

HYDEE FELDSTEIN SOTO, City Attorney
DENISE C. MILLS, Chief Deputy City Attorney (SBN 191992)
SCOTT MARCUS, Chief Assistant City Attorney (SBN 184980)
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200 N. Main Street, Suite 675
Los Angeles, CA 90012
Tel. (213) 978-7558; Facsimile (213) 978-7011

Attorneys for Plaintiff
CITY OF LOS ANGELES
[NO FEE – GOV. CODE § 6103]

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT

CITY OF LOS ANGELES, a municipal
corporation,

Plaintiff,

vs.

VILLAS OVER SUNLAND LLC, a Limited
Liability Company; SPRING VALLEY
ESTATES LLC, a Limited Liability Company;
INDEMNITY COMPANY OF CALIFORNIA, a
California Corporation; and DOES 1 through 15,
inclusive;

Defendants.

CASE NO. 23STCV12838

COMPLAINT FOR DAMAGES FOR:

- (1) BREACH OF CONTRACT –
PERFORMANCE BOND;**
**(2) BREACH OF CONTRACT –
B-PERMIT**

Plaintiff, City of Los Angeles (“CITY”), alleges as follows:

FIRST CAUSE OF ACTION

(Breach of General Improvement Performance Bond Against All Defendants and Does 1-5)

1. At all times mentioned herein, Plaintiff CITY was and is a charter city and a municipal corporation, formed, organized, incorporated and existing under a freeholder’s charter, framed and adopted pursuant to the Constitution and laws of the State of California.

1 2 Plaintiff CITY is informed and believes and thereon alleges that Defendant VILLAS
2 OVER SUNLAND LLC (“VILLAS”) is a California Limited Liability Company to whom B-Permit
3 BR 205359 (“B-PERMIT”) was issued.

4 3. Plaintiff CITY is informed and believes and thereon alleges that Defendant SPRING
5 VALLEY ESTATES LLC (“SPRING VALLEY”) is a Delaware Limited Liability Company to whom
6 BOND RIDERS 2 and 3, discussed below, were issued.

7 4. Plaintiff CITY is informed and believes and thereon alleges that INDEMNITY
8 COMPANY OF CALIFORNIA (“INDEMNITY”) is a corporation organized and existing under and by
9 virtue of the laws of the State of California, and was and is authorized to engage in the business of
10 suretyship and the execution of bonds for faithful performance in the State of California.

11 5. CITY is ignorant of the true names of defendants Does 1 through 10, inclusive, and has
12 therefore sued these defendants under fictitious names. CITY will amend this Complaint to allege the
13 true names and capacities of these Doe defendants when their identities are ascertained. As set forth
14 herein, CITY is informed and believes and thereon alleges that each of the defendants designated herein
15 as a Doe is responsible in some manner for the damages claimed in this action. All references in this
16 Complaint to “Defendants” shall be deemed to refer to all defendants, including all Doe defendants, and
17 any and all such references shall include each defendant individually as well as all defendants jointly,
18 unless otherwise noted.

19 6. CITY is informed and believes and thereon alleges that each Defendant was and is the
20 agent, servant, subsidiary, partner, member, associate or representative of each other Defendant, and all
21 of the things alleged to have been done by the Defendants, and each of them, were done in the course
22 and scope of the agency, employment, service or representative relationship and with the knowledge and
23 consent of their respective principals, employers, masters, parent corporations, partners, members,
24 associates or representatives.

25 7. The obligations sued on herein were incurred in, and are due and payable in, the City of
26 Los Angeles, County of Los Angeles, State of California.

27 8. On or about May 16, 2015, VILLAS, as principal and INDEMNITY, as surety, executed
28 a written General Improvement Performance Bond (No. 389385S) in the amount of \$214,000.00

1 (“BOND”), a true and correct copy of which is attached hereto as **Exhibit 1** and incorporated herein by
2 this reference as if set forth in its entirety, guaranteeing the construction and installation by VILLAS of,
3 among other things, AC pavement, curbs and gutters, CMB and a power pole relocation. These
4 improvements, to be installed by VILLAS and guaranteed by INDEMNITY, were required by virtue of
5 a certain B-PERMIT, a true and correct copy of which is attached hereto as **Exhibit 2** and incorporated
6 herein by this reference as if set forth in its entirety.

