

### FAITHFUL PERFORMANCE BOND

WHEREAS, the City Council of the City of Huntington Beach, State of California, and  
S.G.V. Property Fund, LLC

(hereinafter designated as "principal") have entered into an agreement whereby principal agrees to install  
and complete designated public improvements, which said agreement identified as project \_\_\_\_\_,  
Tract No. 19154 \_\_\_\_\_, 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 American Contractors Indemnity Company \_\_\_\_\_,  
\_\_\_\_\_ as surety, are held and firmly bound unto the City of Huntington Beach, hereinafter called "City", the  
penal sum of ninety-four thousand, four hundred ninety-five dollars and fifty cents dollars (\$ 94,495.50 )  
\_\_\_\_\_ 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 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 April 07, 20 22.


  
\_\_\_\_\_, as Principal  
George Voigt - S.G.V. Property Fund, LLC  
By \_\_\_\_\_

By \_\_\_\_\_

  
\_\_\_\_\_, as Surety  
Al Lujan, Attorney-In-Fact  
By \_\_\_\_\_

By \_\_\_\_\_

APPROVED AS TO FORM

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

## 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 4/7/2022 before me, Rocio Avila, Notary Public  
(insert name and title of the officer)

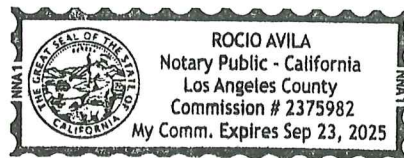
personally appeared Al Lujan,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s)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





**TOKIOMARINE  
HCC**

## POWER OF ATTORNEY

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY  
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Jennifer Wayne, Kevin J. Phillips, Alfonso Lujan, Will Mingram, Jeff Aase, Sylvia Diane Caneva,  
John D. Strong, Oscar Zachary Gallegos or Justin Buenaventura of Los Angeles, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed** \*\*\*\*\*Three Million\*\*\*\*\* Dollars (\*\*\*\$3,000,000.00\*\*\*). This Power of Attorney shall expire without further action on January 31<sup>st</sup>, 2024. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

*Attorney-in-Fact* may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 23<sup>rd</sup> day of September, 2021.

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY  
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

State of California

County of Los Angeles



By:   
Daniel P. Aguilar, 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*

On this 23<sup>rd</sup> day of September, 2021, before me, D. Littlefield, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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)



I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 7<sup>th</sup> day of APRIL, 2022.

Corporate Seals

Bond No.

1001181018

Agency No.

2505



Kio Lo, Assistant Secretary

## ACKNOWLEDGMENT

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State of California  
County of Orange

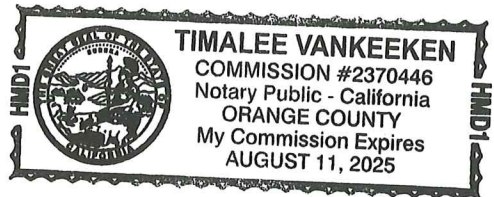
On 4/11/22 before me, Timalee Van Keeken, Notary  
(insert name and title of the officer)

personally appeared George Voigt  
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] (Seal)



## LABOR AND MATERIAL BOND

WHEREAS, the City Council of the City of Huntington Beach, State of California, and  
S.G.V. Property Fund, LLC

(hereinafter designated as "Principal") have entered into an agreement whereby principal agrees to install and complete designated public improvements, which said agreement, dated March 31, 20 22, and identified as project Tract No. 19154, 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.

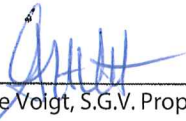
Now, therefore, said Principal and the undersigned as corporate surety, are held firmly bound unto the City of Huntington Beach and all contractors, subcontractors, laborers, materialmen and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of forty-seven thousand two-hundred twenty-nine dollars and seventy-five cents dollars (\$ 47,229.75 ), 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.

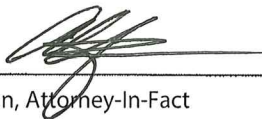
Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

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 April 07, 20 22


  
\_\_\_\_\_, as Principal  
George Voigt, S.G.V. Property Fund, LLC  
By \_\_\_\_\_

By \_\_\_\_\_

  
\_\_\_\_\_, as Surety  
Al Lujan, Attorney-In-Fact  
By \_\_\_\_\_

By \_\_\_\_\_

APPROVED AS TO FORM

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



## ACKNOWLEDGMENT

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State of California  
County of Los Angeles )

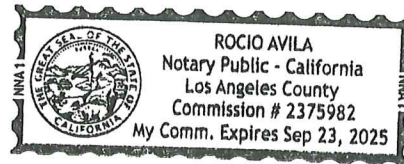
On 4/7/2022 before me, Rocio Avila, Notary Public  
(insert name and title of the officer)

personally appeared Al Lujan,  
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)





**TOKIO MARINE  
HCC**

## POWER OF ATTORNEY

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY  
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Jennifer Wayne, Kevin J. Phillips, Alfonso Lujan, Will Mingram, Jeff Aase, Sylvia Diane Caneva,  
John D. Strong, Oscar Zachary Gallegos or Justin Buenaventura of Los Angeles, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed** \*\*\*\*\*Three Million\*\*\*\*\* Dollars (\*\*\*\$3,000,000.00\*\*\*). This Power of Attorney shall expire without further action on January 31<sup>st</sup>, 2024. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

*Attorney-in-Fact* may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 23<sup>rd</sup> day of September, 2021.

