

# MAINTENANCE BOND

## City of Lee's Summit

KNOW ALL MEN BY ALL THESE PRESENTS:

THAT WE, Prosser Wilbert Construction, Inc.

(hereinafter called the Principal), as Principal, and Western Surety Company

A Corporation duly organized under the laws of the State of SD  
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 Oblige, in the sum of (50% of the total monies paid or to be paid to the  
contractor upon completion of the work)

(\$ 31,155.00 ) Thirty One Thousand One Hundred Fifty Five 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 29th day of October, 2019

WHEREAS, the said Principal has heretofore (description of work done and location):  
Infrastructure (Sanitary and Sidewalk) for Site Development Oakview Storage, 1410 N.E. Douglas,  
Lee's Summit, MO 64086. Permit #20182996

and,

WHEREAS, the said Principal is required to and does guarantee said (Name of Project):  
Infrastructure (Sanitary and Sidewalk) for Site Development Oakview Storage, 1410 N.E. Douglas, Lee's Summit, MO 64086  
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 Infrastructure (Sanitary and Sidewalk) for Site Development Oakview Storage, 1410 N.E.  
as of Douglas, Lee's Summit, MO 64086, 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 3  
years from the acceptance date issued by the Oblige, or shall pay over, make good and reimburse  
to said Oblige all loss and damage which said Oblige may sustain by reasons of failure or default

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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:

Prosser Wilbert Construction, Inc.

ATTEST:

*Lucy A. Stenensky*

By:

*Andy Prosser*  
*Andy Prosser, President*

SURETY:

Western Surety Company

ATTEST:

*Brenda G. Gimp*

By:

*C. LaVonne Engeman*  
C. LaVonne Engeman , Attorney-in-Fact



Surety Phone No. 605-336-0850

# 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

C. LaVonne Engeman , **Individually**

of Kansas City, MO 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 -**

Surety Bond No.: 30056126  
Principal: Prosser Wilbert Construction, Inc.  
Obligee: City of Lee's Summit MO

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 27th day of February, 2018.



WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 27th day of February, 2018, 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

June 23, 2021



J. Mohr, 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 29th day of October, 2019.



WESTERN SURETY COMPANY

L. 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.