

# Attachment C

## Existing Securities

## **PUBLIC IMPROVEMENTS FAITHFUL PERFORMANCE BOND**

(To Be Used With Subdivision Improvement Agreement or Construction/Excavation Permit)

Tract Map No.: 17316

Bond No.: 30139524

Case No.: -

Premium: \$8,353.00

**WHEREAS**, the City Council of the City of Victorville, County of San Bernardino, State of California, and Richmond American Homes of Maryland, Inc. (hereinafter "Principal") have entered into a Subdivision Improvement Agreement (hereinafter referred to as "Agreement") whereby Principal agrees to install and complete certain designated public improvements, which said Agreement, dated       , 20      , and identified as Tract Map No. 17316 and Case No.        for Seasons at Ottawa (Lots 1-36) Improvement(s), is hereby referred to and made a part hereof; and,

**WHEREAS**, said Principal is required under the terms of said Agreement to furnish a bond for faithful performance of said Agreement.

**NOW THEREFORE**, we, the Principal and The Continental Insurance Company, a corporation of the State of Pennsylvania, doing business under and by virtue of the laws of the State of California and duly licensed to conduct a general surety business in the State of California, as surety, (hereinafter "Surety"), are held and firmly bound unto the City of Victorville, a municipal corporation (hereinafter "City"), in the penal sum of Two Million Eighty Eight Thousand Two Hundred Thirty Five and 50/100ths dollars, (\$ 2,088,235.50), lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bounded Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions, and provisions in the said Agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless City, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Public Improvements  
Faithful Performance Bond  
Tract Map No.: 17316  
Case No.: \_\_\_\_\_  
Bond No.: 30139524

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on December 17, 2021.

Richmond American Homes  
of Maryland, Inc.

Name of Principal (Applicant)

By: \_\_\_\_\_

*Sandra Harris*

By: \_\_\_\_\_

By: \_\_\_\_\_

Mailing Address:

5171 California Ave, Suite 120

Address of Principal

Irvine, CA 92617

City, State Zip Code

The Continental Insurance Company

Name of Surety Company

By: \_\_\_\_\_

*Kathleen K. Freund*  
Kathleen K. Freund, Attorney-in-Fact

By: \_\_\_\_\_

By: \_\_\_\_\_

10375 Park Meadows Dr., #300

Address of Surety Company

Littleton, CO 80123

City, State Zip Code

**ABOVE-SIGNATORIES MUST BE NOTARIZED**

APPROVED AS TO FORM:

\_\_\_\_\_  
Risk Manager

\_\_\_\_\_  
City Attorney

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of Colorado

County of Denver

On December 17, 2021 before me, Nathan Mulhauser, Notary Public,  
(Here insert name and title of the officer)

personally appeared Kathleen K. Freund

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.

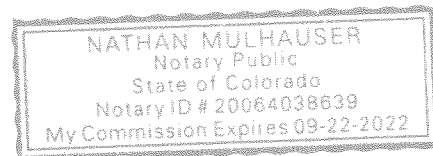
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Nathan Mulhauser

Signature of Notary Public

(Notary Seal)



My Commission Expires: September 22, 2022

## ADDITIONAL OPTIONAL INFORMATION

### INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

### DESCRIPTION OF THE ATTACHED DOCUMENT

\_\_\_\_\_  
(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

\_\_\_\_\_  
(Additional information)

### CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)  
☐ Corporate Officer

\_\_\_\_\_  
(Title)

- ☐ Partner(s)  
☒ Attorney-in-Fact  
☐ Trustee(s)  
☐ Other \_\_\_\_\_

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint Kathleen K. Freund

, Individually

of Denver, Colorado, 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 Number: 30139524

Principal: Richmond American Homes of Maryland, Inc. a Maryland corporation

Obligee: City of Victorville

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 2nd day of February, 2021.



The Continental Insurance Company

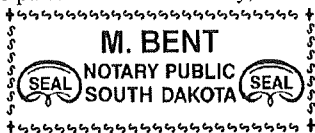
Paul T. Bruflat

Paul T. Bruflat

Vice President

State of South Dakota, County of Minnehaha, ss:

On this 2nd day of February, 2021, 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 a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; 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 insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires March 2, 2026

M. Bent

M. Bent

Notary Public

CERTIFICATE

I, D. Johnson, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company 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 insurance company this 17 day of December, 2021.



