

## FAITHFUL PERFORMANCE BOND

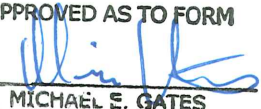

WHEREAS, the City Council of the City of Huntington Beach, State of California, and Meritage Homes of California, a California Corporation, (hereinafter designated as "principal") have entered into an agreement whereby principal agrees to install and complete designated public improvements, which said agreement, dated \_\_\_\_\_, 20\_\_\_\_, and identified as project Tract 18106, 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, therefore, we, the principal and Arch Insurance Company, as surety, are held and firmly bound unto the City of Huntington Beach, hereinafter called "City", the penal sum of Sixty Four Thousand Six Hundred Thirty Eight dollars (\$64,638.00) 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.

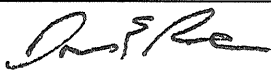
As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees incurred by "City" in successfully enforcing such obligation, all to be taxed as costs and included in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

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

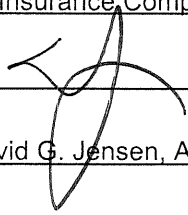
The surety hereby stipulates and agrees that no charge, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of 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 26, 2018.

Meritage Homes of California, Inc.,  
a California corporation \_\_\_\_\_, as Principal

By   
Darin E. Rowe  
By Vice President Asset Management

Arch Insurance Company, as Surety

By   
David G. Jensen, Attorney-In-Fact

STATE OF ~~CALIFORNIA~~ <sup>ARIZONA</sup> )  
COUNTY OF ~~ORANGE~~ <sup>MARICOPA</sup> ) SS

ON November 29, 2018, BEFORE ME, Kimberly S Whitney, A  
NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED  
DARIN E ROWE, 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 Kimberly S Whitney

SEAL



Arizona  
STATE OF ~~CALIFORNIA~~ )  
Maricopa ) SS  
COUNTY OF ~~ORANGE~~ )

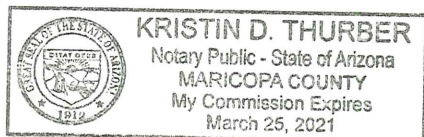
ON 11/26/2018, BEFORE ME, Kristin D. Thurber, A  
NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED  
David G. Jensen, PROVED TO ME ON THE BASIS  
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WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE Kristin D. Thurber  
Kristin D. Thurber

SEAL



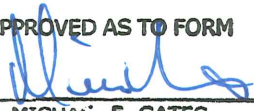
**LABOR AND MATERIAL BOND**

WHEREAS, the City Council of the City of Huntington Beach, State of California, and Meritage Homes of California, a California Corporation, (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 18106, 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 Thirty Two Thousand Three Hundred Nineteen dollars (\$32,319.00), 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.

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

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 November 26, 2018

Meritage Homes of California, Inc.  
a California corporation \_\_\_\_\_, as Principal

By 

By Darin E. Rowe  
Vice President Asset Management

\_\_\_\_\_  
Arch Insurance Company \_\_\_\_\_, as Surety

By 

By David G. Jensen, Attorney-In-Fact

STATE OF CALIFORNIA )  
 ) SS  
COUNTY OF ORANGE )

ON November 29, 2018, BEFORE ME, Kimberly S Whitney, A  
NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED \_\_\_\_\_  
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EVIDENCE) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN  
INSTRUMENT AND ACKNOWLEDGES TO ME THAT THEY EXECUTED THE SAME IN THEIR  
AUTHORIZED CAPACITIES, AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT THE  
PERSONS, OR THE ENTITY UPON BEHALF OF WHICH THE PERSONS ACTED, EXECUTED  
THE INSTRUMENT.

WITNESS MY HAND

SIGNATURE Kimberly S Whitney  
NOTARY PUBLIC IN AND FOR SAID STATE

MY PRINCIPAL PLACE OF BUSINESS IS  
IN MARICOPA COUNTY

Kimberly S Whitney  
PRINTED NAME

MY COMMISSION EXPIRES 4/17/2021



Arizona  
STATE OF ~~CALIFORNIA~~ )  
Maricopa ) SS  
COUNTY OF ~~ORANGE~~ )

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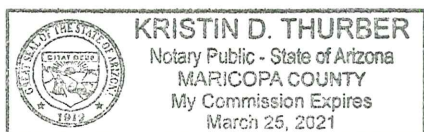
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NOTARY PUBLIC IN AND FOR SAID STATE

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IN Maricopa COUNTY

Kristin D. Thurber

PRINTED NAME

MY COMMISSION EXPIRES 3/25/2021



BOND NO. SU 1148548  
PREMIUM \$100.00

MONUMENT BOND

KNOW ALL MEN BY THESE PRESENTS:

THAT Meritage Homes of California, a California Corporation, as Subdivider of Tract No. 18106 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 Meritage Homes of California, a California Corporation,  
(Subdivider)

as principal, and Arch Insurance 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 \$ Three Thousand Five Hundred Dollars, 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 26th day of  
November, 2018.

Meritage Homes of California, Inc., a California corporation, as Principal

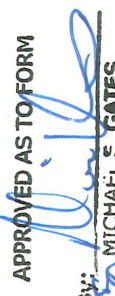
By 

By Darin E. Rowe  
Vice President Asset Management

Arch Insurance Company, as Surety

By 

By David G. Jensen, Attorney-In-Fact

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

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