

FAITHFUL PERFORMANCE BOND

WHEREAS, the City Council of the City of Huntington Beach, State of California, and Huntington Gateway Industrial II, 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 Tract No. 2019-153, 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 the faithful performance of said agreement.

Now, therefor, we, the principal and Atlantic Specialty Insurance Company, as surety, are held and firmly bound unto the City of Huntington Beach, hereinafter called "City", the penal sum of Four Million Two Hundred Sixty-Six Thousand Six Hundred dollars (\$ 4,266,600.00) 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 covenant, condition 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 a 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.

The surety hereby stipulates and agrees that no charge, 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 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 November 30, 2021.

Huntington Gateway Industrial II, LLC, as Principal

By (see attached signature block)

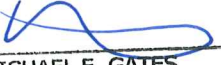
By _____

Atlantic Specialty Insurance Company, as Surety

By Edith Garibay, Attorney-in-Fact

By _____

APPROVED AS TO FORM

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

Faithful Performance Bond

Bond no. 800043002

Signature Block

HUNTINGTON GATEWAY INDUSTRIAL II, LLC

a Delaware limited liability company

By: SRG Huntington Gateway II, L.P.

a Delaware limited partnership

Its: Managing Member

By: SRG Investors, LLC


a Delaware limited liability company

Its: General Partner

By:

Name:

Its:


Larry Lukarsch
Authorized Agent

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 Orange)

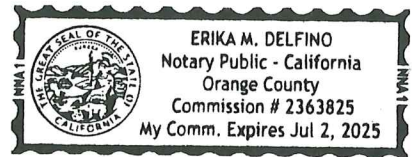
On November 30, 2021 before me, Erika M. Delfino, Notary Public
(insert name and title of the officer)

personally appeared Larry Lukanish,
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 Orange)

On 11-30-2021 before me, Kim Heredia, Notary Public,
Date Here Insert Name and Title of the Officer

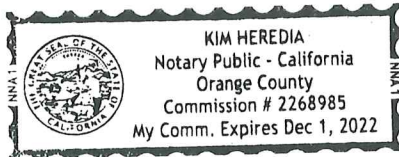
personally appeared Edith Garibay

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 [Signature]
Kim Heredia 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: _____