



January 22, 2025

The Honorable Mayor and City Council  
City of Montgomery  
101 Old Plantersville Road  
Montgomery, TX 77316

Re: Substantial Completion Inspection  
Hills of Town Creek Sec 5  
City of Montgomery

Dear Mayor and Council,

Ward, Getz & Associates, LLC held a final inspection for the referenced project on December 17, 2024 at 9:00am. The punchlist of deficiencies noted during the inspection have been completed and/or corrected.

The following individuals were in attendance during the inspection:

Zachary Timms – WGA, LLC  
Sean Donahue, PE – WGA, LLC  
Angel Romo Walle – WGA, LLC  
Katherine Vu, PE – WGA, LLC  
Jonathan White – L2 Engineering  
Nick Hemann – L2 Engineering  
Michael – The Benson’s Rock Hard Construction

Tim Thornton – L2 Engineering  
Austin Crossley – L2 Engineering  
Russell Roan – Randy Roan Construction, Inc.  
Carolina Williams – Khovnanion Homes  
Eric Standifer – City of Montgomery

Based on the following, we recommend the City of Montgomery officially start the Contractor’s one-year warranty period on January 13, 2025.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Sean Donahue, PE  
Construction Department Manager

SD/cnf

Z:\00574 (City of Montgomery)\140 Hills of Town Creek Sec. 5\Inspections\Substantial Completion Inspection\Final Inspection Letter - Punchlist Completed.docx

cc (via email): Mr. Anthony Solomon – City of Montgomery, Interim City Administrator  
Ms. Ruby Beaven – City of Montgomery, City Secretary  
Mr. Mike Muckleroy – City of Montgomery, Director of Public Works  
Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney  
Ms. Katherine Vu, PE – Ward, Getz & Associates, LLC, City Engineer



**FINAL INSPECTION**

Project: Hills of Town Creek Sec. 5  
 Project Number: 00574-140-00  
 Engineer: Ward, Getz & Associates, PLLC  
 Engineer: L Squared Engineering  
 Inspection Date & Time: December 17, 2024 at 9:00 AM

	<b>Punchlist Details</b>	<b>Substantial Completion Inspection</b>	<b>One-Year Warranty</b>
1	Grout Storm MH Joint, cut pipe to be flush & grout.	Completed	N/A
2	Grout Storm MH Joint, cut pipe to be flush & grout.	Completed	N/A
3	Cold galvanize exposed rebar then seal.	Completed	N/A
4	Sanitary line to be flush with grout.	Completed	N/A
5	Monitor curbs and remove and replace as needed at 1 yr warranty inspection (typ.).	N/A	Incomplete
6	Monitor curbs and remove and replace as needed at 1 yr warranty inspection (typ.).	N/A	Incomplete
7	Clean and regROUT areas circled in red	Completed	N/A
8	Grout Storm MH Joint, cut pipe to be flush & grout.	Completed	N/A
9	Cut exposed rebar and excess RCP to be flush then grout RCP edge.	Completed	N/A
10	Monitor curbs and remove and replace as needed at 1 yr warranty inspection (typ.).	N/A	Incomplete
11	Seal with epoxy bottom of SMH.	Completed	N/A
12	Grind off and reseal with epoxy where circled in red.	Completed	N/A
13	Update TY-III Barricade, keep project closed to traffic until accepted.	Completed	N/A
14	Grout Storm MH Joint.	Completed	N/A
15	Establish vegetation in ROW and maintain SWPPP until minimum coverage is attained.	Completed	N/A
16	Rout & seal pavement crack, to be reviewed at 1 yr inspection.	N/A	Incomplete
17	Repair waterline leaks. Once repaired, entire waterline will be inspected with WGA/PW (all valves, FHs, etc.).	Completed	N/A
18	Flood streets to check for birdbaths, coordinate with WGA/PW. Additional punchlist items may be generated from the results.	Completed	N/A
19	Water valves and water/sanitary leads to have painted curb cut markings at all locations.	Completed	N/A
20	Engineer to provide asbuilt drawings in both PDF and .DWG formats per Sec. 78-130 of the City of Montgomery Code of Ordinances.	Completed	N/A
21	Engineer to provide bond per Sec. 78-131 of the City of Montgomery Code of Ordinances.	Completed	N/A
22	Engineer to provide copies of all testing reports including CMT, Bac-T, mandrel, etc.).	Completed	N/A
23	Sidewalks shall be constructed by the developer prior to city acceptance of the infrastructure at end of 1 yr warranty period.	N/A	Incomplete
24	Tree planting to be inspected at end 1 year warranty, prior to City acceptance of infrastructure.	N/A	Incomplete
25	Street lights to be installed and inspected by end of 1 yr warranty, prior to City acceptance of infrastructure.	N/A	Incomplete
26	Complete asphalt driveway connection to Lone Star Pkwy.	Completed	N/A
27	Complete mastic sealing of all pavement joints.	Completed	N/A
28	Cut off excess HDPE.	Completed	N/A
29	Monitor hairline crack at inlet, review at 1 yr warranty inspection.	N/A	Incomplete