7 9. INDEMNITY issued the BOND in consideration for, among other things, CITY’s
8 approval of certain building permits obtained by VILLAS for construction of public improvements at the
9 property located at 9310 Hillrose Street and 9315 Wayside Drive in Los Angeles County, California.
10 Pursuant to the BOND, the public improvements were to be completed by no later than June 7, 2017. A
11 Bond Rider issued by INDEMNITY, and executed on September 22, 2015 (“BOND RIDER 1”), a true
12 and correct copy of which is attached hereto as **Exhibit 3** and incorporated herein by this reference as if
13 set forth in its entirety, extended the date of completion of the required public improvements to June 7,
14 2017. A second Bond Rider issued by INDEMNITY, and executed on March 29, 2017 (“BOND
15 RIDER 2”), a true and correct copy of which is attached hereto as **Exhibit 4** and incorporated herein by
16 this reference as if set forth in its entirety, reduced the BOND amount to \$184,000.00 and added
17 SPRING VALLEY as principal. Finally, a third Bond Rider issued by INDEMNITY, and executed on
18 August 24, 2027 (“BOND RIDER 3”), a true and correct copy of which is attached hereto as **Exhibit 5**
19 and incorporated herein by this reference as if set forth in its entirety, extended the date of completion to
20 June 7, 2019.

21 10. Defendants, and each of them, are in default under the BOND in that Defendants, and
22 each of them, have wholly neglected, failed, and refused to construct all of the public improvements
23 required to be constructed, by the extended time set forth in BOND RIDER 3, which was June 7, 2019.

24 11. The reasonable cost to CITY to cause the public improvements to be completed, along
25 with the unpaid engineering and inspection costs due under the terms of the B-PERMIT and BOND
26 RIDER 3, is \$184,000.00.

27 **SECOND CAUSE OF ACTION**

28 (Breach of Contract - B-Permit - Against Defendants VILLAS and SPRING VALLEY and Does 6-10)

1 12. CITY realleges and incorporates herein by reference each and every allegation contained
2 in Paragraphs 1 through 11 above as though fully set forth herein.

3 13. CITY issued to VILLAS the B-PERMIT under which VILLAS, and each of them, agreed
4 to construct and install, at their own cost and expense, the public improvements in accordance with the
5 plans and specifications of the Los Angeles City Engineer. A B-PERMIT was issued to VILLAS on or
6 about July 23, 2018.

7 14. By virtue of BOND RIDER 2, SPRING VALLEY was added as principal and became
8 liable under the B-PERMIT with VILLAS.

9 14. CITY has performed all of the obligations on its part under the B-PERMIT, other than
10 those that have been prevented or excused by Defendants.

11 15. Defendants, and each of them, have failed to perform their obligations under the B-
12 PERMIT in that they have failed to construct all improvements and pay all inspection costs and fees
13 associated therewith.

14 16. As a direct and proximate result of Defendants' breach of the B-PERMIT, CITY has been
15 damaged in the amount of not less than \$184,000.00 which amount represents the reasonable completion
16 and inspection costs CITY will incur to cause the public improvements to be constructed.

17 WHEREFORE, Plaintiff CITY prays for judgment as follows against all Defendants:

- 18 1. For the principal sum of \$184,000.00;
19 2. Interest on the principal sum at the legal rate;
20 3. Costs of suit incurred herein and attorneys' fees; and
21 4. For such other and further relief as the Court may deem just and proper.

22
23 Dated: June 6, 2023

HYDEE FELDSTEIN SOTO, City Attorney
DENISE C. MILLS, Chief Deputy City Attorney
SCOTT MARCUS, Chief Assistant City Attorney
GABRIEL S. DERMER, Assistant City Attorney

26 /s/ Gabriel S. Dermer
27 Gabriel S. Dermer, Assistant City Attorney
28 Attorneys for Plaintiff CITY OF LOS ANGELES

EXHIBIT 1

APPROVED FOR THE
CITY ENGINEER BY
WJ
BOND CONTROL

PREMIUM: \$6,420.00 Two-Year Term

City of Los Angeles
DEPARTMENT OF PUBLIC WORKS
Office of the City Engineer

389385S

SURETY'S BOND NO.

VALLEY

District/Division Design Office
Council District No. 7
Date Issued: 05/07/2015

CAO 1502045

CAO-RISK MGMT. NO.
DATE APPROVED 5/21/2015

GENERAL IMPROVEMENT PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, **VILLAS OVER SUNLAND, LLC**

as PRINCIPAL and Indemnity Company of California a corporation incorporated under the laws of the State of California and authorized by the laws of the State of California to execute bonds and undertakings as sole surety, as SURETY, are held and firmly bound unto the City of Los Angeles, in the JUST and FULL SUM of **TWO HUNDRED FOURTEEN THOUSAND AND NO/100 Dollars (\$214,000.00)**, lawful money of the United States, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION of the foregoing obligation is such that WHEREAS the above bounden PRINCIPAL has applied for a building permit, zone change, zone variance, conditional use of property, street or alley vacation, legal lot access, or has voluntarily offered to dedicate and/or improve certain public easements, and said PRINCIPAL, in conjunction therewith, has agreed to construct and install all of the following public improvements, to wit: construct and install **STREETS, TRAFFIC CONTROL, STREET LIGHTING.**

