- Maintenance Bond File - we've already received the orginal maintenance bond or something similar. Give to Peggy for review and see where it needs to go.

Peggy Hall

This is what I was talking about-

It's the one year maintenance bond for Prospect Park III

1261?
1329

Larry

10/21/94
Prospect Park

IMPORTANT MESSAGE

For

Day 1/3/95 Time 4:32 A.M. P.M.

M Larry A.

Of

Phone / FAX / MOBILE X238

Area Code Number Extension

Area Code Number Extension

Telephoned		Returned your call		RUSH	
Came to see you		Please call		Special attention	
Wants to see you		Will call again		Caller on hold	

Message Maintenance Bond

Contractor to Developer -

Additional Oblige -

100% of work will end

Signed

Universal office products 48023

LITHO IN U.S.A.

SAFECO®

SAFECO INSURANCE COMPANY OF AMERICA
GENERAL INSURANCE COMPANY OF AMERICA
FIRST NATIONAL INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

Bond 5805498

MAINTENANCE BOND

KNOW ALL BY THESE PRESENTS, That we, MORSE BROS., INC.

as Principal, and SAFECO INSURANCE COMPANY OF AMERICA, a corporation organized under the laws of the State of Washington and duly authorized to do business in the State of OREGON,

as Surety, are held and firmly bound unto PACIFIC CONSTRUCTION, PO BOX 498, NEWBERG, OR 97132

as Obligee, in the penal sum of FOUR THOUSAND ONE HUNDRED EIGHTY TWO DOLLARS AND TWENTY SIX CENTS ($4,182.26----------------------), to which payment well and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal entered into a Contract with the PACIFIC CONSTRUCTION dated OCTOBER 21ST, 1994 for

WHEREAS, said Contract has been completed, and was approved on 15TH day of NOVEMBER 1994.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the Principal shall guarantee that the work will be free of any defective materials or workmanship which become apparent during the period of TWO (2) year(s) following completion of the Contract then this obligation shall be void, otherwise to remain in full force and effect, provided however, any additional warranty or guarantee whether expressed or implied is extended by the Principal or Manufacturer only, and the Surety assumes no liability for such a guarantee.

Signed, sealed and dated this 15TH day of DECEMBER, 1994.

MORSE BROS., INC.

Stephen Frey (Seal)

STEPHEN FREY
ASSISTANT SECRETARY (Seal)

(Seal)

SAFECO INSURANCE COMPANY OF AMERICA

By

BARRY L. JOHNSON Attorney-in-Fact

S-843/EP 4/90

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SAFECO®

POWER OF ATTORNEY

SAFECO INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

No. 4844

KNOW ALL BY THESE PRESENTS:

That **SAFECO INSURANCE COMPANY OF AMERICA**, a Washington corporation, does hereby appoint

**********JEFFREY N. KING; RICHARD H. KINGSLEY; BARRY L. JOHNSON, Lebanon, Oregon*************

its true and lawful attorney(s)-in-fact, with full authority to execute on behalf of the company fidelity and surety bonds or undertakings and other documents of a similar character issued by the company in the course of its business, and to bind **SAFECO INSURANCE COMPANY OF AMERICA** thereby as fully as if such instruments had been duly executed by its regularly elected officers at its home office.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA has executed and attested these presents

this 5th day of January, 19 94.

CERTIFICATE

Extract from the By-Laws of **SAFECO INSURANCE COMPANY OF AMERICA:**

"Article V, Section 13. - FIDELITY AND SURETY BONDS . . . the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business . . . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of
SAFECO INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,
(i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,
the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, R. A. Pierson, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of this corporation, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 15TH day of DECEMBER, 19 94.

SEAL 1953

S-1300/EP 1/93

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SAFECO INSURANCE COMPANY OF AMERICA
GENERAL INSURANCE COMPANY OF AMERICA
FIRST NATIONAL INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

Bond 5805498

RIDER ADDING ADDITIONAL OBLIGEE

To be attached to and form a part of Bond No. 5805498, dated the 15TH day of DECEMBER, 19 94, issued by the SAFECO Insurance Company of America, as Surety, on behalf of MORSE BROS., INC., as Principal in favor of PACIFIC CONSTRUCTION as Obligee.

WHEREAS, upon the request of the Principal and Obligee the attached bond is hereby amended to add CITY OF NEWBERG, 414 E. 1ST ST., NEWBERG, OR 97132 as an additional obligee.

PROVIDED, HOWEVER:

1. There shall be no liability under this bond to the Obligees, or either of them, unless the said Obligees, or either of them, shall make payments to the Principal strictly in accordance with the terms of said contract as to payments, and shall perform all of the other obligations to be performed under said contract at the time and in the manner therein set forth, all of the acts of one Obligee being binding on the other.
2. The aggregate liability of the surety under said bond to the joint obligees, as their interests may appear, is limited to the penal sum of said bond.
3. The surety may, at its option, make any payment under said bond by check issued jointly to the joint obligees.