Z:\00574 (City of Montgomery)\140 Hills of Town Creek Sec. 5\Inspections\Substantial Completion Inspection\Substantial Completion Inspection - Sec 5 Punchlist\_2024.12.17.xlsx



## CERTIFICATE OF SUBSTANTIAL COMPLETION

January 22, 2025

Owner: The Honorable Mayor and City Council  
City of Montgomery  
101 Old Plantersville Road  
Montgomery, Texas 77316

Engineer: Mr. Jonathan White  
L Squared Engineering  
3307 West Drive, Suite 100  
Conroe, TX 77304

Re: Substantial Completion Inspection  
Hills of Town Creek Sec 5  
City of Montgomery

Dear Mayor and Council,

We have observed the subject project constructed by the ENGINEER and find it to be substantially complete in accordance with the approved plans and specifications. The project was periodically observed during construction by our field project representative and project engineers.

We also recommend that the Contractor's warranty period of one-year begin January 13, 2025.



Sincerely,

A handwritten signature in blue ink, appearing to read "S. Donahue".

Sean Donahue, PE  
Construction Department Manager

(Professional Engineer Seal of Approval)

Z:\00574 (City of Montgomery)\140 Hills of Town Creek Sec. 5\Inspections\Substantial Completion Inspection\COSC & COA - City of Montgomery.docx

# CERTIFICATE OF ACCEPTANCE

January 22, 2025

Mr. Jonathan White  
L Squared Engineering  
3307 West Drive, Suite 100  
Conroe, TX 77304

Re: Substantial Completion Inspection  
Hills of Town Creek Sec 5  
City of Montgomery

Dear Mr. White,

This is to certify that the City of Montgomery accepts the subject project on the basis of the Certificate of Substantial Completion issued by our Engineers at WGA, LLC, and understands that a guarantee shall cover a period of one-year beginning, January 13, 2025.

Signature: \_\_\_\_\_  
Mr. Anthony Solomon  
City of Montgomery, Interim City Administrator

Date Approved: \_\_\_\_\_

cc: Mr. Anthony Solomon – City of Montgomery, Interim City Administrator  
Ms. Ruby Beaven – City of Montgomery, City Secretary  
Mr. Mike Muckleroy – City of Montgomery, Director of Public Works  
Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney  
Ms. Katherine Vu, PE – Ward, Getz & Associates, LLC, City Engineer



## SureTec Insurance Company

2103 CityWest Boulevard, Suite 1300  
Houston, TX 77042  
713-812-0800

**Bond No. 4475029**

### MAINTENANCE BOND

**KNOW ALL MEN BY THESE PRESENTS**, that we Randy Roan Construction, Inc. as Principal, and SureTec Insurance Company, a corporation organized under the laws of the State of Texas, and duly authorized to do business in the State of Texas as Surety, are held and firmly bound unto K Hovnanian Houston II, LLC as Obligee, in the penal sum of Three Million Six Hundred One Thousand Fifty Five and 01/100 Dollars (\$3,601,055.01) to which payment well and truly to be made we do bind ourselves, and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

**WHEREAS**, the said Principal has completed, and owner has inspected and accepted as being complete in accordance with applicable design documents (failing which, this bond shall become effective only upon such completion and inspection) that certain work (herein referred to as the "Work") described as: Hills of Town Creek Section 5.