The Continental Insurance Company

D. Johnson

D. Johnson

Assistant Secretary

## **PUBLIC IMPROVEMENTS LABOR AND MATERIALS BOND**

(To Be Used With Subdivision Improvement Agreement or Construction/Excavation Permit)

Tract Map No.: 17316

Bond No.: 30139524

Case No.: \_\_\_\_\_

Premium: \$8,353.00

**WHEREAS**, the City Council of the City of Victorville, County of San Bernardino, State of California, and Richmond American Homes of Maryland, Inc. (hereinafter "Principal") have entered into a Subdivision Improvement Agreement (hereinafter referred to as "agreement") whereby Principal agrees to install and complete certain designated public improvements, which said Agreement, dated \_\_\_\_\_, 20\_\_\_\_\_, and identified as Tract Map No. 17316 and Case No.: \_\_\_\_\_ for Seasons at Ottawa (Lots 1-36) Improvement(s), is hereby referred to and made a part hereof; and,

**WHEREAS**, under the terms of said Agreement, Principal is required, before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Victorville to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4, of the Civil Code of the State of California.

**NOW THEREFORE**, said Principal and The Continental Insurance Company, doing business under and by virtue of the laws of the State of California and duly licensed to conduct a general surety business in the State of California, as surety, (hereinafter "Surety"), are held and firmly bound unto the City of Victorville, a municipal corporation (hereinafter "City") in the County of San Bernardino, State of California, and all contractors, subcontractors, laborers, material suppliers, and other persons employed in the performance of the aforesaid Agreement and referred to in the aforesaid Code of Civil Procedure in the sum of One Million Forty Four Thousand One Hundred Seventeen and 75/100ths dollars, (\$ 1,044,117.75 ), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4, of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise, it shall be and remain in full force and effect.

**Public Improvements  
Labor & Materials Bond**

Tract Map No.: 17316

Case No.: \_\_\_\_\_

Bond No.: 30139524

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or to the specifications.

**IN WITNESS WHEREOF**, this instrument has been duly executed by the Principal and Surety above named, on December 17, 20 21.

Richmond American Homes  
of Maryland, Inc.

Name of Principal (Applicant)

By: 

By: \_\_\_\_\_

By: \_\_\_\_\_

Mailing Address:

5171 California Ave, Suite 120

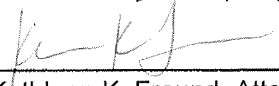
Address of Principal

Irvine, CA 92617

City, State Zip Code

The Continental Insurance Company

Name of Surety Company

By: 

Kathleen K. Freund, Attorney-in-Fact

By: \_\_\_\_\_

By: \_\_\_\_\_

10375 Park Meadows Dr., #300

Address of Surety Company

Littleton, CO 80123

City, State Zip Code

**ABOVE-SIGNATORIES MUST BE NOTARIZED**

APPROVED AS TO FORM:

\_\_\_\_\_  
Risk Manager

\_\_\_\_\_  
City Attorney

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of Colorado

County of Denver


On December 17, 2021 before me, Nathan Mulhauser, Notary Public,  
(Here insert name and title of the officer)

personally appeared Kathleen K. Freund,

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.

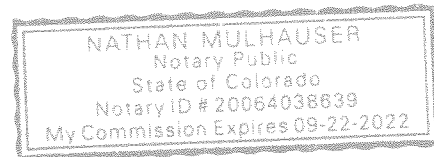
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature of Notary Public

(Notary Seal)



My Commission Expires: September 22, 2022

## ADDITIONAL OPTIONAL INFORMATION

### INSTRUCTIONS FOR COMPLETING THIS FORM

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- Print the name(s) of document signer(s) who personally appear at the time of notarization.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
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  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

### DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages        Document Date       

(Additional information)

### CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)  
☐ Corporate Officer

(Title)

- ☐ Partner(s)  
☒ Attorney-in-Fact  
☐ Trustee(s)  
☐ Other



POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint Kathleen K. Freund

, Individually

of Denver, Colorado, 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 Number: 30139524

Principal: Richmond American Homes of Maryland, Inc. a Maryland corporation

Obligee: City of Victorville

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 2nd day of February, 2021.