The attached bond shall be subject to all its terms, conditions and limitations except as herein modified.

Signed, sealed and dated this 15TH day of DECEMBER, 19 94.

ACCEPTED:

By: Stephen Frey
MORSE BROS., INC. STEPHEN FREY
ASSISTANT SECRETARY

By:
PACIFIC CONSTRUCTION

By:
CITY OF NEWBERG

SAFECO INSURANCE COMPANY OF AMERICA

By:
BARRY L. JOHNSON Attorney-in-Fact

SAFECO®

POWER OF ATTORNEY

SAFECO INSURANCE COMPANY OF AMERICA
HOME OFFICE: SAFECO PLAZA
SEATTLE, WASHINGTON 98185

No. 4844

KNOW ALL BY THESE PRESENTS:

That **SAFECO INSURANCE COMPANY OF AMERICA,** a Washington corporation, does hereby appoint

**********JEFFREY N. KING; RICHARD H. KINGSLEY; BARRY L. JOHNSON, Lebanon, Oregon*************

its true and lawful attorney(s)-in-fact, with full authority to execute on behalf of the company fidelity and surety bonds or undertakings and other documents of a similar character issued by the company in the course of its business, and to bind **SAFECO INSURANCE COMPANY OF AMERICA** thereby as fully as if such instruments had been duly executed by its regularly elected officers at its home office.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA has executed and attested these presents

this 5th day of January, 19 94.

CERTIFICATE

Extract from the By-Laws of **SAFECO INSURANCE COMPANY OF AMERICA:**

"Article V, Section 13. - FIDELITY AND SURETY BONDS . . . the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business . . . On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of
SAFECO INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,
(i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,
the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, R. A. Pierson, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA,** do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of this corporation, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 15TH day of DECEMBER, 19 94.

SEAL
1953

S-1300/EP 1/93

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The Insco/Dico Group

DICO

MAINTENANCE BOND

BOND NO: 178536 S

PREMIUM: $720.00

KNOW ALL MEN BY THESE PRESENTS:

THAT we, THE SAUNDERS CO., INC., as Principal and DEVELOPERS INSURANCE COMPANY, a corporation organized and doing business under and by virtue of the laws of the State of California and duly licensed to conduct surety business in the State of Oregon, as Surety, are held and firmly bound unto

PACIFIC CONSTRUCTION AND CITY OF NEWBERG

as Obligee, in the sum of TWENTY EIGHT THOUSAND EIGHT HUNDRED SEVENTEEN AND 85/100 ($28,817.85) Dollars, for which payment, 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 OBLIGATION IS SUCH THAT:

WHEREAS, the above named Principal entered into an agreement or agreements with said Obligee to:
Construct public sewer and water system improvements at Prospect Park III Subdivision, Newberg, Oregon

WHEREAS, said agreement provided that Principal shall guarantee replacement and repair of improvements as described therein for a period of One year(s) following final acceptance of said improvements;

NOW THEREFORE, if the above Principal shall indemnify the Obligee for all loss that Obligee may sustain by reason of any defective materials or workmanship which become apparent during the period of One year(s) from and after acceptance of the said improvements by Obligee, then this obligation shall be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney-in-fact this 28th day of December, 1994

THE SAUNDERS CO., INC.
Principal

DEVELOPERS INSURANCE COMPANY

BY: Lynette G Harris
Lynette G. Harris
Attorney-in-Fact

333 Wilshire Ave.
Anaheim, CA 92801
(714) 999-1471

FORM ICC-305 REV. 11/85

DUAL OBLIGEE RIDER

(To be attached to bond at time of issuance)

TO BE ATTACHED TO AND FORM PART OF Maintenance Bond NO. 178536 S, dated concurrently with the execution of this Rider, issued by the DEVELOPERS INSURANCE COMPANY, a California corporation, as Surety, on behalf of THE SAUNDERS CO., INC., as Principal, and in favor of PACIFIC CONSTRUCTION and CITY OF NEWBERG, as Obligees.

IT IS HEREBY UNDERSTOOD AND AGREED That the above described bond(s) are hereby amended to include the following paragraph:

> Notwithstanding anything contained herein to the contrary, there shall be no liability on the part of the Principal or Surety under this bond to the Obligees, or either of them, unless the Obligees, or either of them, shall make payments to the Principal, or to the Surety in case it arranges for completion of the Contract upon default of the Principal, strictly in accordance with the terms of said Contract as to payments, and shall perform all the other obligations required to be performed under said Contract at the time and in the manner therein set forth.

IT IS FURTHER UNDERSTOOD AND AGREED that nothing herein contained shall be held to change, alter or vary the terms of the above described bond(s) except as hereinbefore set forth.