**WHEREAS**, said Obligee requires that the Principal furnish a bond conditioned to guarantee for the period of 1 year (s) after substantial completion of the Work against defects in workmanship and materials which are the responsibility of the Principal under the contract under which the Work was constructed, and which did not appear prior to the final completion of the Work.

**NOW THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH** that, if the Principal shall indemnify the Obligee for all loss that the Obligee may sustain by reason of defective materials or workmanship which may first become apparent, and with respect to which written notice is delivered to Surety, before the expiration of the period of 1 year (s) from and after date of substantial completion of the Work, then this obligation shall be void, otherwise to remain in full force and effect.

This obligation does not cover normal wear and tear of materials, misuse or abuse by the Obligee or third parties, failure of Owner to perform owner-required maintenance, nor

any defects known to Obligees prior to final completion of the Work nor any defects discovered or occurring after the expiration of the period set forth above.

Surety's liability on any performance bond previously executed in connection with the Work shall terminate automatically upon acceptance of this Bond and Surety's liability shall thereafter be determined exclusively in accordance with the terms of this Bond.

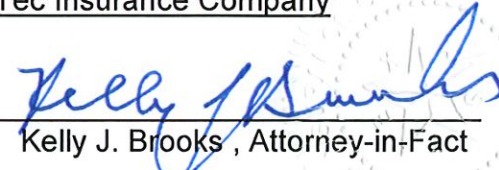
No right of action shall accrue hereunder to or for the benefit of any person or entity other than the Obligees named herein, nor shall any suit be filed or action maintained on this bond more than twenty five (25) months after the date of the earliest timely notice of defect by Obligees to Surety.

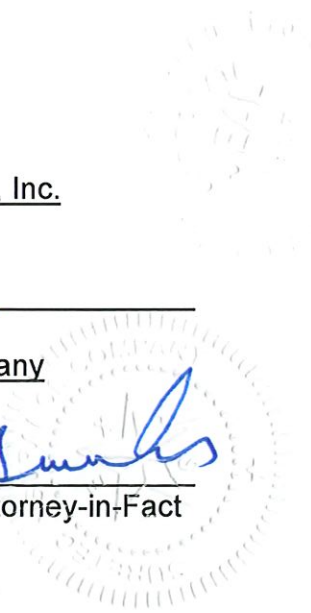
SIGNED, SEALED AND DATED THIS \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Randy Roan Construction, Inc.  
Principal

By: 

SureTec Insurance Company

By:   
Kelly J. Brooks, Attorney-in-Fact





# JOINT LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That SureTec Insurance Company, a Corporation duly organized and existing under the laws of the State of Texas and having its principal office in the County of Harris, Texas and Markel Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the state of Illinois, and having its principal administrative office in Glen Allen, Virginia, does by these presents make, constitute and appoint:

C. A. McClure, Kelly J. Brooks, Kenneth L. Meyer, Michelle Ulery


Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on their own behalf, individually as a surety or jointly, as co-sureties, and as their act and deed any and all bonds and other undertaking in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

Fifty Million and 00/100 Dollars (\$50,000,000.00)

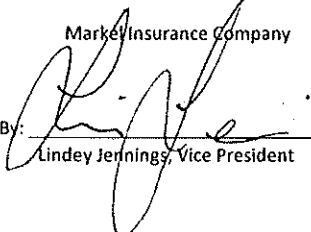
This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolutions adopted by the Board of Directors of SureTec Insurance Company and Markel Insurance Company:

"RESOLVED, That the President, any Senior Vice President, Vice President, Assistant Vice President, Secretary, Assistant Secretary, Treasurer or Assistant Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the SureTec Insurance Company and Markel Insurance Company, as the case may be, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Markel Insurance Company and SureTec Insurance Company have caused their official seal to be hereunto affixed and these presents to be signed by their duly authorized officers on the 6th day of November, 2024.

