtue of the laws of the State of Texas and authorized to transact Surety business in the State of California, as Surety, having an address for service of notices as 13403 Northwest Freeway, Houston, Texas 77040, are held and firmly bound until the County of Monterey, State of California in the sum of Fifty Thousand and No/100 Dollars (\$50,000.00) lawful money of the United State of America, to the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, whereas, the above named Principal has been granted a Franchise Resolution to construct and/or maintain in and under the county roads and highways in the unincorporated area of the County of Monterey described as follows:

Road Name & Number
Nacimientto Lake Drive, No. 0412
Jolon Road, 0406

Franchise Portion
Northerly six miles
Near Milepost 0.41

WHEREAS, under the terms of the Franchise Resolution said Principal is required to furnish a Faithful Performance Bond to insure the Faithful Performance by the Principal of all the covenants, terms and conditions of said Franchise Resolution pursuant to Resolution Number 00-272.

NOW, THEREFORE, if the above bounded Principal shall perform all of the terms, covenants and conditions of said Franchise Resolution to be performed by said Principal, then this obligation shall be extinguished; otherwise, it shall remain in full force and effect. It is understood and agreed that upon the faithful performance of the Principal, the obligation of the Surety may be terminated by the Surety giving thirty (30) day's advance notice in writing by certified mail to the Obligee.

WITNESS THE HAND AND SEAL of the said Principal, and witness also the corporate seal of the said Surety and signature of its' duly authorized Attorney-in-Fact, at Houston, Texas this 24th day of February, 2023.

Green Gate San Ardo LLC
(Principal)

By: 

Megan Ebadat Grisham, Managing Member
(Printed Name and Title)

U.S. Specialty Insurance Company
(Surety)

By: 

Roxanne Jimenez, Attorney-in-Fact
(Printed Name and Title)

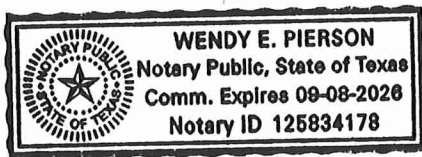
ACKNOWLEDGMENT OF SURETY

STATE OF TEXAS

COUNTY OF HARRIS

Before me, the undersigned authority, a Notary Public, on this day personally appeared Roxanne Jimenez, known to me to be the person whose name is subscribed to the foregoing instrument as the attorney-in-fact for U.S. Specialty Insurance Company and acknowledged to me that he/she subscribed the name of U.S. Specialty Insurance Company thereto as Surety and his/her own name as attorney-in-fact, and executed the same for the purposes and consideration therein expressed, and in the capacity therein set forth.

Given under my hand and seal of office the 24th day of February, 2023.



A handwritten signature in blue ink that reads "Wendy E. Pierson". The signature is written in a cursive style and is positioned above a horizontal line.

Wendy E. Pierson
Notary Public, State of Texas
My Commission Expires: September 8, 2026



TOKIOMARINE
HCC

POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Edwin H. Frank, III., Michele K. Tyson, Meredith K. Anderson, Stephen Michael Smith,
Timothy J. Briggs or Roxanne Jimenez of Houston, Texas

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed** *****Three Million***** Dollars (**3,000,000.00**). This Power of Attorney shall expire without further action on January 31st, 2024. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

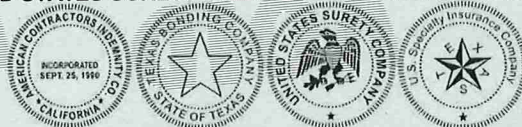
Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 23rd day of September, 2021.

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

State of California
County of Los Angeles



By:

Daniel P. Aguilar, Vice President

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

On this 23rd day of September, 2021, before me, D. Littlefield, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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.

Signature

D. Littlefield

(seal)



I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 27th day of February, 2023.

Corporate Seals

Bond No.

B014862

Agency No. 8353



Kio Lo, Assistant Secretary

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