Said improvements to be located at or in, and adjoining: **9310 HILLROSE ST & 9315 WAYSIDE DR - HILLROSE ST AND WAYSIDE DR FROM INT TO 430' NW'LY/O WAYSIDE DR AND FROM INT TO 465' SW'Y/O HILLROSE ST - (HILLSIDE)**

Said work shall be performed under permit or permits to be issued by the Board of Public Works of the CITY, hereinafter called the BOARD, in accordance with the standards and specifications of the BOARD, as amended, and to the approval of the City Engineer. The PRINCIPAL agrees to pay for such inspection of work and improvements as may be required by the BOARD, and further agrees to furnish all necessary final plans, profiles and standard specifications in a form that will be sufficient to be processed and be approved by the City Engineer not later than six (6) months prior to the date specified for the completion of the required work, which shall be on or before: **June 07, 2017.**

Continuation Sheet For:

GENERAL IMPROVEMENT PERFORMANCE BOND

or within any lawful extension of said term by the City Engineer, or as otherwise provided by law. If it is deemed necessary to extend the time within which to complete said work, it is understood and agreed that such extension of time shall be subject to a revision of the estimated improvement costs, and that the required improvements shall be constructed and installed in accordance with the standards and specifications of the BOARD in effect at the time such extension of time is granted. This bond is further conditioned upon and guarantees due compliance with all of the applicable provisions of ARTICLES 2 and 7 of CHAPTER 1, and Sections 62.105 through 62.118, inclusive, of the Municipal Code of the CITY, as amended.

NOW, THEREFORE, if the above bounden PRINCIPAL shall well and truly perform the work specified hereinabove in all respects within the time specified for such performance, or with any lawful extension thereof, this obligation shall be void upon the delivery to the PRINCIPAL and SURETY of a CERTIFICATE OF ACCEPTANCE, signed by the City Engineer of the CITY certifying that all of the requirements for which this bond is a guarantee have been completed to the satisfaction of the City Engineer; otherwise, this obligation shall be and remain in full force and effect until exonerated or canceled by the City Engineer.

IN WITNESS WHEREOF, this instrument has been duly executed by the above named PRINCIPAL and SURETY on May 16 20 15.

Principal Signatories

VILLAS OVER SUNLAND, LLC

SURETY:

Indemnity Company of California

By:

STEVE BROCKMEYER

(Attorney-in-Fact)

Surety's Address: **500 S. Kraemer Blvd., Suite 300, Brea, CA 92821**

ACKNOWLEDGMENT

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.

State of California

County of Los Angeles

On May 20, 2015 before me, Marta A. Litwin

A Notary Public personally appeared Andrew Nawaczek

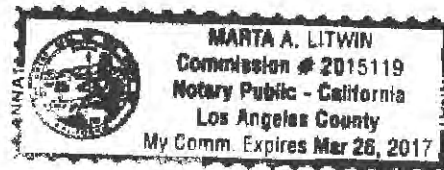
who proved to me on the basis of satisfactory evidence to be the person~~s~~ whose name~~s~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity~~(ies)~~, and that by his/~~her~~/their signature~~s~~ on the instrument the person~~s~~, or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

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

Marta A. Litwin



(Seal)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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.

State of California)

County of Los Angeles)On May 16, 2015 before me, Mary Smith, Notary Public
Date Here Insert Name and Title of the Officerpersonally appeared Steve Brockmeyer
Name(s) of Signer(s)

who proved 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.

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

Mary Smith
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Steve Brockmeyer, Ronald C. Wanglin, Donna M. Green, John D. Hunsinger, Mary Smith, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship 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.

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 DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations 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 corporations 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, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this January 1st, 2008.

By: *Daniel Young*
Daniel Young, Vice-President

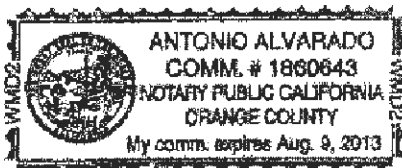
By: *Stephen T. Pate*
Stephen T. Pate, Senior Vice-President

State of California
County of Orange



On January 31, 2011 before me, Antonio Alvarado, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Daniel Young and Stephen T. Pate
Name(s) of Signer(s)



Place Notary Seal Above

who proved 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.

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

Antonio Alvarado

Antonio Alvarado, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing 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 16th day of May, 2015

By: *Gregg N. Okura*
Gregg Okura, Assistant Secretary

Exhibit 2

CLASS "B" APPLICATION / PERMIT (CONSTRUCTION PHASE) ISSUED UNDER SECTIONS 62.105 TO 62.116 INCLUSIVE, LOS ANGELES MUNICIPAL CODE (SEE REVERSE HEREOF)						DISTRICT: VALLEY		Work Order(s) BR205359	
I HEREBY REQUEST PERMISSION TO CONSTRUCT THE IMPROVEMENTS DESCRIBED BELOW UNDER PRIVATE CONTRACT AND, IF PERMISSION IS GRANTED, I AGREE TO CONSTRUCT SAME IN ACCORDANCE WITH PLANS AND/OR SPECIFICATIONS APPROVED BY THE CITY ENGINEER. I ALSO ACKNOWLEDGE THAT I HAVE REVIEWED THE GENERAL INFORMATION PRESENTED ON THE REVERSE OF THIS APPLICATION, AND AGREE TO THE PROVISIONS STATED THEREON.						SHEET NO. 1 OF 2 SHEETS		DATE ISSUED: 07/23/2018	DATE EXPIRES: 06/07/2019
MJR PROJECT/PROJECT: EBPER/ EBPERGEN		PROGRAM: 7804		ENGR DIST.: E6201810		REIMB FLG: YES		DIR/INDIR: D	
STREETS AND LIMITS TO BE IMPROVED (SEE CONSTRUCTION TOTALS AT RIGHT) SUPPLEMENTAL NO ADDITIONAL DEPOSIT RECEIVED AT THIS TIME. CONSTRUCTION PHASE ISSUED TO COVER WORK UNDER BR205359.				INDICATE SCOPE AC PAV, CURB & GUTTER, CMB, POWER POLE RELOCATION					
ESTIMATED 2% Surcharge = \$0.00 ESTIMATED 7% Surcharge = \$0.00									
ENGR. PLAN CHECK DEPOSIT \$0.00	Number of Trees 10	Wells 0	Tree Planting Fee \$0.00	District Map Number 207B185	DIVISION INDEX 207B185	DRAINAGE MAP TG 503-E3	COUNCIL DISTRICT 7	CONSTRUCTION ITEMS	ESTIMATED COST
Sandblasting Fee \$0.00	DOT Sign Deposit \$0.00	Traffic Deposit \$0.00		PROPOSED R/W NO.		SPECIAL REFERENCES		GRADING	\$3,600.00
CONST. - INSPECTION DEPOSIT \$0.00		TOTAL FEE DEPOSIT \$0.00						PAVING CURB / GUT. / SDWLK	\$114,273.25
TYPE OF PROJECT		TOTAL BOND DEPOSIT \$184,000.00						SEWER	\$0.00
IMPROVEMENT BOND NO. CA0150204 MCB30184								STORM DRAIN	\$0.00
LIABILITY INSURANCE NO. CA123475		LIAB. INSUR. EXPIR. DATE 08/08/2018						STREET LIGHTS	\$42,000.00
PRIVATE ENGINEER GM ENGINEERING								TRAFFIC SIGNALS	\$0.00
STREET ADDRESS 6634 VALJEAN AVE								SUBTOTAL	\$159,873.00
CITY VAN NUYS	ZIP 91406	PHONE NO. 818-908-1824						+ % PCF	\$23,980.00
OWNER-APPLICANT (SEE REVERSE) VILLAS OVER SUNLAND LLC								CONSTRUCTION ESTIMATE	\$0.00
STREET ADDRESS 8209A FOOTHILL BLVD #700								+ % CIF	\$0.00
CITY SUNLAND	STATE CA	ZIP 91040						BOND ESTIMATE	\$184,000.00
(AREA CODE) PHONE NO. 818-352-0935		DATE SIGNED BY APPLICANT		REGISTER RECEIPT VALIDATION					
SIGNATURE (SEE REVERSE BEFORE SIGNING)									
APPLICANT'S NAME (ADD TITLE IF OFFICER)									
DISTRICT/DIVISION OFFICE		ISSUED BY: dynl miranda		DIST. ENGR.		DATE		Permit Title: HILLROSE ST AND WAYSIDE DR FROM INT TO 430' NW'LY/O WAYSIDE DR AND FROM INT TO 465' SW'Y/O HILLROSE ST - (HILL SIDE/	

Job Address:
9310 HILLROSE ST & 9315 WAYSIDE DR

TIME	DATE	Shaun Yepremian, P.E.	WAYSIDE DRIVE FROM HWY 10400 ON TO HILLROSE ST (HILLROSE/ WAYSIDE) (VAC E1401250)
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GENERAL INFORMATION

This form shall be used for all Class "B" Permits. It is not necessary to repeat the STREETS AND LIMITS breakdown on **CONSTRUCTION B-PERMITS** that are preceded by checking only permits.

