

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

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS ACCEPTING A DECREASE PENALTY RIDER TO REDUCE THE AMOUNT OF A PREVIOUSLY ACCEPTED SUBDIVISION IMPROVEMENT PERFORMANCE BOND (NO. US00134826SU24A) FOR THE COMPLETION OF PUBLIC SUBDIVISION IMPROVEMENTS IN CONNECTION WITH WARE FARMS PARCELS 9-14 MASS GRADING, LOCATED IN SECTION 33, TOWNSHIP 2 SOUTH, RANGE 8 EAST, SUPERVISORY DISTRICT 2.**

WHEREAS, this matter has been brought before the Pinal County Board of Supervisors (the “**Board**”) by a request by the subdivider of Ware Farms Parcels 9-14 Mass Grading (the “**Development**”) and recommended by the Director of Public Works; and,

WHEREAS, provision has been made by law and ordinance whereby a subdivider shall provide financial security to assure completion of construction of all required public subdivision improvements in conformance with Pinal County standards and requirements; and,

WHEREAS, the Board previously passed an adopted a resolution accepting a Subdivision Improvement Performance Bond from the subdivider for the Development in the amount of Two Million Seven Hundred Thirty One Thousand Nine Hundred Fifty Seven Dollars and 29/100 (\$2,731,957.29) (Bond No. US00134826SU24A) (the “**Original Bond**”) as such financial security, a copy of which is attached hereto as **Exhibit “A”** and which was recorded on June 5, 2024 at fee no. 2024-042555, official records of the Pinal County Recorder (the “**County Recorder**”); and,

WHEREAS, the amount of the Original Bond was based on the cost estimates pursuant to the Project Re-Approval Letter dated February 13, 2024, attached as **Exhibit “B”**; and,

WHEREAS, subsequent to the Board’s acceptance of the Original Bond, the subdivider revised the Development’s plans, which resulted in a reduced cost estimate for the installation of public subdivision improvements in the revised amount of Two Million Seven Hundred Nine Thousand Two Hundred Seventy Seven Dollars and 16/100 (\$2,709,277.16) (the “**Revised Bond Amount**”); and,

WHEREAS, the Revised Bond Amount has been reviewed and approved by the County Engineer, as reflected on the Re-Approval Letter dated January 30, 2025 and attached hereto as **Exhibit “C”**; and,

///

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the subdivider has provided the Decrease Penalty Rider attached hereto as **Exhibit "D"**, which decreases the amount of the Original Bond to the Revised Bond Amount, and which is to be attached to the Original Bond and form a part of the same; and,

WHEREAS, all other terms and conditions of the Original Bond remain intact and unaltered.

NOW, THEREFORE, BE IT RESOLVED, by the Pinal County Board of Supervisors that the Decrease Penalty Rider attached hereto as **Exhibit "D"** is hereby approved and accepted.

BE IT FURTHER RESOLVED, that this Resolution shall become effective upon its recording with the County Recorder.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025, 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

**EXHIBIT "A"**

**TO**

**RESOLUTION NO. \_\_\_\_\_**

***[Resolution No. 060524-RD23-162 Accepting Subdivision Improvement Performance Bond  
No. US00134826SU24A]***

AK



OFFICIAL RECORDS OF  
PINAL COUNTY RECORDER  
Dana Lewis

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

DATE/TIME: 06/05/2024 1346  
FEE: \$0.00  
PAGES: 9  
FEE NUMBER: 2024-042555

**RESOLUTION NO. 060524-RD23-162**

**A RESOLUTION OF THE PINAL COUNTY, ARIZONA, BOARD OF SUPERVISORS ACCEPTING SUBDIVISION IMPROVEMENT PERFORMANCE BOND NO. US00134826SU24A FOR THE COMPLETION OF PUBLIC SUBDIVISION IMPROVEMENTS IN CONNECTION WITH WARE FARMS PARCELS 9-14 MASS GRADING, LOCATED IN SECTION 33, TOWNSHIP 2 SOUTH, RANGE 8 EAST, SUPERVISORY DISTRICT 2.**

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

WHEREAS, provision has been made by law and ordinance whereby a subdivider shall provide financial security to assure completion of construction of all required public subdivision improvements in conformance with Pinal County standards and requirements; and,

WHEREAS, the subdivider of Ware Farms Parcels 9-14 Mass Grading has provided the Subdivision Improvement Performance Bond attached hereto as **Exhibit "A"** in the amount of Two Million Seven Hundred Thirty One Thousand Nine Hundred Fifty Seven Dollars and 29/100 (\$2,731,957.29) as such financial security.

