

## LABOR AND MATERIAL BOND

WHEREAS, the City Council of the City of Huntington Beach, State of California, and  
NASH-Holland 18750 Delaware Investors, LLC

\_\_\_\_\_ ,  
(hereinafter designated as "Principal") have entered into an agreement whereby principal agrees to  
install and complete designated public improvements, which said agreement, dated \_\_\_\_\_,  
20\_\_\_\_\_, and identified as project <sup>18750 Delaware Apartments (PM</sup> 2022-106 \_\_\_\_\_, 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 Huntington  
Beach to secure the claims to which reference is made in Title 15 (commencing with Section 3082)  
of Part 4 of Division 3 of Civil Code of the State of California.

Now, therefore, said Principal and the undersigned as corporate surety, are held firmly  
bound unto the City of Huntington Beach and all contractors, subcontractors, laborers, materialmen  
and other persons employed in the performance of the aforesaid agreement and referred to in the  
aforesaid Civil Code in the sum of <sup>Seven Hundred Thirteen Thousand Seven</sup> Hundred Fifty One and 0/100 dollars  
(\$ 713,7510.00 \_\_\_\_\_), for materials furnished for 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 insure to the benefit of any  
and all persons, companies and corporations entitled to file claims under Title 15 (commencing with  
Section 3082) of Part 4 of Division 3 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.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of said agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition.

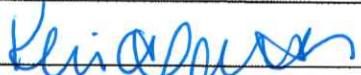
In witness whereof, this instrument has been fully executed by the principal and surety above named, on February 16, 2023

NASH-Holland 18750 Delaware Investors, LLC, as Principal

By 


By George Elum, Managing Director, Development

Harco National Insurance Company, as Surety

By 

By Kelli E. Housworth, Attorney-in-Fact

APPROVED AS TO FORM

By: MICHAEL E. GATES  
CITY ATTORNEY  
CITY OF HUNTINGTON BEACH 

STATE OF CALIFORNIA )  
 ) SS  
COUNTY OF ~~ORANGE~~ )  
LOS ANGELES

ON MARCH 14, 2023, BEFORE ME, JOSH SCOTT SIMPSON, A  
NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED  
GEORGE ELUM, PROVED TO ME ON THE BASIS  
OF SATISFACTORY EVIDENCE TO BE THE PERSONS 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



Colorado  
STATE OF ~~CALIFORNIA~~ )  
Denver ) SS  
COUNTY OF ~~ORANGE~~ )

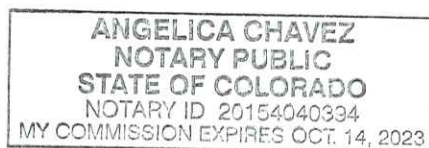
ON February 16, 2023, BEFORE ME, Angelica Chavez, A  
NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED  
Kelli E. Housworth, PROVED TO ME ON THE BASIS  
OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHOSE NAME(S) IS/ ARE  
SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT  
HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY (IES),  
AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S),  
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SIGNATURE 

SEAL



POWER OF ATTORNEY

Bond # DVHNSU0832094

HARCO NATIONAL INSURANCE COMPANY  
INTERNATIONAL FIDELITY INSURANCE COMPANY

Member companies of IAT Insurance Group, Headquartered: 702 Oberlin Road, Raleigh, North Carolina 27605

KNOW ALL MEN BY THESE PRESENTS: That HARCO NATIONAL INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Illinois, and INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of New Jersey, and having their principal offices located respectively in the cities of Rolling Meadows, Illinois and Newark, New Jersey, do hereby constitute and appoint

JOHN BROWNING, THOMAS F. MCCOY JR, KELLI E. HOUSWORTH, SHEILA J. MONTOYA, SUSAN J. LATTARULO, JUSTIN TOMLIN

Denver, CO

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 13th day of December, 2018 and by the Board of Directors of HARCO NATIONAL INSURANCE COMPANY at a meeting held on the 13th day of December, 2018.

"RESOLVED, that (1) the Chief Executive Officer, President, Executive Vice President, Senior Vice President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY have each executed and attested these presents on this 31st day of December, 2018



STATE OF NEW JERSEY  
County of Essex

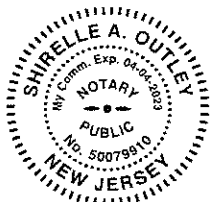
Kenneth Chapman

Executive Vice President, Harco National Insurance Company  
and International Fidelity Insurance Company

STATE OF ILLINOIS  
County of Cook



On this 31st day of December, 2018, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.



IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

Shirelle A. Outley a Notary Public of New Jersey  
My Commission Expires April 4, 2023

CERTIFICATION

I, the undersigned officer of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand on this day, February 16, 2023

Irene Martins, Assistant Secretary

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