

LIBERTY MUTUAL SURETY 000032
12444 Powerscourt Drive
Saint Louis, MO 63131

**Contract Bond
Status Query**



Date of Request: 3/4/2022

City of Lee's Summit
220 SE Green Street
Lee's Summit, MO 64063

Office: St. Louis
Phone: 816-569-8939
Fax: 855-318-1836
Email: StatusQuery@LibertyMutual.com

In order to allow us to monitor the progress of our contractor, please complete and return this form. Your response will not prejudice your rights or affect our liability under our bond(s) referred to below. We enclose a prepaid return envelope for your use.

Bond Number: 39S224237 **Contract Price:** \$458,226.00 **Inception Date:** 01/10/2022

Cross Reference Bond Number:

Contract Description: 3 Year Maintenance Bond - Woodside Ridge Plat 2 - Water, Sanitary, Sto

Our Bond On Behalf Of: Emery Sapp & Sons, Inc.

Bond Executed In The

Following Company: Liberty Mutual Insurance Company

Signed Tim Mikolajewski
Tim Mikolajewski
President - Liberty Mutual Surety

1. HAS CONTRACT BEEN COMPLETED? _____

2. IF COMPLETED PLEASE STATE: _____

a. Date of acceptance _____

b. Total amount of completed contract _____

3. IF NOT COMPLETED PLEASE STATE: _____

a. Probable completion date _____

b. Amount paid contractor to date _____

c. Amount withheld as retained percentage _____

4. HAS WORK PROGRESSED SATISFACTORILY? _____

5. ARE THERE ANY UNSATISFIED CLAIMS OR LIENS ON FILE? _____

REMARKS: _____

Dated: _____

Signed _____
Name _____
Title _____
Phone: _____ Fax: _____

MAINTENANCE BOND

Bond No. 9336623

KNOW ALL MEN BY THESE PRESENTS:

That Beemer Construction Co., Inc.
606 S.E. Central Drive Blue Springs, MO 64014-3311,
as Principal, hereinafter called Contractor, and Fidelity and Deposit Company of Maryland
1299 Zurich Way, 5th Floor, Schaumburg, IL 60196-1056, as Surety, hereinafter called Surety, are held
and firmly bound unto City of Lee's Summit, Missouri
220 SE Green St. Lee's Summit, MO 64063, as Oblige, hereinafter
called Owner, in the penal sum of One Hundred Fifty Six Thousand Six Hundred Sixty Seven Dollars
and 00/100 Dollars (\$ 156,667.00), for payment whereof Contractor
and Surety bind themselves, their heirs, executors, administrators, successors, and assigns,
jointly and severally, firmly by these presents.

WIIEREAS, Contractor has constructed various public improvements:

The Townhomes of Chapel Ridge 2nd Plat Lee's Summit MO Water Main, Sanitary Sewer and Storm
Sewer

in accordance with the General Conditions, the Drawings and Specifications, which Plans are by
reference incorporated herein, and made a part hercof, and is referred to as the Plans.

NOW, THEREFORE, the condition of this obligation is such that, if Contractor shall remedy any
defects due to faulty materials or workmanship, and pay for any damage to other work resulting
therefrom, which shall appear within a period of three (3) years from the date of substantial
completion of the work provided for in the Plans, then this obligation to be void; otherwise to
remain in full force and effect.

PROVIDED, HOWEVER, that Owner shall give Contractor and Surety notice of observed
defects with reasonable promptness.

SIGNED and sealed this 18th day of March, 2022.

In the presence of:

[Signature]

Beemer Construction Co., Inc.

Principal (Seal)

By: [Signature]

Title



Fidelity and Deposit Company of Maryland

Surety

By: C. LaVonne Engeman

C. LaVonne Engeman

Attorney-in-Fact

Surety Phone No.

847-605-6000

Bond Number 9336623

Obligee City of Lee's Summit, Missouri

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint C. LaVonne Engeman, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 19th day of June, A.D. 2019.

ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND



By: Robert D. Murray
Vice President

By: Dawn E. Brown
Secretary

State of Maryland
County of Baltimore

On this 19th day of June, A.D. 2019, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2023

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 18th day of March, 2022.



Brian M. Hodges, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
www.reportsfclaims@zurichna.com
800-626-4577