

FEB 26 2018

FOGEL-ANDERSON

MAINTENANCE BONDCity of Lee's Summit

Bond No. 674207552

KNOW ALL MEN BY ALL THESE PRESENTS:

THAT WE, Fogel-Anderson Construction Co.1212 East 8th Street, Kansas City, MO 64106(hereinafter called the Principal), as Principal, and Liberty Mutual Insurance Company2200 Renaissance Boulevard, Suite 400, King of Prussia, PA 19406

A Corporation duly organized under the laws of the State of MA  
 and duly licensed to transact business in the State of Missouri  
 (hereinafter called Surety), as Surety, are held and firmly bound into the City of Lee's Summit,  
 Missouri (hereinafter called Obligee, in the sum of (50% of the total monies paid or to be paid to  
 the contractor upon completion of the work)

(\$ 55,250.00) Fifty Five Thousand Two Hundred Fifty Dollars and 00/100---  
 DOLLARS,

for the payment of which sum well and truly to be made, we, the said Principal and the Surety, bind  
 ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly  
 by these presents.

Sealed with our seals and dated this 26th day of February, 2018.

WHEREAS, the said Principal has heretofore (description of work done and location):

- 1- The 8" water main that has been installed along the north perimeter. This is a public water main.
- 2- The 50' of 12" water main that has been relocated along Hamblen Rd
- 3- The storm pipe and storm structures that have been installed in the ROW including the work east of Hamblen Rd
- 4- The new public sanitary manhole (MH A1) and the 120 LF of existing sanitary main that has been encased in concrete along Hamblen Rd
- 5- The curb and road repairs that have been done on Hamblen Rd.

and,

WHEREAS, the said Principal is required to and does guarantee said (Name of Project):

See above

constructed by said Principal, against any defects of workmanship or materials, which may develop  
 during the period of three (3) years from acceptance by the City of Lee's Summit, Missouri.  
 Acceptance of said completion of See above

as of Dec. 13, 2017, 2018, is hereby acknowledged by the City of Lee's  
 Summit, Missouri.

The condition of this obligation is such that if said Principal shall faithfully carry out and  
 perform said guarantee and shall, on due notice, repair and make good at its own expense any and  
 all defects in materials or workmanship in said work which may develop for a period of three (3)  
 years from the acceptance date issued by the Obligee, or shall pay over, make good and reimburse  
 to said Obligee all loss and damage which said Obligee may sustain by reasons

MAINTENANCE BOND  
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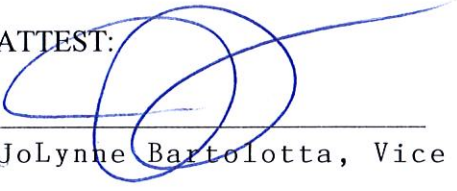
of failure or default of said principal so to do, then this obligation shall be null and void upon expiration of the aforesaid maintenance bond, otherwise shall remain in full force and effect.

Should any defective work have been done or materials supplied by any subcontractor, Principal and surety shall be liable to make good in the same manner as such work or material has been done or supplied by the Principal.


PRINCIPAL:

Fogel-Anderson Construction Co.

ATTEST:

  
JoLynne Bartolotta, Vice President

By:

  
Brad Kaestner, Vice President

SURETY:

Liberty Mutual Insurance Company

ATTEST:

  
C. LaVonne Engeman, Attorney-in-Fact  
Surety Phone No. 610-832-8240



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees. To confirm the validity of this Power of Attorney call 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company  
West American Insurance Company

## POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, C. LaVonne Engeleman of the city of Kansas City, state of MO, its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge the following surety bond:

Principal Name: Fogel-Anderson Construction Co.

Obligee Name: City of Lee's Summit Missouri

Surety Bond Number: 674207552 Bond Amount: See Bond Form

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 6<sup>th</sup> day of March, 2017.



The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
West American Insurance Company

By: David M. Carey  
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA  
COUNTY OF MONTGOMERY

SS

On this 6<sup>th</sup> day of March, 2017, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Upper Merion Twp., Montgomery County  
My Commission Expires March 28, 2021  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

**ARTICLE IV – OFFICERS** – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

**ARTICLE XIII – Execution of Contracts** – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 26th day of February, 2018.



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary