

PERFORMANCE BOND

BOND NO. 840755S

KNOW ALL MEN BY THESE PRESENTS that we, Suncrest Partnership , as Principal, and Developers Insurance Company as Surety, are jointly and severally held and bound unto the City of Corvallis, Oregon, in the sum of Seventy Five Thousand One Hundred Ninety Two Dollars (\$ 75,192) for the payment of which we jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns firmly by these presents.

Pursuant to Notice of Disposition 96-90, Condition #7, this Bond is being established to cover the costs of installing landscape improvements in common areas within Phase II-B of the Suncrest Subdivision (total installation cost of \$62,660) and City of Corvallis administration costs (estimated at 20% of project costs or \$12,532) for a total of \$75,192.

THE CONDITION OF THIS BOND IS SUCH:

WHEREAS, application was made to the obligee for approval of a subdivision and was approved under the regulations of the City of Corvallis, and one of the conditions of this approval, pursuant to Notice of Disposition 96-90, Condition #7, is that open space and parkway landscaping be installed concurrent with the public improvements, or a performance bond be filed with the Planning Division, guaranteeing the installation of landscaping according to the landscape plans approved by the planning division, which consists of a plan for the installation of trees, shrubs, ground cover, and irrigation, within said development.

"NOW, THEREFORE, the condition of this bond is such that if the above named Principal shall, within one year from the date of approval of the landscape plans, faithfully and truly observe the terms, provisions, conditions, details, specifications and requirements of the approved landscape plans and shall in all respects, whether the same be enumerated herein or not, faithfully comply with the same and shall assume the defense of, indemnify and save harmless the City of Corvallis its officers, agents and employees from all claims, liabilities, loss, damage or property directly or indirectly resulting from or arising out of the operations or conduct of said Principal or any subcontractor in connection with performance or conduct of the work under said permit, and shall in all respects faithfully keep and observe all of said terms, provisions, conditions, stipulations, directions and requirements, then this obligation is void, otherwise it shall remain in full force and effect."

WITNESS our hands and seals this 29th day of July, 1999.

Suncrest Partnership

Principal

By: Wolfgang Wilson

Wolfgang Wilson - Managing Partner

Developers Insurance Company

Surety

By: Brent Olson

Brent Olson, Attorney-In-Fact

Unified Insurance Group, P.O. Box 550, Corvallis, Oregon 97339

Agent (Address)

Approved As to Form:

Jan K B
City Attorney

Released
9/8/05 Eric Adams

SCANNED
Date: 9/13/05 By: EA

RECEIVED
AUG 18 1999

**POWER OF ATTORNEY OF
INDEMNITY COMPANY OF CALIFORNIA
AND DEVELOPERS INSURANCE COMPANY**

P.O. BOX 19725, IRVINE, CA 92623 • (949) 263-3300

Nº 031012

- NOTICE: 1. All power and authority herein granted shall in any event terminate on the 31st day of March, 2002.
2. This Power of Attorney is void if altered or if any portion is erased.
3. This Power of Attorney is void unless the seal is readable, the text is in brown ink, the signatures are in blue ink and this notice is in blue ink.
4. This Power of Attorney should not be returned to the Attorney(s)-in-Fact, but should remain a permanent part of the obligee's records.

KNOW ALL MEN BY THESE PRESENTS, that except as expressly limited, **INDEMNITY COMPANY OF CALIFORNIA** and **DEVELOPERS INSURANCE COMPANY**, do each severally, but not jointly, hereby make, constitute and appoint

*****BLAINE D. WILLIAMSON, GERI M. BURNETT, BRENT OLSON, MORAG A. COREY, JOINTLY OR SEVERALLY*****

the true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations as sureties, bonds, undertakings and contracts of suretyship in an amount not exceeding Ten Million Dollars (\$10,000,000) in any single undertaking; giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation; and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Board of Directors of **INDEMNITY COMPANY OF CALIFORNIA** and **DEVELOPERS INSURANCE COMPANY**, effective as of September 24, 1986:

RESOLVED, that the Chairman of the Board, the President and any Vice President of the corporations be, and that each of them hereby is, authorized to execute Powers of Attorney, qualifying the attorney(s) named in the Powers of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporation when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, **INDEMNITY COMPANY OF CALIFORNIA** and **DEVELOPERS INSURANCE COMPANY** have severally caused these presents to be signed by their respective Presidents and attested by their respective Secretaries this 22nd day of December, 1998.

INDEMNITY COMPANY OF CALIFORNIA

DEVELOPERS INSURANCE COMPANY

By Dante F. Vincenti, Jr.
Dante F. Vincenti, Jr.
President

By Dante F. Vincenti, Jr.
Dante F. Vincenti, Jr.
President

By Walter Crowell
Walter Crowell
Secretary



ATTEST
By Walter Crowell
Walter Crowell
Secretary

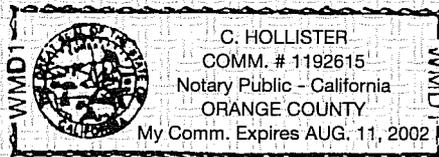


STATE OF CALIFORNIA)
) SS.
COUNTY OF ORANGE)

On December 22, 1998, before me, C. Hollister, personally appeared Dante F. Vincenti, Jr. and Walter Crowell, personally known to me (or 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.

WITNESS my hand and official seal.

Signature C. Hollister



CERTIFICATE

The undersigned, as Senior Vice President of **INDEMNITY COMPANY OF CALIFORNIA**, and Senior Vice President of **DEVELOPERS INSURANCE COMPANY**, does hereby certify that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney, are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 29th day of July, 1999

INDEMNITY COMPANY OF CALIFORNIA

DEVELOPERS INSURANCE COMPANY

By William T. Sherer
William T. Sherer
Senior Vice President



By William T. Sherer
William T. Sherer
Senior Vice President