SureTec Insurance Company  
By:   
Michael C. Keimig, President

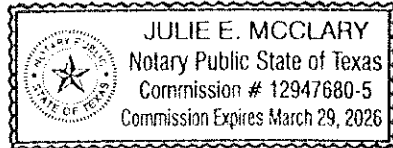


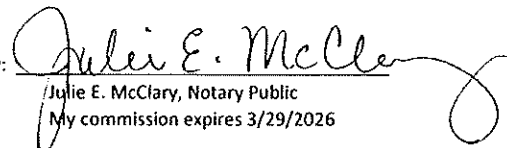
Markel Insurance Company  
By:   
Lindey Jennings, Vice President

State of Texas  
County of Harris:

On this 6th day of November, 2024 A. D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICERS OF THE COMPANIES, to me personally known to be the individuals and officers described in, who executed the preceding instrument, and they acknowledged the execution of same, and being by me duly sworn, disposed and said that they are the officers of the said companies aforesaid, and that the seals affixed to the proceeding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and their signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of the said companies, and that Resolutions adopted by the Board of Directors of said Companies referred to in the preceding instrument is now in force.

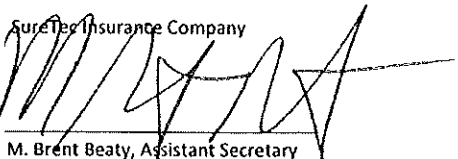
IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.

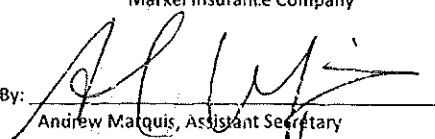


By:   
Julie E. McClary, Notary Public  
My commission expires 3/29/2026

We, the undersigned Officers of SureTec Insurance Company and Markel Insurance Company do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, we have hereunto set our hands, and affixed the Seals of said Companies, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

SureTec Insurance Company  
By:   
M. Brent Beaty, Assistant Secretary

Markel Insurance Company  
By:   
Andrew Matquis, Assistant Secretary

# SureTec Insurance Company

## IMPORTANT NOTICE Statutory Complaint Notice/Filing of Claims

To obtain information or make a complaint: You may call the Surety's toll free telephone number for information or to make a complaint or file a claim at: 1-866-732-0099. You may also write to the Surety at:

SureTec Insurance Company  
9737 Great Hills Trail, Suite 320  
Austin, TX 78759

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at 1-800-252-3439. You may write the Texas Department of Insurance at:

PO Box 149104  
Austin, TX 78714-9104  
Fax#: 512-490-1007  
Web: <http://www.tdi.texas.gov>  
Email: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

**PREMIUM OR CLAIMS DISPUTES:** Should you have a dispute concerning your premium or about a claim, you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

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## SureTec Insurance Company

2103 CityWest Boulevard, Suite 1300  
Houston, TX 77042  
713-812-0800

**Bond No. 4475029**

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**WHEREAS**, the said Principal has completed, and owner has inspected and accepted as being complete in accordance with applicable design documents (failing which, this bond shall become effective only upon such completion and inspection) that certain work (herein referred to as the "Work") described as: Hills of Town Creek Section 5.

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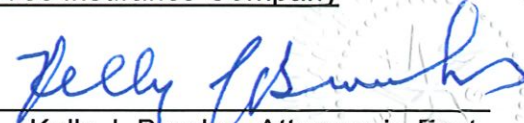
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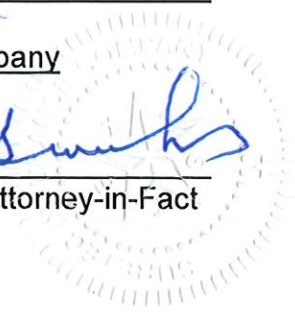
**SIGNED, SEALED AND DATED THIS \_\_\_\_ day of \_\_\_\_\_, 20\_\_.**