NOW, THEREFORE, BE IT RESOLVED, by the Pinal County Board of Supervisors that the Subdivision Improvement Performance Bond attached hereto as **Exhibit "A"** is hereby approved and accepted.

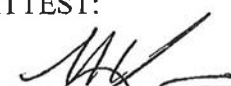
BE IT FURTHER RESOLVED, that this Resolution shall become effective upon recording of said Resolution with the Office of the County Recorder, Pinal County, Arizona.

PASSED AND ADOPTED this 5th day of June, 2024, by the PINAL COUNTY BOARD OF SUPERVISORS.

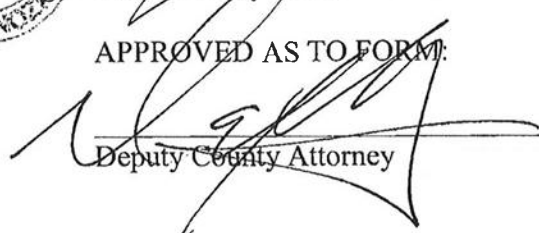
  
Chair of the Board



ATTEST:

  
Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:

  
Deputy County Attorney

**EXHIBIT "A"**

**TO**

**RESOLUTION NO. 060524-RD23-162**

**[Subdivision Improvement Performance Bond No US00134826SU24A]**

**SUBDIVISION IMPROVEMENT PERFORMANCE BOND**

KNOW ALL MEN BY THESE PRESENTS: that we Pulte Home Company, LLC, a Limited Liability Company as Principal, and XL Specialty Insurance Company, a company, created, organized and existing under any by virtue of the laws 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 TWO MILLION SEVEN HUNDRED THIRTY ONE THOUSAND NINE HUNDRED FIFTY SEVEN AND 29/100 Dollars (\$2,731,957.29), 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 Ware Farms (Parcels 9-14) Mass Grading and endorsed on said plat is the requirement to construct and install public improvements for Mass Grading of subdivision; and

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.

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 26<sup>th</sup> day of March, 2024.

Address and telephone

16767 N Perimeter Drive  
Suite 100  
Scottsdale AZ 85260  
480-314-7929

Principal

Pulte Home Company, LLC,

a Michigan Limited Liability Company

By: SEE ATTACHED

Name: Gregory S. Rives

Title: Assistant Treasurer

Address and telephone

505 Eagleview Blvd.

Exton, PA 19341

630-468-5600

Surety

XL Specialty Insurance Company,

a

By: 

Name: Kelly A. Gardner

Title: Attorney-in-Fact

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

executed this 26<sup>th</sup> day of March, 2024.

**Pulte Home Company, LLC**

---

PRINCIPAL

A handwritten signature in black ink, appearing to read "Gregory S. Rives", is written over a horizontal line.

**BY:** Gregory S. Rives, Assistant Treasurer

Notary Attached

**ACKNOWLEDGEMENT BY PRINCIPAL**

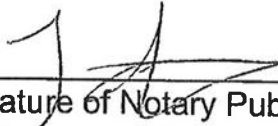
**STATE OF GEORGIA)**

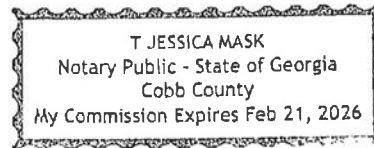
**) ss.**

**COUNTY OF COBB)**

This record was acknowledged before me on March 26, 2024, appeared Gregory S. Rives, Pulte Home Company, LLC, who provided to me on the basis of satisfactory evidence to be the person who appeared before me and is personally known to me.

WITNESS my hand official seal.

  
\_\_\_\_\_  
Signature of Notary Public



**T. JESSICA MASK**  
**Notary Public State of Georgia**  
**My Commission Expires: February 21, 2026**



Power of Attorney  
XL Specialty Insurance Company  
XL Reinsurance America Inc.