1. LIABILITY INSURANCE and performance bonds are only required for approval of construction B-Permits.

2. OWNER-APPLICANT must be the owner of the affected property, and must be the same as the performance bond principal. Contractors for governmental agencies under faithful performance bonds shall be entered as OWNER-APPLICANT. Applicant issued to CORPORATIONS shall be executed by the President, Vice-President, Secretary or Asst. Secretary, and the CORPORATE SEAL shall be impressed.

3. SAFETY ORDERS Sec. 6500 of the STATE LABOR OR CODE requires the APPLICANT to obtain a **STATE A DIVISION OF INDUSTRIAL SAFETY (DIS) PERMIT** and a copy of **STATE INDUSTRIAL SAFETY ORDERS** BEFORE BEGINNING WORK ON ANY TRENCH OR EXCAVATION **FIVE FEET OR DEEPER** into which a person must descend. City personnel will not enter such excavations until the required permit and safety orders have been obtained and are displayed on the job site.

4. PCF percentage factors apply to possible construction change orders. **CIF** percentage factors apply to cost increases through the life of the project. (See CONSTRUCTION ITEMS on the reverse side of this application.)

5. PLAN CHECKING DEPOSITS are subject to charges for blueprints, engineering, testing, traffic signal design, street lighting design, and administrative service.

CONSTRUCTION PERMIT DEPOSITS may be charged against for blueprints, engineering, testing, surveying, inspection, administrative services, emergency light and barricade services, street tree planting and maintenance, street lighting burn tests, Street Name signs, traffic warning and regulatory signs, sandblasting and painting of traffic markings, erosion control, etc. Unused fees are refunded after closure of the permit. The applicant will be billed for unreimbursed charges (fee deficits).

6. DESIGN OFFICE will determine if applicant must dedicate a right of way to the City for construction purposes. The applicant shall open a right of way work order and deposit necessary fee with the REAL ESTATES SECTION, DEVELOPEMENT SERVICES DIVISION, BUREAU OF ENGINEERING.

7. NOT MORE THAN ONE TRACT OR PARCEL MAP SHALL BE ASSIGNED TO A SINGLE B-PERMIT.

8. PERMITTEE SHALL STOP WORK AND CONTACT THE PERMITTING AGENCY PRIOR TO CUTTING OR EXCAVATING ANY DECORATIVE SIDEWALK, PAVEMENT, OR CROSSWALK.

9. ANY DAMAGE TO DECORATIVE SIDEWALK, PAVEMENT, OR CROSSWALK MUST BE REPAIRED IN KIND OR RECONSTRUCTED IN KIND BY THE PERMITTEE, AS DIRECTED BY THE PERMITTING AGENCY, IN A MANNER SATISFACTORY TO THE CITY ENGINEER AND THE INSPECTOR OF PUBLIC WORKS.

THIS CONSTRUCTION B-PERMIT MUST BE ON THE JOB SITE AT ALL TIMES.

THIS PERMIT VALID ONLY IF ACCOMPANIED BY A DIS PERMIT AND SAFETY ORDERS (SEE NOTE 3 ABOVE). DIS PERMIT MAY BE OBTAINED FROM STATE DIVISION OF INDUSTRIAL SAFETY, 3460 WILSHIRE BOULEVARD, LOS ANGELES. **NOTE:** GOVERNMENTAL AGENCIES AND PUBLIC UTILITIES UNDER **PUC CONTROL ARE EXEMPT**. PRIVATE CONTRACTORS ACTING AS PERMITTEE FOR SUCH AGENCIES **ARE NOT EXEMPT**.

NOTE: CHARGES AGAINST THE PERMIT FEE DEPOSIT WILL BE COMPILED APPROXIMATELY 6 TO 8 WEEKS AFTER THE DATE FINAL INSPECTION IS COMPLETED. THE B-PERMIT WILL BE CLOSED AND THE IMPROVEMENT BOND EXONERATED AFTER ALL PERMIT FEE CHARGES HAVE BEEN ACCUMULATED AND PAID.



Exhibit 3

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
Office of the City Engineer

APPROVED FOR THE
CITY ENGINEER BY

BOND CONTROL

389385S

SURETY BOND NO.

CAO150204

CAO Risk Mgmt No.