SIGNED, SEALED AND DATED this 28th day of December, 19 94.

THE SAUNDERS CO., INC.

By:

DEVELOPERS INSURANCE COMPANY

By: Lynette G Harris

Attorney-in-Fact Lynette G. Harris

POWER OF ATTORNEY OF INDEMNITY COMPANY OF CALIFORNIA AND DEVELOPERS INSURANCE COMPANY

№ 139981

P.O. BOX 19725, IRVINE, CA 92713 • (714) 263-3300

ICE: 1. All power and authority herein granted shall in any event terminate on the 31st day of March, 1996.
2. This Power of Attorney is void if altered or if any portion is erased.
3. This Power of Attorney is void unless the seal is readable, the text is in brown ink, the signatures are in blue ink and this notice is in red ink.
4. This Power of Attorney should not be returned to the Attorney(s)-In-Fact, but should remain a permanent part of the obligee's records.

KNOW ALL MEN BY THESE PRESENTS, that, except as expressly limited, **INDEMNITY COMPANY OF CALIFORNIA** and **DEVELOPERS INSURANCE COMPANY,** do each severally, but not jointly, hereby make, constitute and appoint

LYNETTE G. HARRIS, KATHLEEN J. LAATZ, PHILIP FORKER, JOINTLY OR SEVERALLY

the true and lawful Attorney(s)-In-Fact, to make, execute, deliver and acknowledge, for and on behalf of each of said corporations as sureties, bonds, undertakings and contracts of suretyship in an amount not exceeding Two Million Five Hundred Thousand Dollars ($2,500,000) in any single undertaking; giving and granting unto said Attorney(s)-In-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation; and all of the acts of said Attorney(s)-In-Fact, pursuant to these presents, are hereby ratified and confirmed.

The authority and powers conferred by this Power of Attorney do not extend to any of the following bonds, undertakings or contracts of suretyship:

Bank depository bonds, mortgage deficiency bonds, mortgage guarantee bonds, guarantees of installment paper, note guarantee bonds, bonds on financial institutions, lease bonds, insurance company qualifying bonds, self-insurer's bonds, fidelity bonds or bail bonds.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of **INDEMNITY COMPANY OF CALIFORNIA** and **DEVELOPERS INSURANCE COMPANY,** effective as of September 24, 1986:

RESOLVED, that the Chairman of the Board, the President and any Vice President of the corporation be, and that each of them hereby is, authorized to execute Powers of Attorney, qualifying the attorney(s) named in the Powers of Attorney to execute, on behalf of the corporation, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporation be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporation when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, **INDEMNITY COMPANY OF CALIFORNIA** and **DEVELOPERS INSURANCE COMPANY** have severally caused these presents to be signed by their respective Presidents and attested by their respective Secretaries this 1st day of April, 1993.

INDEMNITY COMPANY OF CALIFORNIA

By Dante F. Vincenti, Jr.
Dante F. Vincenti, Jr.
President

INDEMNITY COMPANY OF CALIFORNIA INCORPORATED OCT. 5, 1967 CALIFORNIA

ATTEST

By Walter Crowell
Walter Crowell
Secretary

DEVELOPERS INSURANCE COMPANY

By Dante F. Vincenti, Jr.
Dante F. Vincenti, Jr.
President

DEVELOPERS INSURANCE COMPANY INCORPORATED MAR. 27, 1979 CALIFORNIA

ATTEST

By Walter Crowell
Walter Crowell
Secretary

STATE OF CALIFORNIA)
) SS.
COUNTY OF ORANGE)

On April 1, 1993, before me, Tiresa Taafua, personally appeared Dante F. Vincenti, Jr. and Walter Crowell, personally known to me (or provided 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.

WITNESS my hand and official seal.

Signature Tiresa Taafua

OFFICIAL SEAL
TIRESA TAAFUA
NOTARY PUBLIC - CALIFORNIA
PRINCIPAL OFFICE IN
ORANGE COUNTY
My Commission Exp. Aug. 4, 1995

CERTIFICATE

The undersigned, as Senior Vice President of **INDEMNITY COMPANY OF CALIFORNIA,** and Senior Vice President of **DEVELOPERS INSURANCE COMPANY,** does hereby certify that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney, are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 28th day of December, 1994.

INDEMNITY COMPANY OF CALIFORNIA

By L.C. Fiebiger
L.C. Fiebiger
Senior Vice President

INDEMNITY COMPANY OF CALIFORNIA INCORPORATED OCT. 5, 1967 CALIFORNIA

DEVELOPERS INSURANCE COMPANY

By L.C. Fiebiger
L.C. Fiebiger
Senior Vice President

DEVELOPERS INSURANCE COMPANY INCORPORATED MAR. 27, 1979 CALIFORNIA

ID-310 REV. 4/93