

**PUBLIC CONSTRUCTION BOND**

Bond No. 9156894

BY THIS BOND, We, **SLV Millstone, L.L.C.**, a Delaware limited liability company, as Principal and **Fidelity and Deposit Company of Maryland**, as Surety, are bound to **Indian River County**, a political subdivision of the State of Florida, herein called Owner, in the sum of **\$1,875,442.81**, for payment of which we bind ourselves, our heirs, personal representatives, successors, and assigns, jointly and severally.

THE CONDITION OF THIS BOND is that if Principal:

1. Performs the contract dated June 5th, 2017, between Principal and Owner for construction of roadway improvements to 17<sup>th</sup> Street, S.W., the contract being made a part of this bond by reference, at the times and in the manner prescribed in the contract; and
  2. Promptly makes payments to all claimants, as defined in Section 255.05(1), Florida Statutes, supplying Principal with labor, materials, or supplies, used directly or indirectly by Principal in the prosecution of the work provided for in the contract; and
  3. Pays Owner all losses, damages, expenses, costs, and attorney's fees, including appellate proceedings, that Owner sustains because of a default by Principal under the contract; and
  4. Performs the guarantee of all work and materials furnished under the contract for the time specified in the contract, then this bond is void; otherwise it remains in full force.
- Any action instituted by a claimant under this bond for payment must be in accordance with the notice and time limitation provisions in Section 255.05(2), Florida Statutes. Any changes in or under the contract documents and compliance or noncompliance with any formalities connected with the contract or the changes does not affect Surety's obligation under this bond.

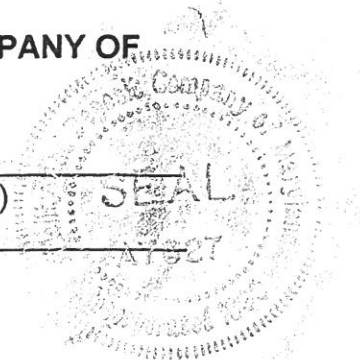
DATED ON June 5th, 2017.

**SLV MILLSTONE, L.L.C.**, a Delaware limited liability company

By: [Signature]  
(authorized signatory)  
Michael Moser  
printed name: Authorized Signatory

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: [Signature]  
(As Attorney in Fact)  
printed name: Kathleen M. Coen



AND LEGAL SUFFICIENCY  
BY: [Signature]  
WILLIAM K. DEBRAAL  
DEPUTY COUNTY ATTORNEY

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney....Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 5 day of June, 2017.



*Michael Bond*

Michael Bond, Vice President

ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **GERALD F. HALEY, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Gary J. GIULIETTI, Holly L. LYNCH, Kathleen M. COEN and Chelsy Lee ALLIGIZAKIS, all of Farmington, Connecticut, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 3rd day of May, A.D. 2016.

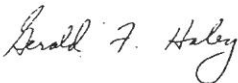
ATTEST:

ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND



By: 

Secretary  
Michael McKibben

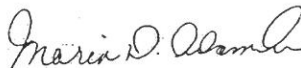


Vice President  
Gerald F. Haley

State of Maryland  
County of Baltimore

On this 3rd day of May, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **GERALD F. HALEY, Vice President, and MICHAEL MCKIBBEN, Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposed and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Maria D. Adamski, Notary Public  
My Commission Expires: July 8, 2019



**FIDELITY AND DEPOSIT COMPANY**

OF MARYLAND

600 Red Brook Blvd., Suite 600, Owings Mills, MD 21117

**Statement of Financial Condition**  
As Of December 31, 2016

**ASSETS**

Bonds .....	\$ 141,903,342
Stocks .....	22,845,654
Cash and Short Term Investments.....	3,080,053
Reinsurance Recoverable .....	13,996,720
Other Accounts Receivable.....	27,147,872
<b>TOTAL ADMITTED ASSETS .....</b>	<b>\$ 208,973,641</b>

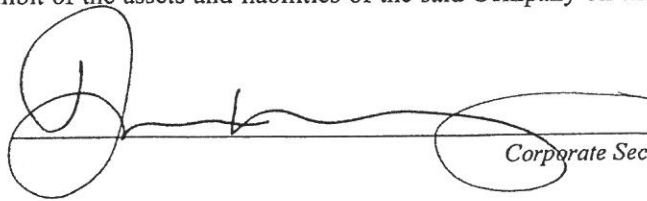
**LIABILITIES, SURPLUS AND OTHER FUNDS**

Reserve for Taxes and Expenses.....	\$ 896,428
Ceded Reinsurance Premiums Payable .....	40,193,693
Securities Lending Collateral Liability .....	0
<b>TOTAL LIABILITIES .....</b>	<b>\$ 41,090,121</b>
Capital Stock, Paid Up .....	\$ 5,000,000
Surplus .....	162,883,521
Surplus as regards Policyholders.....	167,883,520
<b>TOTAL .....</b>	<b>\$ 208,973,641</b>

Securities carried at \$62,166,344 in the above statement are deposited with various states as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of market quotations for all bonds and stocks owned, the Company's total admitted assets at December 31, 2016 would be \$209,350,832 and surplus as regards policyholders \$168,260,711.

I, DENNIS F. KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2016.

  
Corporate Secretary

State of Illinois }  
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 1<sup>st</sup> day of March, 2017.

  
Notary Public



Public Work  
F.S. Chapter 255.05 (1)(a)  
Cover Page

THIS BOND IS GIVEN TO COMPLY WITH SECTION 255.05 OR SECTION 713.23 FLORIDA STATUTES, AND ANY ACTION INSTITUTED BY A CLAIMANT UNDER THIS BOND FOR PAYMENT MUST BE IN ACCORDANCE WITH THE NOTICE AND TIME LIMITATION PROVISIONS IN SECTION 255.05(2) OR SECTION 713.23 FLORIDA STATUTES.

BOND NO: 9156894

CONTRACTOR NAME: SLV Millstone, L.L.C., a Delaware limited liability company

CONTRACTOR ADDRESS: 591 W. Putnam Avenue  
Greenwich, CT 06830

CONTRACTOR PHONE NO: 941-388-0707

SURETY COMPANY NAME: Fidelity and Deposit Company of Maryland

SURETY PRINCIPAL BUSINESS ADDRESS: 1299 Zurich Way, Schaumburg, IL 60196-1056

SURETY PHONE NO: 800-987-3373

OWNER NAME: Indian River County, a political subdivision of the State of Florida

OWNER ADDRESS: 1801 27<sup>th</sup> Street, Vero Beach, FL 32960

OWNER PHONE NO: 772-226-1283

OBLIGEE NAME: N/A  
(If contracting entity is different from the owner, the contracting public entity)

OBLIGEE ADDRESS: N/A

OBLIGEE PHONE NO: N/A

BOND AMOUNT: \$1,875,442.81

CONTRACT NO: Indian River County Right-Of-Way Permit No. 2016110288  
(If applicable) IRC Project No. 2003100068

DESCRIPTION OF WORK: 17<sup>th</sup> Street, SW roadway improvements

PROJECT LOCATION: 17<sup>th</sup> Street, SW

LEGAL DESCRIPTION: N/A  
(If applicable)

FRONT PAGE

All other bond page(s) are deemed subsequent to this page regardless of any page number(s) that may be printed thereon.

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RECORDED IN THE PUBLIC RECORDS OF  
JEFFREY R SMITH, CLERK OF COURT  
INDIAN RIVER COUNTY FL  
BK: 3089 PG: 30 Page 1 of 5 1/31/2018 3:58 PM