



When recorded, return to:
Clerk of the Board
P.O. Box 827
Florence AZ 85132

DATE/TIME: 08/26/2021 1321
FEE: \$0.00
PAGES: 10
FEE NUMBER: 2021-107466

RESOLUTION NO. 082521-RD21-015

A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS ACCEPTING INTO THE PINAL COUNTY HIGHWAY MAINTENANCE SYSTEM THE STREETS ASSOCIATED WITH ARCHER MEADOWS OFFSITE COMBS ROAD, LOCATED IN SECTION 34, TOWNSHIP 2 SOUTH, RANGE 8 EAST, AND RELEASING THE CURRENT FINANCIAL ASSURANCE.

WHEREAS, pursuant to A.R.S. § 11-822, Pinal County has authority to accept subdivision streets into the Pinal County Highway Maintenance System; and

WHEREAS, this matter has been brought before the Pinal County Board of Supervisors by a request by the subdivision developer and recommended by the Director of Public Works; and

WHEREAS, the Pinal County Department of Public Works has found as follows:

1. Street and drainage design is in accordance with Pinal County Standards
2. Construction has been monitored by the Department of Public Works
3. Street rights-of-way have been duly dedicated; and

WHEREAS, provision has been made by law and ordinance whereby the principal shall provide security to guarantee against damage by on-site construction.

NOW, THEREFORE, BE IT RESOLVED by the Pinal County Board of Supervisors that the streets identified and dedicated to the public in the Final Plat for Archer Meadows Offsite Combs Road, located in Section 34, Township 2 South, Range 8 East, Pinal County, Arizona are hereby accepted into the Pinal County Highway Maintenance System; and

BE IT FURTHER RESOLVED, Bond No. ES00003859 in the amount of Seven Hundred Twenty One Thousand One Hundred Eighty Two and 00/100 (\$721,182.00), issued by Meritage Homes Construction Inc, is released upon execution of this Resolution; and

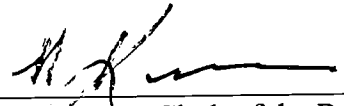
BE IT FURTHER RESOLVED, that this Resolution shall become effective upon recording of said Resolution with the Office of the County Recorder, Pinal County, Arizona.

RESOLUTION NO. 082521-RD21-015

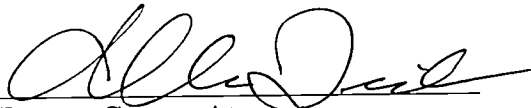
PASSED AND ADOPTED this 25th day of August, 2021, by the PINAL COUNTY BOARD OF SUPERVISORS.


Chair of the Board

ATTEST:


Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:


Deputy County Attorney



CONFIDENTIAL

BOND NO.: ES00003859

SUBDIVISION IMPROVEMENT PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: that we Meritage Homes Construction, Inc., a Arizona Corporation as Principal, and Everest Reinsurance Company, a Delaware Corporation, created, organized and existing under any by virtue of the laws of The State of Delaware and licensed to do business in the State of Arizona, are held and firmly bound unto Pinal County, a political subdivision of the State of Arizona, as Obligee, in the sum of Seven Hundred Twenty One Thousand One Hundred Eighty Two & 00/100 Dollars (\$ 721,182.00), lawful money of the United States of America, for the payment of which we bind ourselves, our heirs, personal representatives, successors and assigns, jointly and severally, by these presents; and

WHEREAS, the Principal intends to file with Pinal County, Arizona, a plat of a subdivision in Pinal County, more particularly described as Archer Meadows Combs Road and endorsed on said plat is the requirement to construct and install public improvements for paving of subdivision streets, curb and gutter, water, sewer, landscaping and irrigation and signing and striping as described in Engineer's Estimate; and of Probable Cost for Archer Meadows Combs Road dated November 1, 2019, prepared by EPS Group

WHEREAS, provision has been made by law and ordinance whereby the Principal shall provide security to assure complete installation of said improvements in conformance with Pinal County standards and in favor of Pinal County, which shall indemnify said County and secure said County that actual construction of said improvements in conformance with County standards, in the event said Principal shall fail to install said improvements within the specified period of time described below.

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall faithfully complete the construction and installation of said improvements in conformance with County standards within two years from the date of approval of said subdivision plat, then this obligation shall become null and void; otherwise it remains in full force and effect.

The Principal and Surety, jointly and severally agree, that if said Principal fails to construct said improvements as herein required or fails to conform said improvements to Pinal County standards, Surety, with the consent of Obligee, may cause said improvements to be completed or made to conform to Pinal County Standards with Surety continuing to be firmly bound under a continuing obligation for the payment of all necessary costs and expenses or Obligee shall have the right to construct and maintain, or pursuant to public advertisement and receipt and acceptance of bids, cause to be constructed and maintained said subdivision improvements and the Principal and Surety shall be jointly and severally liable hereunder to pay to and indemnify the Obligee upon completion of such construction and maintenance, the cost to the Obligee thereof, including but not limited to engineering, legal and contingent costs and expenses; provided, however, such liability shall not exceed the amount of this bond.

The term of this bond shall begin upon the date of filing this subdivision improvement performance bond with Pinal County and shall remain in effect until the completion of the work in conformance with Pinal County standards.

Signed, sealed and dated this 4th day of November, 2019.