BOND NUMBER US00134826SU24A  
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That XL Specialty Insurance Company, a Delaware insurance companies with offices located at 505 Eagleview Blvd., Exton, PA 19341, and XL Reinsurance America Inc., a New York Insurance company with offices located at 70 Seaview Avenue, Stamford, CT 06902, , do hereby nominate, constitute, and appoint:

**Kelly A. Gardner**

each 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 \$100,000,000.00.

Such bonds and undertakings, when duly executed by the aforesaid Attorney (s) - in - Fact shall be binding upon each said 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.

The 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 each of the Companies on the 26th day of July 2017.

RESOLVED, that Gary Kaplan, Daniel Riordan, Maria Duhart, Gregory Boal and Kevin Mirsch 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 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 Gary Kaplan, Daniel Riordan, Maria Duhart, Gregory Boal and Kevin Mirsch each is 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, the XL SPECIALTY INSURANCE COMPANY has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officers this April 13th, 2018.

**XL SPECIALTY INSURANCE COMPANY**



by:

*Gregory Boal*  
Gregory Boal, VICE PRESIDENT

STATE OF PENNSYLVANIA  
COUNTY OF CHESTER

Attest:

*Kevin M. Mirsch*  
Kevin M. Mirsch, ASSISTANT SECRETARY

On this 13th day of April, 2018, before me personally came Gregory Boal to me known, who, being duly sworn, did depose and say: that he is Vice President of XL SPECIALTY INSURANCE COMPANY, described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to the aforesaid instrument is such corporate seals and were affixed thereto by order and authority of the Boards of Directors of said Companies; and that he executed the said instrument by like order.



Commonwealth of Pennsylvania - Notary Seal  
Rebecca C. Shalhoub, Notary Public  
Northampton County  
My commission expires April 28, 2024  
Commission number 1268765  
Member, Pennsylvania Association of Notaries

*Rebecca C. Shalhoub*

Rebecca C. Shalhoub, NOTARY PUBLIC

SB0042

STATE OF PENNSYLVANIA  
COUNTY OF CHESTER

I, Kevin M. Mirsch, Assistant Secretary of XL SPECIALTY INSURANCE COMPANY, a corporation of the State of Delaware, do hereby certify that the above and foregoing is a full, true and correct copy of a Power of Attorney Issued by said Companies, and that I have compared same with the original and that it is a correct transcript therefrom and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation, at the City of Exton, this 26th day of March, 2024



*Kevin M. Mirsch*  
Kevin M. Mirsch, ASSISTANT SECRETARY

IN WITNESS WHEREOF, XL REINSURANCE AMERICA INC. has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officers this 13th day of April, 2018.



XL REINSURANCE AMERICA INC.

by:

*Gregory Boal*

Gregory Boal, VICE PRESIDENT

Attest:

*Kevin M. Mirsch*  
Kevin M. Mirsch, ASSISTANT SECRETARY

STATE OF PENNSYLVANIA  
COUNTY OF CHESTER

On this 13th day of April, 2018, before me personally came Gregory Boal to me known, who, being duly sworn, did depose and say: that he is Vice President of XL REINSURANCE AMERICA INC., described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the aforesaid instrument is such corporate seal and was affixed thereto by order and authority of the Board of Directors of



Commonwealth of Pennsylvania - Notary Seal  
Rebecca C. Shalhoub, Notary Public  
Northampton County  
My commission expires April 28, 2024  
Commission number 1268765  
Member, Pennsylvania Association of Notaries

*Rebecca C. Shalhoub*

Rebecca C. Shalhoub, NOTARY PUBLIC

STATE OF PENNSYLVANIA  
COUNTY OF CHESTER

I, Kevin M. Mirsch, Assistant Secretary of XL REINSURANCE AMERICA INC. a corporation of the State of New York, do hereby certify that the person who executed this Power of Attorney, with the rights, respectively of XL REINSURANCE AMERICA INC., do hereby certify that the above and foregoing is a full, true and correct copy of a Power of Attorney Issued by said Corporation, and that I have compared same with the original and that it is a correct transcript therefrom and of the whole original and that the said Power of Attorney is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation, at the City of Exton, this 26th day of March, 2024.