DATE APPROVED 9/24/2015

VALLEY

District/Division Design Office
Council District No. 7
Permit No. **BR205359**
Date Prepared: **09/16/2015**

GENERAL BOND RIDER

WHEREAS, under the date 05/21/2015, I-we **VILLAS OVER SUNLAND, LLC** as Principal, and **INDEMNITY COMPANY OF CALIFORNIA** as Surety, executed in favor of the City of Los Angeles, a certain bond in the sum of **TWO HUNDRED FOURTEEN THOUSAND AND NO/100 Dollars (\$214,000.00)** guaranteeing construction of certain public improvements located at-in **HILLROSE ST AND WAYSIDE DR FROM INT TO 430' NW'LY/O WAYSIDE DR AND FROM INT TO 465' SW'Y/O HILLROSE ST - (HILLSIDE)** to be completed on or before **06/07/2017**, and

WHEREAS, the Principal(s) and Surety have agreed to amend said bond by extending the time within which to construct and complete said public improvements, and
by adding **VAC E1401250** to the title and reducing the bond amount from **TWO HUNDRED FOURTEEN THOUSAND AND NO/100 Dollars (\$214,000.00)** to **ONE HUNDRED EIGHTY FOUR THOUSAND AND NO/100 Dollars (\$184,000.00)**.

WHEREAS, the Obligee is willing to accept said amendments, as agreed,

NOW THEREFORE, it is agreed by the undersigned Principal(s) and Surety on said bond that the time for performance shall hereby be extended to on or before **06/07/2017**

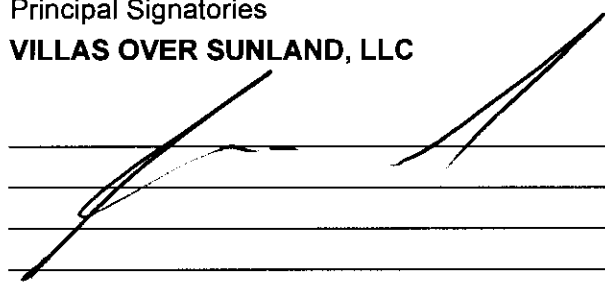
(There is no time extension)

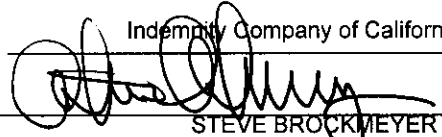
and it is hereby expressly agreed that the effective date of this rider is the date of its acceptance by the City, and all other terms and conditions shall remain the same as originally written.

ATTACH TO CAO 150204S

IN WITNESS WHEREOF, this instrument has been duly executed by the above named PRINCIPAL and SURETY on September 22, 20 15.

Principal Signatories
VILLAS OVER SUNLAND, LLC



SURETY: Indemnity Company of California
By:  (Attorney-in-Fact)
STEVE BROCKMEYER
Surety's Address: 500 S. Kraemer Blvd., Suite 300, Brea, CA 92821

SEE INSTRUCTIONS FOR SIGNATURES AND ACKNOWLEDGEMENTS ON "NOTICE TO CLASS B PERMIT AND BOND APPLICANTS" (FORM ENG 3.693-REVISED)

ACKNOWLEDGMENT

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.

State of California

County of Los Angeles

On September 24, 2015 before me, Marta A. Litwin

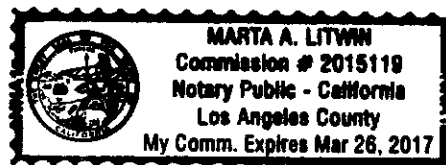
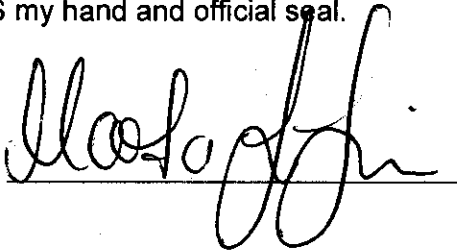
A Notary Public personally appeared Andrew Nowaczek

who proved 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.

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



(Seal)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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.

State of California)

County of Los Angeles)

On September 22, 2015 before me, Mary Smith, Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared Steve Brockmeyer

Name(s) of Signer(s)

who proved 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.

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 Mary Smith
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Steve Brockmeyer, Ronald C. Wanglin, Donna M. Green, John D. Hunsinger, Mary Smith, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship 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.

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 DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations 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 corporations 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, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this January 1st, 2008.

By: *Daniel Young*
Daniel Young, Vice-President

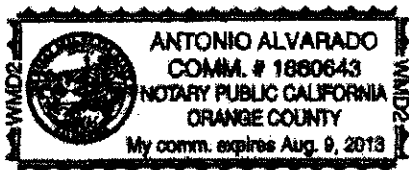
By: *Stephen T. Pate*
Stephen T. Pate, Senior Vice-President

State of California
County of Orange



On January 31, 2011 before me, Antonio Alvarado, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Daniel Young and Stephen T. Pate
Name(s) of Signer(s)



Place Notary Seal Above

who proved 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.

