

**AGENDA PLACEMENT FORM**

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

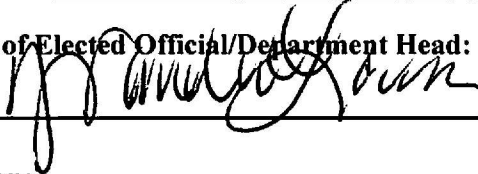
Date: September 10, 2024

Meeting Date: September 23, 2024

Submitted By: Julie Edmiston

Department: Public Works

Signature of Elected Official/Department Head:



<b>Court Decision:</b> <small>This section to be completed by County Judge's Office</small>


**Description:**

Consideration of Approval of Construction Bond from Double Diamond  
Delaware Inc. for the Sum of \$1,673,195.00, Secured by United States Fire  
Insurance Company for the Construction of Roads, Streets, Signage, and  
Drainage for The Retreat, Phase 28 located in Precinct 1.

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(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**

Bond Number: [REDACTED]

## CONSTRUCTION BOND

STATE OF TEXAS §  
COUNTY OF JOHNSON §

### KNOW ALL MEN BY THESE PRESENTS:

THAT we, **Double Diamond Delaware, Inc**, as Principal, and **United States Fire Insurance Company**, as Surety, whose address is **305 Madison Ave., Morrison, NJ 07960**, 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 Six Hundred Seventy-Three Thousand, One Hundred and Ninety Five Dollars & 00/100 (\$1,673,195.00)**, 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 Retreat – Phase 28, a Subdivision in Johnson County, Texas**, more fully described as **246 Single Family Residential Addition in Johnson County, Texas**; 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 July 8, 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 July 8, 2024, and in conformance with the plat for The Retreat – Phase 28, a Subdivision in Johnson County, Texas** 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 Retreat – Phase 28, a Subdivision in Johnson County, Texas** 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 Through July 8, 2024, and in conformance with the plat** approved for said subdivision by the Johnson County Commissioners Court.

Principal, who owns the tract of land to be subdivided under the name of **The Retreat – Phase 28, a Subdivision in Johnson County, Texas** must construct the roads, streets, drainage and signage for such subdivision by September 23, 2025. If such roads, streets, drainage and signage are not constructed by September 23, 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 Retreat – Phase 28, a Subdivision in Johnson County, Texas** 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.

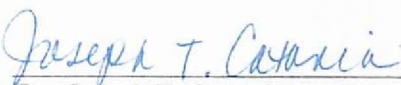
This bond shall remain in full force and in effect until all the roads, streets, drainage and signage requirements in and for such subdivision have been constructed and completed by the Principal and approved by the Johnson County Public Works Department and the Commissioners Court, and until this Construction 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 5<sup>th</sup> day of September, 2024.

**PRINCIPAL - Double Diamond Delaware, Inc SURETY - United States Fire Insurance Company**

  
By: Jeff Schmidt Senior VP General & Contract Council  
Address: 12720 Hillcrest Rd., Suite 400  
Dallas, TX 75230

  
By: Joseph T. Catania, Attorney-in-Fact  
Address: 707 Philadelphia Pike  
Wilmington, DE 19809