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY  
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

State of California

County of Los Angeles



By:

Daniel P. Aguilar, Vice President

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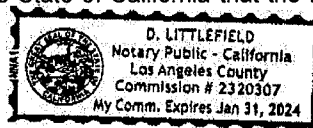
On this 23<sup>rd</sup> day of September, 2021, before me, D. Littlefield, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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)



I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 7<sup>TH</sup> day of APRIL, 2022.

Corporate Seals

Bond No. 1001181018

Agency No. 2505



Kio Lo, Assistant Secretary

## ACKNOWLEDGMENT

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State of California  
County of Orange

On 4/11/22 before me, Timalee VanKeeken, Notary  
(insert name and title of the officer)

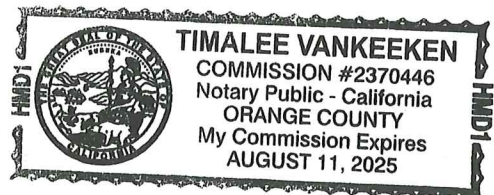
personally appeared George Voigt,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s)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

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WITNESS my hand and official seal.

Signature [Signature]

(Seal)



Bond No. 1001181019  
Premium: \$300.00



MONUMENT BOND


KNOW ALL MEN BY THESE PRESENTS:

THAT S.G.V. Property Fund, LLC  
as Subdivider of Tract No. 19154 in the City of Huntington Beach, County of Orange, State of California, has submitted to said City a Final Map of said tract containing an engineer's or surveyor's certificate stating that all final monuments will be set in the positions indicated on or before the date specified in said certificate:

That said S.G.V. Property Fund, LLC  
(Subdivider)  
as principal, and American Contractors Indemnity Company  
as surety, hereby guarantee to the City of Huntington Beach the payment of the cost of setting all such monuments within or in connection with said tract, as are not already set prior to the recording of said Final Map, in accordance with said map and said certificate up to but not in excess of the sum of \$ 5,000, in which sum we are held and firmly bound to the City of Huntington Beach, all in accordance with and subject to the terms, conditions and provisions of Article 9, Chapter 4 of the Government Code of the State of California.

IN WITNESS WHEREOF, we have executed this instrument this 8 day of  
April, 20 22

 as Principal  
George Voigt, S.G.V. Property Fund, LLC  
By \_\_\_\_\_  
By  as Surety  
Kevin Phillips, Attorney-In-Fact  
By \_\_\_\_\_  
By \_\_\_\_\_

APPROVED AS TO FORM  
By:  MICHAEL E. GATES  
CITY ATTORNEY  
CITY OF HUNTINGTON BEACH



TOKIO MARINE  
HCC

## POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY  
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

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Jennifer Wayne, Kevin J. Phillips, Alfonso Lujan, Will Mingram, Jeff Aase, Sylvia Diane Caneva,  
John D. Strong, Oscar Zachary Gallegos or Justin Buenaventura of Los Angeles, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed** \*\*\*\*\*Three Million\*\*\*\*\* Dollars (\*\*\*\$3,000,000.00\*\*\*). This Power of Attorney shall expire without further action on January 31<sup>st</sup>, 2024. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

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*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 23<sup>rd</sup> day of September, 2021.

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY  
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

State of California

County of Los Angeles



By:

Daniel P. Aguilar, Vice President

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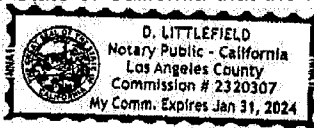
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I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(seal)



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In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 8 day of APRIL, 2022.

Corporate Seals

Bond No.

1001181019

Agency No. 2505



Kio Lo, Assistant Secretary

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State of California  
County of Los Angeles )

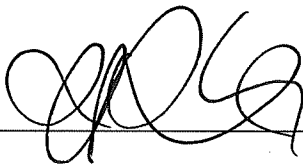
On 4/8/2022 before me, Rocio Avila, Notary Public  
(insert name and title of the officer)

personally appeared Kevin Phillips,  
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  
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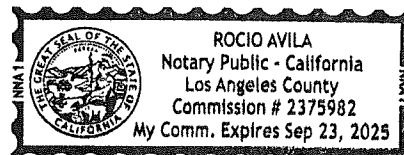
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Signature



(Seal)



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State of California  
County of Orange

On 4/11/22 before me, Timalee VanKeeken, Notary  
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personally appeared George Voigt  
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.

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WITNESS my hand and official seal.

Signature [Signature]

(Seal)