*Kevin M. Mirsch*

Kevin M. Mirsch, ASSISTANT SECRETARY

This Power of Attorney may not be used to execute any bond with an inception date

4/28/2024 12:00:00AM

SB0042

STATE OF ILLINOIS }  
COUNTY OF DU PAGE}

On March 26, 2024, before me, Alexa K. Costello, a Notary Public in and for said County and State, duly commissioned and sworn, personally appeared, Kelly A. Gardner, known to me to be Attorney-in-Fact of XL Specialty 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 on behalf of the said corporation, and he 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 September 20, 2027

Alexa K. Costello  
Alexa K. Costello, Notary Public  
Commission No. 978152



**EXHIBIT "B"**

**TO**

**RESOLUTION NO. \_\_\_\_\_**

***[Project Re-Approval Letter dated February 13, 2024]***



**Project Re-Approval Letter**

February 13, 2024

EPS Group, Inc.  
1130 N. Alma School Rd., Suite 120  
Mesa, Arizona 85201  
Attn: Eric Winters, P.E.

Project: **WARE FARMS – (PARCELS 9 – 14) MASS GRADING**  
County No: **FP21-093**  
Engr Job No: **20-0673**

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

1. Mass Grading


The Engineer's Cost Estimates, dated 01/25/2023 for these improvements in the amount of \$2,731,957.29 has been accepted. A financial assurance guaranteeing the completion of these subdivision improvements in the amount of \$2,731,957.29 is required. This assurance may be in the form cash, bond, letter of credit or Third Party Trust Agreement and is required prior to the issuance of the Infrastructure Permit and final plat approval by the Board of Supervisors. *A copy of this Letter of Project Approval must be attached to the submittal of your assurance or it will not be processed.*

A Grading & Drainage Permit from the Department of Public Works will be required. The permit applications can be found online at <https://www.pinalcountyyaz.gov/PublicWorks/Pages/InformationCenter.aspx> under Right-of-Way Use. Permit applications shall be submitted online through the County's Citizen Portal at <https://citizenaccess.pinalcountyyaz.gov/citizenaccess/Default.aspx>. Final permit fees are determined after permit application submittal. For any questions regarding the permit application and/or permit fee(s) contact (520) 866-6454 or [publicworksreviews@pinal.gov](mailto:publicworksreviews@pinal.gov). *A copy of this Letter of Project Approval must be submitted with all permit applications or the application will not be processed.*

For questions regarding the required assurance contact Susan Baker at (520) 866-6546 or [susan.baker@pinal.gov](mailto:susan.baker@pinal.gov). The release of the assurances shall be per the Pinal County Development Services Code Section 3.40.040F

At the time of your request for release of assurances a 10% Guarantee Bond in the amount of N/A and a pavement finishing fee of N/A will be required.

Sincerely,



**Christopher Wanamaker, PE, CFM, CPM**  
County Engineer  
Pinal County, Public Works Department

COMMUNITY DEVELOPMENT  
ENGINEERING DIVISION

**EXHIBIT "C"**

**TO**

**RESOLUTION NO. \_\_\_\_\_**

***[Re-Approval Letter dated January 30, 2025]***



# PINAL COUNTY

WIDE OPEN OPPORTUNITY

## Re-Approval Letter

January 30, 2025

EPS Group, Inc.  
1130 N. Alma School Rd, Suite 120  
Mesa, Arizona 85201  
Attn: Eric Winters, P.E.

Project Name: **WARE FARMS – (PARCELS 9-14) MASS GRADING**  
County No: **FP21-093**  
Engr Job No: **20-0673**

The following plans for the above project have been re-approved by Pinal County;

1. Mass Grading

The Engineer's Cost Estimates, dated 05/23/2025 for these improvements in the amount of \$2,709,277.16 has been accepted. A financial assurance guaranteeing the completion of these subdivision improvements in the amount of \$2,709,277.16 is required. **An assurance in the form of an Improvement Performance Bond was approved by the Board of Supervisors on 06/05/2024 (Fee # 2024-042555, Resolution # 060524-RD23-162).**


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

1. Mass Grading

This project was previously approved (*refer to original Approval Letter dated February 13, 2024*). Per the original approval, the Engineer's Cost Estimates, dated 01/25/2023 for these improvements in the amount of \$2,731,957.29 was accepted.