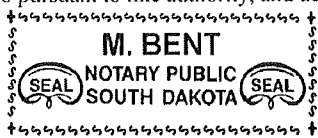


The Continental Insurance Company

Paul T. Bruflat  
Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 2nd day of February, 2021, 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 a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; 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 insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires March 2, 2026

M. Bent

M. Bent

Notary Public

CERTIFICATE

I, D. Johnson, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company 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 insurance company this 17 day of December, 2021.



The Continental Insurance Company

D. Johnson  
D. Johnson Assistant Secretary

## **PUBLIC IMPROVEMENTS FAITHFUL PERFORMANCE BOND**

(To Be Used With Subdivision Improvement Agreement or Construction/Excavation Permit)

Tract Map No.: 17316

Bond No.: 30139526

Case No.: -

Premium: \$557.00

**WHEREAS**, the City Council of the City of Victorville, County of San Bernardino, State of California, and Richmond American Homes of Maryland, Inc. (hereinafter "Principal") have entered into a Subdivision Improvement Agreement (hereinafter referred to as "Agreement") whereby Principal agrees to install and complete certain designated public improvements, which said Agreement, dated       , 20      , and identified as Tract Map No. 17316 and Case No.        for Seasons at Ottawa (Lots 1-36) Improvement(s), is hereby referred to and made a part hereof; and,

**WHEREAS**, said Principal is required under the terms of said Agreement to furnish a bond for faithful performance of said Agreement.

**NOW THEREFORE**, we, the Principal and The Continental Insurance Company, a corporation of the State of Pennsylvania, doing business under and by virtue of the laws of the State of California and duly licensed to conduct a general surety business in the State of California, as surety, (hereinafter "Surety"), are held and firmly bound unto the City of Victorville, a municipal corporation (hereinafter "City"), in the penal sum of One Hundred Thirty Nine Thousand Two Hundred Ten and 50/100ths dollars, (\$139,210.50), lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bounded Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions, and provisions in the said Agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless City, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of Colorado

County of Denver

On December 17, 2021 before me, Nathan Mulhauser, Notary Public  
(Here insert name and title of the officer)

personally appeared Kathleen K. Freund

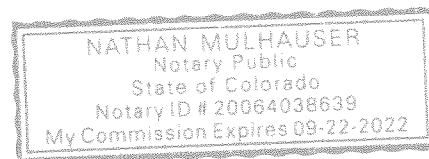
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),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

Nathan Mulhauser  
Signature of Notary Public

(Notary Seal)



My Commission Expires: September 22, 2022

## ADDITIONAL OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages        Document Date       

(Additional information)

### CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)  
☐ Corporate Officer

(Title)

- ☐ Partner(s)  
☒ Attorney-in-Fact  
☐ Trustee(s)  
☐ Other

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of Denver, Colorado, 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 Number: 30139526

Principal: Richmond American Homes of Maryland, Inc. a Maryland corporation

Obligee: City of Victorville

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

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**In Witness Whereof**, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 2nd day of February, 2021.

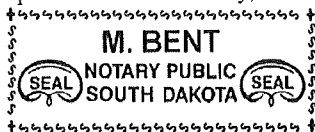


The Continental Insurance Company

Paul T. Bruflat  
Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 2nd day of February, 2021, 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 a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; 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 insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires March 2, 2026

M. Bent  
M. Bent Notary Public

### CERTIFICATE

I, D. Johnson, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company 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 insurance company this 17 day of December, 2021.



The Continental Insurance Company

D. Johnson  
D. Johnson Assistant Secretary

## MONUMENTATION PERFORMANCE BOND

(To Be Used With Subdivision Improvement Agreement)

Tract Map No.: 17316

Bond No.: 30139525

Case No.: \_\_\_\_\_

Premium: \$100.00

Richmond American Homes  
of Maryland, Inc.

**LET IT BE KNOWN BY THESE PRESENT**, that \_\_\_\_\_  
as the subdivider (hereinafter "Principal"), and The Continental Insurance Company  
\_\_\_\_\_, doing business under and by virtue of the laws of the State of California and  
duly licensed to conduct a general surety business in the State of California, as surety,  
(hereinafter "Surety"), are held and firmly bound unto the City of Victorville, a municipal  
corporation (hereinafter "City"), in the County of San Bernardino, State of California, and  
to and for the benefit of any and all persons who may suffer damage by reason of the  
breach of the conditions hereof, in the penal sum of Five Thousand Two Hundred Twenty Five  
and 00/100ths dollars (\$ 5,225.00 ) lawful money of the United States, to be paid  
to City.

