

**SUBDIVISION BOND**

Bond No.: 7901102197

Principal Amount: \$4,432,715.45

KNOW ALL MEN BY THESE PRESENTS, that we

Meritage Homes of Texas, LLC

8920 Business Park Drive, Suite 350, Austin, TX 78759

as Principal, and

Nationwide Mutual Insurance Company

7 World Trade Center, 37th Floor, 250 Greenwich Street, New York, NY 10007 a OH

Corporation, as Surety, are held and firmly bound unto

City of Dripping Springs,

511 Mercer Street, Dripping Springs, TX 78620

as Obligee, in the penal sum of

Four Million Four Hundred Thirty Two Thousand Seven Hundred Fifteen

and 45/100 (Dollars) (\$4,432,715.45), lawful money of the

United States of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Meritage Homes of Texas, LLC has agreed to construct in Big Sky Ranch, Phase 3 Subdivision, in Dripping Springs, TX the following improvements:

Grading, Erosion, Sanitary, Storm, Ponds, Paving, Concrete, Curb, Signage & Water

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements herein described, and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void, otherwise to remain in full force and effect, and the Surety, upon receipt of a resolution of the Obligee indicating that the improvements have not been installed or completed, will complete the improvements or pay to the Obligee such amount up to the Principal amount of this bond which will allow the Obligee to complete the improvements.

Upon approval by the Obligee, this instrument may be proportionately reduced as the public improvements are completed.

Signed, sealed and dated, this 14th day of July, 2022

Meritage Homes of Texas, LLC

Principal

By:

Justin A. Tuck  
GLEN A. TUCK

VP-NATIONAL LAND DEVELOPMENT

Nationwide Mutual Insurance Company

Surety

By:

James I Moore  
James I Moore Attorney-in-Fact



*On Your Side®*

# Nationwide Mutual Insurance Company

Home Office: Columbus, Ohio  
Surety Administrative Office:  
7 World Trade Center, 37<sup>th</sup> Floor  
250 Greenwich Street  
New York, NY 10007-0033

## **IMPORTANT NOTICE**

Notice of claim may be made by contacting the following:

You may contact your agent.

You may call Nationwide Mutual Insurance Company at 1-800-421-3535.

You may write to Nationwide Mutual Insurance Company at the following address:

Nationwide Mutual Insurance Company  
1 Nationwide Plaza  
Columbus, Ohio 43215  
ATTN: Claim Department

You may contact the Texas Department of Insurance to obtain the address of the surety company to which any notice of claim should be sent, and to obtain information on companies, coverages, rights or complaints at: 1-800-252-3439

You may write to the Texas Department of Insurance at the following address:

P.O. Box 149104  
Austin, Texas 78714-9104  
Fax number: (512) 475-1771  
Web: <http://www.tdi.state.tx.us>  
Email: [ConsumerProtection@tdi.state.tx.us](mailto:ConsumerProtection@tdi.state.tx.us)

## **CLAIM OR PREMIUM DISPUTES**

Should you have a dispute concerning your premium or about a claim you should contact the agent first. You may also contact the Texas Department of Insurance.

STATE OF ILLINOIS

COUNTY OF DUPAGE}

On July 14, 2022, before me, Lisa Marotta, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared, James I Moore known to me to be Attorney-in-Fact of Nationwide Mutual Insurance Company the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument in behalf of the said corporation, and duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires, February 7, 2026

Commission No. 946275

  
Lisa Marotta, Notary Public



**Power of Attorney**

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation

hereinafter referred to severally as the "Company" and collectively as "the Companies" does hereby make, constitute and appoint:

**JAMES I MOORE, STEPHEN T KAZMER, DAWN L MORGAN, MELISSA SCHMIDT, AMY WICKETT,  
KELLY A GARDNER, JENNIFER J MCCOMB, TARIESE M PISCIOTTO, DIANE M RUBRIGHT,  
MARTIN MOSS**

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf any and all bonds and undertakings, and other obligatory instruments of similar nature, in penalties not exceeding the sum of

**UNLIMITED**

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company; and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company.

Execution of Instruments. Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

IN WITNESS WHEREOF, the Company has caused this instrument to be sealed and duly attested by the signature of its officer the 20th day of August, 2021.

Antonio C. Albanese, Vice President of Nationwide Mutual Insurance Company

**ACKNOWLEDGMENT**

STATE OF NEW YORK COUNTY OF NEW YORK: ss

On this 20th day of August, 2021, before me came the above-named officer for the Company aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Company aforesaid, that the seal affixed hereto is the corporate seal of said Company, and the said corporate seal and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Company.



Stephanie Rubino McArthur  
Notary Public, State of New York  
No. 02MC6270117  
Qualified in New York County  
Commission Expires October 19, 2024

Notary Public  
My Commission Expires  
October 19, 2024

**CERTIFICATE**

I, Laura B. Guy, Assistant Secretary of the Company, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution included therein is a true and correct transcript from the minutes of the meetings of the boards of directors and the same has not been revoked or amended in any manner; that said Antonio C. Albanese was on the date of the execution of the foregoing power of attorney the duly elected officer of the Company, and the corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of said Company this 14th day of July, 2022.

Assistant Secretary