

May 4th, 2023

To whom this may concern,

On behalf of Qualico MC, LLC and in accordance with City of Manor Code of Ordinances; Chapter 10, Exhibit A, Article IV., Section 60(e), we wish to request an extension of the Subdivision Performance and Payment Bond (Bond No. 800086159) in the amount of \$1,157,022.80 delivered and posted with the City of Manor on April 3rd, 2023 for the Village at Manor Commons Phase 3 project.

The Village at Manor Commons Phase 3 Plat was approved on June 8th, 2022. The first anniversary date of the plat approval is June 8th, 2023. Therefore, our extension request is not to exceed 1 year beyond the first anniversary date of the Phase 3 plat approval, taking the extension through to June 8th, 2024.

Currently, the Phase 3 improvements are underway. However, the improvements will not be completed by the first anniversary date of the Plat approval of June 8th, 2023. All utilities are in the ground with streets ready for first course base. Given our latest project schedule, we expect to be completed, ready for City inspection and acceptance by June 26th, 2023.

Thank you for your consideration.



Brandon Reinhart
Land Development Project Manager

14400 The Lakes Boulevard
Building C, Suite 200
Pflugerville, TX 78660

Office: (512) 703-9439
Cell: (512) 605-9606
Email: breinhart@Qualico.com

Encl: Village at Manor Commons Ph. 3 - Subdivision Performance & Payment Bond No. 800086159

**SUBDIVISION PERFORMANCE AND PAYMENT
BOND**

Bond No. 800086159

KNOW ALL MEN BY THESE PRESENTS, that we Qualico MC, LLC, of the City of Pflugerville, County of Travis, and State of Texas, as Principal, and Atlantic Specialty Insurance Company a corporation organized and existing under the laws of New York and authorized under the laws of the State of Texas to act as Surety on bonds for Principal, as Surety, are held and firmly bound unto the City of Manor, Texas, as Obligee, in the penal sum of One Million One Hundred Fifty Seven Thousand Twenty Two and 80/100 (\$1,157,022.80) DOLLARS, 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, Principal is required by ordinances, regulations, and agreements of the City of Manor (the "City") to construct certain erosion control, manville w.s.c., sanitary sewer, storm water, streets, electrical improvements shown in the approved construction plans dated JUNE 23, 2022 and entitled Village at Manor Commons, Ph 3 for the subdivision known as Village at Manor Commons, Ph 3 (the "Improvements") within the timeframes required by said City ordinances, regulations, and agreements as a condition of final plat approval for the Village at Manor Commons, Ph 3 subdivision, and the Improvements shall constitute the project for which this bond shall guarantee completion. Obligee shall be entitled to recover attorneys' fees and court costs from the Surety and Principal in an action on this bond.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that: (1) if the said Principal shall faithfully construct and complete the project in accordance with the approved construction plans for the Improvements, ordinances, and regulations of the City of Manor, by _____ and shall save the Obligee harmless from any loss, cost or damage by reason of Principal's failure to complete said project; and (2) if the said Principal shall pay all claimants supplying labor and material to it or a subcontractor in the prosecution of the Improvements; then this obligation shall be null and void; otherwise to remain in full force and effect until Obligee accepts the Improvements.

Obligee may draw on any part or all of the total amount of this bond by submitting a written request for a draw from the Obligee's Public Works Director or designee to Surety's Attorney-in-fact. The bond shall be irrevocable until the Improvements are completed and accepted by the City.

In the event that either Principal fails to promptly pay when due persons who have supplied labor, materials, or supplies used in the prosecution of the project, the Surety will, upon receipt of notice from the Obligee or a claim in the form required by law, satisfy all undisputed balances due, and make arrangements satisfactory to the interested parties to resolve all amounts disputed in good faith, but in no event shall the liability for the Surety for the Principal's failure to promptly pay for labor, materials, or supplies exceed the penalty of this bond. obligation by the Surety. Provided further, that in any legal action be filed upon this bond, venue shall lie in the county where the project is to be constructed.

IN WITNESS WHEREOF, the said PRINCIPAL and SURETY have signed and sealed this instrument this 23rd day of March 2023.

Qualico MC, LLC

Principal

By 

Name Kevin Fleming

Title ASST. SECRETARY

Address

14400 The Lakes Blvd

Building C, Suite 200

Pflugerville, TX 78660

Atlantic Specialty Insurance Company

Surety

By 

Name Jeremy Poik

Title Attorney-in-Fact

Address

605 Highway 169 North

Suite 800

Plymouth, MN 55441

The name and address of the Resident Agent of Surety is:

Scott David Chapman

480 Wildwood Forest Dr, Suite 760

Spring, TX 77380

(Seal)



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Jeremy Polk, Jorge Mendez, Matthew Erra**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this twenty-seventh day of April, 2020.

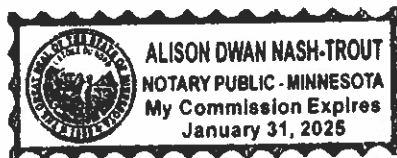
STATE OF MINNESOTA
HENNEPIN COUNTY




By


Paul J. Brehm, Senior Vice President

On this twenty-seventh day of April, 2020, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.




Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 23rd day of March, 2023.

This Power of Attorney expires
January 31, 2025




Kara Barrow, Secretary