

AGENDA PLACEMENT FORM

(Submission Deadline – Monday, 5:00 PM before Regular Court Meetings)

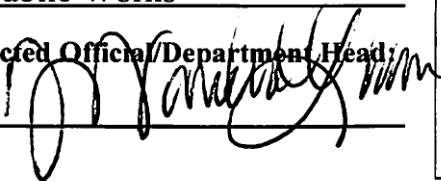
Date: May 1, 2024

Meeting Date: May 13, 2024

Submitted By: Julie Edmiston

Department: Public Works

Signature of Elected Official/Department Head:



Court Decision:
This section to be completed by County Judge's Office



May 13, 2024

Description:

Consideration of Approval of Construction Bond from Plantation Orchard, LP for the sum of \$1,850,660.00, secured by Harco National Insurance Company for the Construction of Roads, Streets, Drainage, and Signage for The Ranches of Pecan Plantation - Phase 2, in Precinct 1.

(May attach additional sheets if necessary)

Person to Present: Jennifer VanderLaan

(Presenter must be present for the item unless the item is on the Consent Agenda)

Supporting Documentation: (check one) PUBLIC CONFIDENTIAL

(PUBLIC documentation may be made available to the public prior to the Meeting)

Estimated Length of Presentation: 10 minutes

Session Requested: (check one)

Action Item Consent Workshop Executive Other _____

Check All Departments That Have Been Notified:

- County Attorney IT Purchasing Auditor
 Personnel Public Works Facilities Management

Other Department/Official (list) _____

**Please List All External Persons Who Need a Copy of Signed Documents
In Your Submission Email**

Replaces original bond issued and subsequently reissued/executed on November 20, 2023

Bond Number: [REDACTED]

CONSTRUCTION BOND

STATE OF TEXAS §
COUNTY OF JOHNSON §

KNOW ALL MEN BY THESE PRESENTS:

THAT we, **Plantation Orchard, LP of 6831 Headquarters Circle, Granbury, Texas**, as principal and **Granbury PM, LLC of 183 Water Street, Williamstown, Massachusetts**, as Principal and Manager, and **Harco National Insurance Company**, as Surety, whose address is **4200 Six Forks Road, Suite 1400, Raleigh, NC 27609**, are held and firmly bound unto the **County of Johnson**, State of Texas (Johnson County), as Obligee, through its **County Judge Christopher Boedeker**, or his successor in office, in the sum of **One Million Eight Hundred Fifty Thousand Six Hundred Sixty and 00/100 Dollars (\$1,850,660.00)**, for the payment of which well and truly be made, we bind ourselves, and each of us, our heirs executors, administrators, successors and assigns, jointly and severally, by these presents.

WHEREAS, the said Principal desires to sub-divide and plat a certain tract of land located outside the limits of an incorporated city or town in Johnson County, Texas, said subdivision to be known as **The Ranches at Pecan Plantation – Phase 2**, more fully described as **Being 36 Single Family Lots and EQUESTRIAN/WALKING TRAILS #1, #2 AND #5 and Lots 3658-3679 and Lots 3693-3706, Johnson County, Texas, and being 163.378 Acres Out of the James W. Moore Survey, Abstract No. 1260**; and

WHEREAS, the said Principal is required by **Section V, Financial Security**, of the *Subdivision Rules and Regulations of Johnson County, Texas Amended and Approved November 14, 2011 and as Further Amended Through February 12, 2024* and by **Section 232.004 of the Texas Local Government Code** to file a bond with the Johnson County Commissioners Court in the amount of 100% of the estimated construction cost of constructing the roads, streets, drainage and signage for the above described property in conformance with the *Subdivision Rules and Regulations of Johnson County, Texas Amended and Approved November 14, 2011 and as Further Amended Through February 12, 2024*, and in conformance with the plat for the **The Ranches at Pecan Plantation – Phase 2**, approved by the Johnson County Commissioners Court and filed in the Plat Records of Johnson County, Texas.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH that the Principal, who owns the tract of land to be subdivided under the name of **“The Ranches at Pecan Plantation – Phase 2”** must construct the roads, streets, drainage and signage for such subdivision in conformance with the specifications contained in the *Subdivision Rules and Regulations of Johnson County, Texas Amended and Approved November 14, 2011 and as Further Amended February 12, 2024*, and in conformance with the plat approved for said subdivision by the Johnson County Commissioners Court.

