

SURETY BOND REVIEW FORM

The attached surety bond(s) have been reviewed in the following amount(s):

PROJECT:	Mini Pump Track at Ronald Reagan Sports Park, PW20-09
CONTRACTOR:	American Ramp Company

SURETY	BOND TYPE	BOND NUMBER	BOND AMOUNT
Western Surety Company	Maintenance	30090965	\$60,000.00

The surety company is ☒ is not ☐ an admitted company in the State of California:

- Financial Strength Rating: *A XIV*
- A.M. Best #: *000974*
- NAIC #: *13188*
- CA Company ID #: *0761-7*

Insurance Verified By:

Nicole Hans

Risk Management Division

3/11/2021

Date

Approved As to Form:

Peter M. Thorson

Peter M. Thorson, City Attorney

3-25-21

Date

NOTES:

Submitted by: Tammy Petricka 3/9/21

MAINTENANCE BOND
for
MINI PUMP TRACK AT RONALD REAGAN SPORTS PART
PROJECT NO. PW20-09

KNOW ALL PERSONS BY THESE PRESENT THAT

American Ramp Company, 601 South McKinley, Joplin, Missouri 64801

NAME AND ADDRESS OF CONTRACTOR

a Corporation (hereinafter called "Principal"), and
(fill in whether a Corporation, Partnership, or Individual)

Western Surety Company, 101 S. Reid Street, Suite 300, Sioux Falls, South Dakota 57013

NAME AND ADDRESS OF SURETY

(hereinafter called "Surety"), are held and firmly bound unto CITY OF TEMECULA (hereinafter called "Owner") in the penal sum of **SIXTY THOUSAND DOLLARS (\$60,000.00)** in lawful money of the United States, said sum being not less than ten percent of the Contract value payable by the said City of Temecula under the terms of the Contract, for the payment of which, we bind ourselves, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that whereas, the Principal entered into a certain Contract with the Owner, dated the **18 day of November, 2020**, a copy of which is hereto attached and made a part hereof for the construction of the **Mini Pump Track at Ronald Reagan Sports Park, PROJECT NO. PW20-09**.

WHEREAS, said Contract provides that the Principal will furnish a bond conditioned to guarantee for the period of one year after approval of the final estimate on said job, by the Owner, against all defects in workmanship and materials which may become apparent during said period; and

WHEREAS, the said Contract has been completed, and was the final estimate approved on this the **16th day of December, 2020**.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if within one year from the date of approval of the final estimate on said job pursuant to the Contract, the work done under the terms of said Contract shall disclose poor workmanship in the execution of said work, and the carrying out of the terms of said Contract, or it shall appear that defective materials were furnished thereunder, then this obligation shall remain in full force and virtue, otherwise this instrument shall be void.

As a part of the obligation secured hereby and in addition to the face amount specified, costs and reasonable expenses and fees shall be included, including reasonable attorney's fees incurred by the City of Temecula in successfully enforcing this obligation, all to be taxed as costs and included in any judgment rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract, or to the work to be performed thereunder, or to the specifications accompanying the same, shall in any way affect its obligations on this bond, and it does hereby

waive notice of any such change, extension of time, alteration, or addition to the terms of the Contract, or to the work, or to the Specifications.

Signed and sealed this 28th day of January, 2021.

(Seal)

SURETY: Western Surety Company

By: [Signature]
Scott Brothers
(Name)
Attorney-in-fact
(Title)

PRINCIPAL: American Ramp Company

By: [Signature]
James Moss
(Name)
CEO
(Title)

APPROVED AS TO FORM:

[Signature]
Peter M. Thorson, City Attorney

By: [Signature]
Jonathon Hunter
(Name)
Vice-President
(Title)

NOTE: Signatures of two corporate officers required for corporations. A Notarial Acknowledgement or Jurat must be attached for each of the Surety and Principal Signatures.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Scott Brothers, Dawn Oney, Maria Stout, Individually

of Joplin, MO, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

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

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 25th day of October, 2018.



WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 25th day of October, 2018, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

June 23, 2021



J. Mohr, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 28th day of January, 2021.



WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

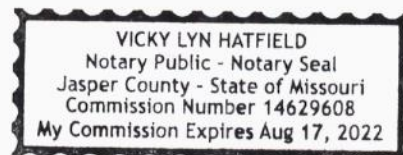
Acknowledgement Form

State of Missouri)

County of Jasper)

On the 28th day of January in the year 2021, before me, the undersigned notary public, personally appeared James Moss, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on this instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

 Notary Public
Vicky Lyn Hatfield



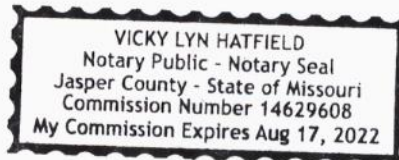
Acknowledgement Form

State of Missouri)

County of Jasper)

On the 28th day of January in the year 2021, before me, the undersigned notary public, personally appeared Jonathon Hunter, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on this instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

 Notary Public
Vicky Lyn Hatfield



Acknowledgement Form

State of Missouri)

County of Newton)

On the 28th day of January in the year 2021, before me, the undersigned notary public, personally appeared Scott Brothers, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on this instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


Kendra Keller

Notary Public