**WHEREAS**, Principal is presently engaged in subdividing certain lands to be  
known as Tract Map/Parcel Map/Case No. 17316 located at \_\_\_\_\_  
Seasons at Ottawa (Lots 1-36) in the City of Victorville; and,

**WHEREAS**, Principal and City have entered into a Subdivision Improvement  
Agreement and recorded with the San Bernardino County Recorder per Document No. \_\_\_\_\_  
\_\_\_\_\_ (hereinafter referred to as "Agreement") whereby  
Principal agrees to install durable survey monuments for said subdivision, which said  
Agreement, dated \_\_\_\_\_, 20\_\_\_\_\_, and identified as Tract  
Map/Parcel Map/Case No. \_\_\_\_\_, is hereby referred to and  
made a part hereof; and,

**WHEREAS**, Principal desires to not install durable survey monuments prior to  
the recordation of the final map of the subdivision and desires to install same at a later  
date,

**NOW, THEREFORE**, the condition of the above obligation is that if Principal shall  
have installed durable monuments of the survey by John Tuan Luong  
\_\_\_\_\_ (Name of Licensed Civil Engineer or  
Land Surveyor) in accordance with the final map of said subdivision, a copy of which  
said map is hereby made and same is incorporated herein as though set forth in full,  
and according to the ordinances of the City of Victorville in full force and effect at the  
time of the giving of this bond, on or before the expiration of thirty (30) consecutive days  
following completion and acceptance of public improvements within said subdivision as  
specified in said Agreement, then the obligation shall be void, otherwise to be and  
remain in full force and effect.

**Monumentation Performance Bond**

Tract/Case No.: 17316

Bond No.: 30139525

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, and including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

**IN WITNESS WHEREOF**, this instrument has been duly executed by the Principal and Surety above named, on December 17, 2021.

Richmond American Homes  
of Maryland, Inc.

Name of Principal (Applicant)

By: 

By: \_\_\_\_\_

By: \_\_\_\_\_

Mailing Address:

5171 California Ave, Suite 120

Address of Principal

Irvine, CA 92617

City, State Zip Code

The Continental Insurance Company

Name of Surety Company

By: 

Kathleen K. Freund, Attorney-in-Fact

By: \_\_\_\_\_

By: \_\_\_\_\_

10375 Park Meadows Dr., #300

Address of Surety Company

Littleton, CO 80123

City, State Zip Code

**ABOVE-SIGNATORIES MUST BE NOTARIZED**

APPROVED AS TO FORM:

\_\_\_\_\_  
Risk Manager

\_\_\_\_\_  
City Attorney

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of Colorado

County of Denver

On December 17, 2021 before me, Nathan Mulhauser, Notary Public,  
(Here insert name and title of the officer)

personally appeared Kathleen K. Freund

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.

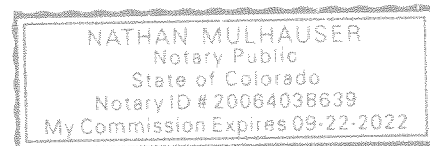
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature of Notary Public

(Notary Seal)



My Commission Expires: September 22, 2022

## ADDITIONAL OPTIONAL INFORMATION

### INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/~~they~~, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

### DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages        Document Date       

(Additional information)

### CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)  
☐ Corporate Officer

(Title)

- ☐ Partner(s)  
☒ Attorney-in-Fact  
☐ Trustee(s)  
☐ Other

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint Kathleen K. Freund  
, Individually

of Denver, Colorado, 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 Number: 30139525  
Principal: Richmond American Homes of Maryland, Inc. a Maryland corporation  
Obligee: City of Victorville

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 2nd day of February, 2021.

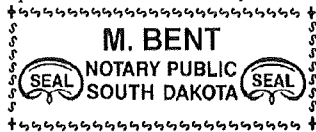


The Continental Insurance Company

Paul T. Bruflat  
Paul T. Bruflat Vice President

State of South Dakota, County of Minnehaha, ss:

On this 2nd day of February, 2021, 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 a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; 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 insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires March 2, 2026

M. Bent  
M. Bent Notary Public

CERTIFICATE

I, D. Johnson, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company 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 insurance company this 17 day of December, 2021.



The Continental Insurance Company

D. Johnson  
D. Johnson Assistant Secretary