Randy Roan Construction, Inc.  
Principal

By: 

SureTec Insurance Company

By:   
Kelly J. Brooks, Attorney-in-Fact



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C. A. McClure, Kelly J. Brooks, Kenneth L. Meyer, Michelle Ulery

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on their own behalf, individually as a surety or jointly, as co-sureties, and as their act and deed any and all bonds and other undertaking in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

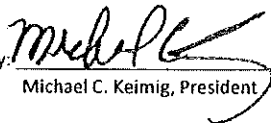
Fifty Million and 00/100 Dollars (\$50,000,000.00)

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolutions adopted by the Board of Directors of SureTec Insurance Company and Markel Insurance Company:

"RESOLVED, That the President, any Senior Vice President, Vice President, Assistant Vice President, Secretary, Assistant Secretary, Treasurer or Assistant Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the SureTec Insurance Company and Markel Insurance Company, as the case may be, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

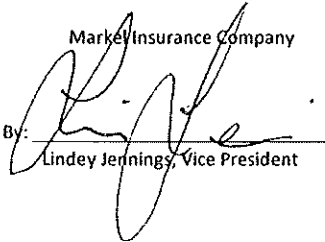
IN WITNESS WHEREOF, Markel Insurance Company and SureTec Insurance Company have caused their official seal to be hereunto affixed and these presents to be signed by their duly authorized officers on the 6th day of November, 2024.

SureTec Insurance Company

By:   
Michael C. Keimig, President



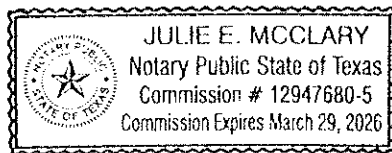
Markel Insurance Company

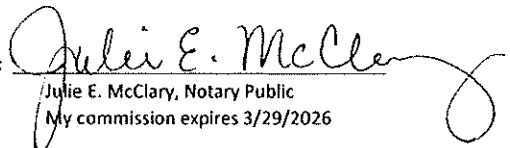
By:   
Lindsey Jennings, Vice President

State of Texas  
County of Harris:

On this 6th day of November, 2024 A. D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICERS OF THE COMPANIES, to me personally known to be the individuals and officers described in, who executed the preceding instrument, and they acknowledged the execution of same, and being by me duly sworn, disposed and said that they are the officers of the said companies aforesaid, and that the seals affixed to the proceeding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and their signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of the said companies, and that Resolutions adopted by the Board of Directors of said Companies referred to in the preceding instrument is now in force.

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

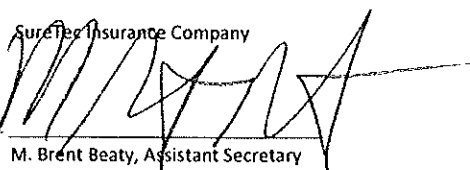


By:   
Julie E. McClary, Notary Public  
My commission expires 3/29/2026

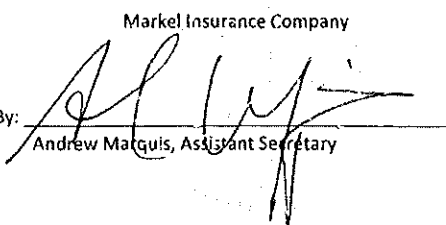
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SureTec Insurance Company

By:   
M. Brent Beaty, Assistant Secretary

Markel Insurance Company

By:   
Andrew Matguis, Assistant Secretary

# SureTec Insurance Company

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SureTec Insurance Company  
9737 Great Hills Trail, Suite 320  
Austin, TX 78759

You may contact the Texas Department of Insurance to obtain information on companies, coverage, rights or complaints at 1-800-252-3439. You may write the Texas Department of Insurance at:

PO Box 149104  
Austin, TX 78714-9104  
Fax#: 512-490-1007  
Web: <http://www.tdi.texas.gov>  
Email: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

**PREMIUM OR CLAIMS DISPUTES:** Should you have a dispute concerning your premium or about a claim, you should contact the Surety first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

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