Address and telephone

8800 E. Rainree Drive, Suite 300

Scottsdale, AZ 85260

(480) 515-8057

Principal

Meritage Homes Construction, Inc.

a Arizona Corporation

By: *Jan A. Tull*

Name: GLENTULL

Title: VP - NATIONAL LAND DEVELOPMENT

Address and telephone

P.O. Box 830

Liberty Corner, NJ 07938

(908) 604-3000

Surety

Everest Reinsurance Company

a Delaware Corporation

By: *Kristin D. Thurber*

Name: Kristin D. Thurber

Title: Attorney-In-Fact

****ALSO REQUIRED IS A NOTARY SHEET FOR EACH OF THE ABOVE SIGNATURES AND A COPY OF ANY POWER OF ATTORNEY****

GENERAL ALL-PURPOSE ACKNOWLEDGMENT

State of Arizona

County of Maricopa

On November 13, 2019 before me,

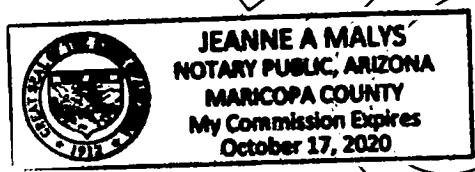
Jeanne A. Malys, Notary Public
Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared

Glen Turk, VP - National Land Development
Name(s) of Signer(s)

- Personally known to me
- Proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacities and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the said instrument.



WITNESS my hand and official seal.

Jeanne A. Malys
Signature of Notary Public

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent

CAPACITY CLAIMED BY SIGNER	DESCRIPTION OF ATTACHED DOCUMENT
<input type="checkbox"/> INDIVIDUAL	
<input type="checkbox"/> PARTNER(S) <input type="checkbox"/> LIMITED	
<input type="checkbox"/> ATTORNEY-IN-FACT	
<input type="checkbox"/> TRUSTEE(S)	
<input type="checkbox"/> GUARDIAN/CONSERVATOR	
<input type="checkbox"/> OTHER _____	
SIGNER IS REPRESENTING:	
NAME OF PERSON(S) OR ENTITY(IES)	

	TITLE OR TYPE OF DOCUMENT
	NUMBER OF PAGES
	DATE OF DOCUMENT
	Additional Signatures

EVEREST.

ES067R10093

POWER OF ATTORNEY
EVEREST REINSURANCE COMPANY
DELAWARE

KNOW ALL PERSONS BY THESE PRESENTS: That Everest Reinsurance Company, a corporation of the State of Delaware ("Company") having its principal office located at 477 Martinsville Road, Liberty Corner, New Jersey 07938, do hereby nominate, constitute, and appoint:

Erin Brown, Kristin D. Thurber, David G. Jensen, James A. Bracy

its true and lawful Attorney(s)-in-fact to make, execute, attest, seal and deliver for and on its behalf, as surety, and as its act and deed, where required, any and all bonds and undertakings in the nature thereof, for the penal sum of no one of which is in any event to exceed UNLIMITED, reserving for itself the full power of substitution and revocation.

Such bonds and undertakings, when duly executed by the aforesaid Attorney(s)-in-fact shall be binding upon the Company as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary of the Company and sealed with its corporate seal.

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Board of Directors of Company ("Board") on the 28th day of July 2016:

RESOLVED, that the President, any Executive Vice President, and any Senior Vice President and Anthony Romano are hereby appointed by the Board as authorized to make, execute, seal and deliver for and on behalf of the Company, any and all bonds, undertakings, contracts or obligations in surety or co-surety with others and that the Secretary or any Assistant Secretary of the Company be and that each of them hereby is authorized to attest to the execution of any such bonds, undertakings, contracts or obligations in surety or co-surety and attach thereto the corporate seal of the Company.

RESOLVED, FURTHER, that the President, any Executive Vice President, and any Senior Vice President and Anthony Romano are hereby authorized to execute powers of attorney qualifying the attorney named in the given power of attorney to execute, on behalf of the Company, bonds and undertakings in surety or co-surety with others, and that the Secretary or any Assistant Secretary of the Company be, and that each of them is hereby authorized to attest the execution of any such power of attorney, and to attach thereto the corporate seal of the Company.

RESOLVED, FURTHER, that the signature of such officers named in the preceding resolutions and the corporate seal of the Company may be affixed to such powers of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be thereafter valid and binding upon the Company with respect to any bond, undertaking, contract or obligation in surety or co-surety with others to which it is attached.

IN WITNESS WHEREOF, Everest Reinsurance Company has caused their corporate seals to be affixed hereto, and these presents to be signed by their duly authorized officers this 28th day of July 2016.



Nicole Chase

Attest: Nicole Chase, Assistant Secretary

Everest Reinsurance Company

Anthony Romano

By: Anthony Romano, Vice President

On this 28th day of July 2016, before me personally came Anthony Romano, known to me, who, being duly sworn, did execute the above instrument; that he knows the seal of said Company; that the seal affixed to the aforesaid instrument is such corporate seal and was affixed thereto; and that he executed said instrument by like order.

LINDA ROBINS
Notary Public, State of New York
No 01B06239736
Qualified in Queens County
Term Expires April 25, 2023

Linda Robins

Linda Robins, Notary Public

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company, at the Liberty Corner, this 4th day of November 2019.



PINAL COUNTY

Letter of Project Approval

November 1, 2019

EPS Group, Inc.
1130 N. Alma School Rd., Suite 120
Mesa, AZ 85201

Project: ARCHER MEADOWS - COMBS ROAD
County No: FP18-028
Engr Job No: 17-412

The following plans for the above project have been reviewed and approved by Pinal County;

1. Paving (incl private irrigation)
2. Signing & Striping
3. Landscape

The Engineer's Cost Estimate, dated 11/01/19 for these improvements has been accepted.

An Infrastructure Permit from the Department of Public Works will be required. Contact (520) 866-6454 or publicworksreviews@pinalcountyaz.gov for the permit application and the permit fee(s). *A copy of this Letter of Project Approval must be attached to all permit applications or the application will not be processed.*

Sincerely,



Lester Chow
Engineering Division Manager
Pinal County, Community Development Department

COMMUNITY DEVELOPMENT
ENGINEERING DIVISION