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

Antonio Alvarado
Antonio Alvarado, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing 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 22nd day of September 2015

By: *Gregg Okura*
Gregg Okura, Assistant Secretary

EXHIBIT 4

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
Office of the City Engineer

APPROVED FOR THE
CITY ENGINEER BY
Susan S. Gray
BOND CONTROL

389385S

SURETY BOND NO.

CAO150204

CAO Risk Mgmt No.

VALLEY

District/Division Design Office
Council District No. 7
Permit No. BR205359
Date Prepared: 03/28/2017

DATE APPROVED 3/30/2017

GENERAL BOND RIDER

WHEREAS, under the date 05/21/2015, I-we VILLAS OVER SUNLAND, LLC as Principal, and INDEMNITY COMPANY OF CALIFORNIA as Surety, executed in favor of the City of Los Angeles, a certain bond in the sum of TWO HUNDRED FOURTEEN THOUSAND AND NO/100 Dollars (\$214,000.00) guaranteeing construction of certain public improvements located at-in HILLROSE ST AND WAYSIDE DR FROM INT TO 430' NW'LY/O WAYSIDE DR AND FROM INT TO 465' SW'Y/O HILLROSE ST - (HILLSIDE) to be completed on or before 06/07/2017, and

WHEREAS, the Principal(s) and Surety have agreed to amend said bond by extending the time within which to construct and complete said public improvements, and on 9/25/2015 by adding VAC E1401250 to the title and reducing the bond amount from TWO HUNDRED FOURTEEN THOUSAND AND NO/100 Dollars (\$214,000.00) to ONE HUNDRED EIGHTY FOUR THOUSAND AND NO/100 Dollars (\$184,000.00) and whereas Spring Valley Estates, LLC is to be added as PRINCIPAL to the existing bond with no change to time to complete improvements.

WHEREAS, the Obligee is willing to accept said amendments, as agreed,

NOW THEREFORE, it is agreed by the undersigned Principal(s) and Surety on said bond that the time for performance shall hereby be extended to on or before 06/07/2017

and it is hereby expressly agreed that the effective date of this rider is the date of its acceptance by the City, and all other terms and conditions shall remain the same as originally written.

IN WITNESS WHEREOF, this instrument has been duly executed by the above named PRINCIPAL and SURETY
on March 29, 20 17.

Principal Signatories

VILLAS OVER SUNLAND, LLC

by Andrew Nawaczek

SPRING VALLEY ESTATES, LLC

by Andrew Nawaczek

SURETY: Indemnity Company of California

By: Mary Smith (Attorney-in-Fact)

MARY SMITH

Surety's Address: 500 S. Kraemer Blvd., Suite 300, Brea, CA 92821

SEE INSTRUCTIONS FOR SIGNATURES AND ACKNOWLEDGEMENTS ON "NOTICE TO CLASS B PERMIT AND BOND APPLICANTS" (FORM ENG 3.693-REVISED)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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.

State of California)
 County of Los Angeles)
 On March 29, 2017 before me, Emily Preciado, Notary Public
Date Here Insert Name and Title of the Officer
 personally appeared Mary Smith
Name(s) of Signer(s)

who proved 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.

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 Emily Preciado
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
 Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer — Title(s): _____	☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General	☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer Is Representing: _____	Signer Is Representing: _____

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Steve Brockmeyer, Ronald C. Wanglin, Mary Smith, Emily Preciado, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship 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.

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 DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations 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 corporations 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, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this 6th day of February, 2017.

By: *Daniel Young*
Daniel Young, Senior Vice-President

By: *Mark Lansdon*
Mark Lansdon, 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.

State of California
County of Orange

On February 6, 2017 before me, Lucille Raymond, Notary Public
Date Here Insert Name and Title of the Officer

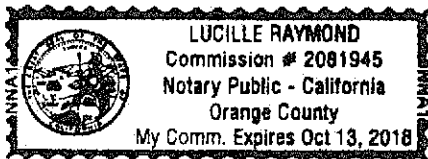
personally appeared Daniel Young and Mark Lansdon
Name(s) of Signer(s)

who proved 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.

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 *Lucille Raymond*
Lucille Raymond, Notary Public



Place Notary Seal Above

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing 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 29th day of March, 2017.

By: *Cassie J. Berrisford*
Cassie J. Berrisford, Assistant Secretary

ATS-1002 (02/17)



ACKNOWLEDGMENT

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.