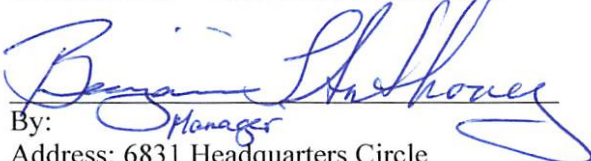
The Principal, who owns the tract of land to be subdivided under the name of **“The Ranches at Pecan Plantation - Phase 2”** must construct the roads, streets, drainage and signage for such subdivision no later than November 28, 2025. If such roads, streets, drainage and signage are not constructed by November 28, 2025, then upon delivery of written notification and reasonable evidence to Surety that such roads, streets, drainage and signage have not been constructed according to the conditions described above, then such proceeds of this bond as are reasonably necessary to construct or complete the construction of the roads, streets, drainage and signage as described in the plat filed in the Plat Records of Johnson County depicting **“The Ranches at Pecan Plantation – Phase 2”** shall be payable to **County Judge Christopher Boedeker** or his successor in office, for Johnson County, Texas. Venue for all actions arising under, pursuant, or in relation to this bond shall be in the District Courts of Johnson County, Texas.

This **bond shall remain in full force and in effect until all the roads, streets, drainage and signage requirements in and for such subdivision have been constructed and completed** by the Principal and approved by the Johnson County Public Works Department and the Commissioners Court, and until this Construction Bond has been released by a Court Order from the Johnson County Commissioners Court.


No right of action shall accrue on this bond to or for the future use of any person or corporation other than the Commissioners Court of Johnson County, Texas herein named or successors of said Commissioners Court.

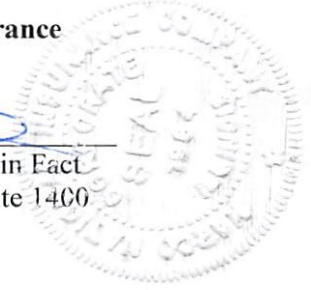
IN WITNESS WHEREOF, the Principal and Surety have hereunto set their hands and seals this
20th day of November 2023.

PRINCIPAL - Plantation Orchard, LP

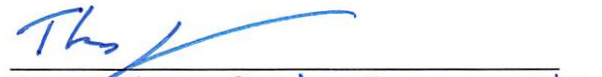

By: Benjamin L. Ashmore
Address: 6831 Headquarters Circle
Granbury, TX 76049

SURETY – Harco National Insurance Company


By: **Eric R. Toothaker**, Attorney in Fact
Address: 4200 Six Forks Road, Suite 1400
Raleigh, NC 27609



PRINCIPAL AND MANAGER – Granbury PM, LLC


By: Thomas Sado, Treasurer of LLC
Address: 183 Water Street site manager
Williamstown, MA 01267

**POWER OF ATTORNEY
HARCO NATIONAL INSURANCE COMPANY
INTERNATIONAL FIDELITY INSURANCE COMPANY**

Member companies of IAT Insurance Group, Headquartered: 4200 Six Forks Rd, Suite 1400, Raleigh, NC 27609

Bond # 0814619

Principal Granbury PM, LLC & Plantation Orchard, LP

Obligee County of Johnson, State of Texas (Johnson County)

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

Eric R. Toothaker

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, 2022.



STATE OF NEW JERSEY
County of Essex

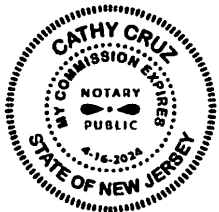
Kenneth Chapman

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

STATE OF ILLINOIS
County of Cook



On this 31st day of December, 2022, 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.