State of California

County of Los Angeles

On March 29, 2017 before me, Marta A. Litwin

A Notary Public personally appeared Andrew Nawaczek

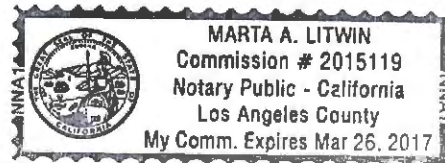
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

Marta A. Litwin



(Seal)

EXHIBIT 5

CITY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
Office of the City Engineer

389385S

SURETY BOND NO.

CAO150204

CAO Risk Mgmt No.

DATE APPROVED 8/25/2017

APPROVED FOR THE
CITY ENGINEER BY
Susan Sugrue
BOND CONTROL

VALLEY

District/Division Design Office
Council District No. 7
Permit No. BR205359
Date Prepared: 08/23/2017

GENERAL BOND RIDER

WHEREAS, under the date 05/21/2015, I-we **VILLAS OVER SUNLAND, LLC AND SPRING VALLEY ESTATES, LLC** as Principal, and **INDEMNITY COMPANY OF CALIFORNIA** as Surety, executed in favor of the City of Los Angeles, a certain bond in the sum of **TWO HUNDRED FOURTEEN THOUSAND AND NO/100 Dollars (\$214,000.00)** guaranteeing construction of certain public improvements located at-in **HILLROSE ST AND WAYSIDE DR FROM INT TO 430' NW'LY/O WAYSIDE DR AND FROM INT TO 465' SW'Y/O HILLROSE ST - (HILLSIDE/ VAC E1401250)** to be completed on or before **06/07/2017**, and

WHEREAS, the Principal(s) and Surety have agreed to amend said bond by extending the time within which to construct and complete said public improvements, and **reducing the bond amount per previous bond rider dated 9/16/2015 from Two Hundred Fourteen Thousand and No/100 Dollars (\$214,000.00) to One Hundred Eighty Four Thousand and No/100 Dollars (\$184,000.00).**

WHEREAS, the Obligee is willing to accept said amendments, as agreed,

NOW THEREFORE, it is agreed by the undersigned Principal(s) and Surety on said bond that the time for performance shall hereby be extended to on or before **06/07/2019**

and it is hereby expressly agreed that the effective date of this rider is the date of its acceptance by the City, and all other terms and conditions shall remain the same as originally written.

IN WITNESS WHEREOF, this instrument has been duly executed by the above named PRINCIPAL and SURETY

on August 24, 20 17.

Principal Signatories

VILLAS OVER SUNLAND, LLC AND SPRING VALLEY ESTATES, LLC

by Andrew Nowaczek

by Andrew Nowaczek

SURETY: Indemnity Company of California

By: Emily Preciado (Attorney-in-Fact)
EMILY PRECIADO

Surety's Address: 500 S. Kraemer Blvd., Suite 300 Brea, CA 92821

SEE INSTRUCTIONS FOR SIGNATURES AND ACKNOWLEDGEMENTS ON "NOTICE TO CLASS B PERMIT AND BOND APPLICANTS" (FORM ENG 3.693-REVISED)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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.

State of California)
 County of Los Angeles)
 On August 24, 2017 before me, Mary Smith, Notary Public
Date Here Insert Name and Title of the Officer
 personally appeared Emily Preciado
Name(s) of Signer(s)

who proved 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.

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

Mary Smith
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
 Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA**
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Steve Brockmeyer, Ronald C. Wanglin, Mary Smith, Emily Preciado, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship 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.

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 DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations 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 corporations 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, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this 6th day of February, 2017.

By: *Daniel Young*
Daniel Young, Senior Vice-President

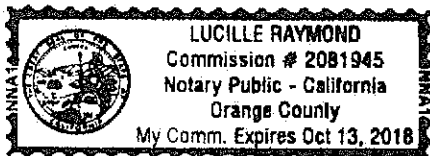
By: *Mark Lansdon*
Mark Lansdon, Vice-President



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.

State of California
County of Orange

On February 6, 2017 before me, Lucille Raymond, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Daniel Young and Mark Lansdon
Name(s) of Signer(s)



Place Notary Seal Above

who proved 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.

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 *Lucille Raymond*
Lucille Raymond, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing 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 24th day of August, 2017

By: *Cassie J. Bernisford*
Cassie J. Bernisford, Assistant Secretary



ACKNOWLEDGMENT

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.

State of California

County of

Los Angeles

On August 25, 2017 before me,

Delia Lopez, Notary Public

A Notary Public personally appeared

Andrew Nowaczek

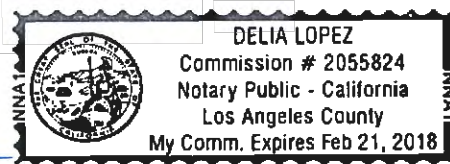
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

Delia Lopez



(Seal)