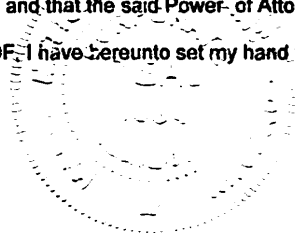
IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

Cathy Cruz a Notary Public of New Jersey
My Commission Expires April 16, 2024

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 this 20th day of November, 2023



Irene Martins, Assistant Secretary

Texas Department of Insurance



Certificate No. 10690

Company No. 08-094436

Certificate of Authority

THIS IS TO CERTIFY THAT

HARCO NATIONAL INSURANCE COMPANY

ROLLING MEADOWS, ILLINOIS

has complied with the laws of the State of Texas applicable thereto and is hereby authorized to transact the business of

Fire; Allied Coverages; Inland Marine; Ocean Marine; Aircraft--
Liability & Physical Damage; Workers' Compensation & Employers'
Liability; Employers' Liability; Automobile--Liability & Physical
Damage; Liability other than Automobile; Fidelity & Surety; Glass;
Burglary & Theft; Boiler & Machinery; Livestock and Reinsurance on
all lines authorized to be written on a direct basis

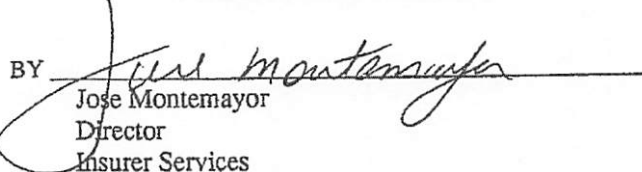
insurance within the state of Texas. This Certificate of Authority shall be in full force and effect until it is revoked, canceled or suspended according to law.



IN TESTIMONY WHEREOF, witness my hand and seal of
office at Austin, Texas, this

2nd day of February A.D. 1995

ELTON BOMER
COMMISSIONER OF INSURANCE

BY 
Jose Montemayor
Director
Insurer Services

Authorized insurance companies
To best view the report, you might need to export it.

Agent Licensing - Escrow Officers and Title Agencies

Agent Licensing - Surplus Lines Agents and Agencies

Agents for service of process

Company licensing

Authorized insurance companies

HMO by county search

Foreign risk retention groups

Reinsurers

Premium finance companies

Previous company names

Surplus lines

Purchasing groups

Third party administrators

Active syndicates

Life settlement

Purchasing co-op/coalitions

Rate and form filing

Utilization review agent /

Independent review organization

Company type

Line type

Run Report

Authorized insurance companies

[Export](#)

[Print](#)

Show entries

Search:

Org ID	License Number	EIN	NAIC ID	NAIC Group	Name	Address 1	Address 2	Address 3	City	State	Zip	Country
7842	94436	13-6108721	26433	0225	HARCO NATIONAL INSURANCE COMPANY	4200 SIX FORKS RD STE 1400			RALEIGH	NC	27609-2683	

• **Domicile City** ROLLING MEADOWS

• **Domicile State** IL

• **Area Code** 919

• **Phone Number** 8331600

• **Extension**

• **Incorporated Date** 1954/11/17

• **Licensed Date** 1995/02/02

• **Origin** Foreign

• **Structure** Stockholder

• **Company type** Fire and Casualty

• **Assets** 1,370,736,999

• **Capital** 3,500,004

• **Net Surplus** 733,375,403

• **Life In Force**

• **Attorney In Fact**

• **Attorney For Service**

• **Attorney Address 1** C T CORPORATION SYSTEM

• **Attorney Address 2** 1999 BRYAN STREET SUITE 900

• **Attorney Address 3**

• **Attorney City** DALLAS

• **Attorney State** TX

• **Attorney Zip** 75201-3136

• **Licensed Lines** Aircraft Liability; Aircraft Physical Damage; Allied Coverages; Auto Physical Damage; Automobile Liability; Boiler & Machinery; Burglary & Theft; Employers' Liability; Fidelity & Surety; Fire; Glass; Inland Marine; Liability Other than Auto; Livestock; Ocean Marine; Workers Comp and Emp Liability

• **RC Type** FC