A Grading & Drainage Permit from the Department of Public Works will be required. The permit applications can be found online at <https://www.pinalcountynaz.gov/PublicWorks/Pages/InformationCenter.aspx> under Right-of-Way Use. Permit applications shall be submitted online through the County's Citizen Portal at <https://citizenaccess.pinalcountynaz.gov/citizenaccess/Default.aspx>. Final permit fees are determined after permit application submittal. For any questions regarding the permit application and/or permit fee(s) contact (520) 866-6454 or [publicworksreviews@pinal.gov](mailto:publicworksreviews@pinal.gov). **A copy of this Letter of Project Approval must be submitted with all permit applications or the application will not be processed**

Sincerely,

  
**Christopher Wanamaker, PE, CFM, CPM**  
County Engineer  
Pinal County, Public Works Department

DEVELOPMENT SERVICES  
ENGINEERING DIVISION

**EXHIBIT "D"**  
**TO**  
**RESOLUTION NO. \_\_\_\_\_**

***[Decrease Penalty Rider]***

## DECREASE PENALTY RIDER

BOND AMOUNT \$2,731,957.29 BOND NO. US00134826SU24A

To be attached and form a part of Bond No. US00134826SU24A dated the 26th Day of March, 2024, executed by XL Specialty Insurance Company as surety, on behalf of Pulte Home Company, LLC as current principal of record, and in favor of Pinal County, as Obligee for Ware Farms Parcel 9-14, and in the amount of Two Million Seven Hundred Thirty One Thousand Nine Hundred Fifty Seven Dollars and 29/100 (\$2,731,957.29).

In consideration of the agreed premium charged for this bond, it is understood and agreed that XL Specialty Insurance Company hereby consents that effective from the 30th Day of January, 2025, said bond shall be amended as follows:

THE BOND PENALTY SHALL BE DECREASED:

FROM: Two Million Seven Hundred Thirty One Thousand Nine Hundred Fifty Seven Dollars and 29/100 (\$2,731,957.29)

TO: Two Million Seven Hundred Nine Thousand Two Hundred Seventy Seven Dollars and 16/100 (\$2,709,277.16)

The DECREASE of said bond penalty shall be effective as of the 30th Day of January, 2025, and does hereby agree that the continuity of protection under said bond subject to changes in penalty shall not be impaired hereby, provided that the aggregate liability of the above mentioned bond shall not exceed the amount of liability assumed by it at the time the act and/or acts of default were committed and in no event shall such liability be cumulative.

Signed, sealed and dated this 18th Day of February, 2025

Pulte Home Company, LLC  
PRINCIPAL

BY SEE ATTACHED

Gregory S. Rives  
Assistant Treasurer

XL Specialty Insurance Company  
SURETY

BY Kelly A. Gardner  
Kelly A. Gardner, ATTORNEY-IN-FACT



THE ABOVE BOND IS HEREBY AGREED TO AND ACCEPTED BY:

Pinal County  
OBLIGEE

BY [Signature]  
PINAL COUNTY ENGINEER TITLE

executed this 18<sup>th</sup> day of February, 2025.

**Pulte Home Company, LLC**

---

PRINCIPAL



A handwritten signature in blue ink, appearing to read 'Gregory S. Rives', is written over a horizontal line.

**BY:** Gregory S. Rives, Assistant Treasurer

Notary Attached

**NOTARY ACKNOWLEDGEMENT**

**STATE OF GEORGIA)**

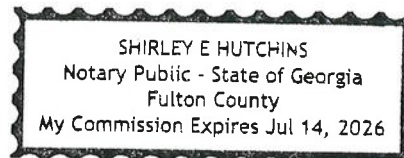
**) ss.**

**COUNTY OF FULTON)**

This record was acknowledged before me on February 19<sup>th</sup>, 2025,  
appeared Gregory S. Rives as Assistant Treasurer  
of Pulte Home Company, LLC, who provided to me on the  
basis of satisfactory evidence to be the person who appeared before me and is  
personally known to me. .

WITNESS my hand official seal.

*Shirley E. Hutchins*  
Signature of Notary Public



*Shirley E. Hutchins*  
Notary Public State of Georgia  
My Commission Expires: July 14, 2026



Power of Attorney  
XL Specialty Insurance Company  
XL Reinsurance America Inc.

BOND NUMBER US00134826SU24A  
LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That XL Specialty Insurance Company, a Delaware Insurance companies with offices located at 505 Eagleview Blvd., Exton, PA 19341, and XL Reinsurance America Inc., a New York Insurance company with offices located at 70 Seaview Avenue, Stamford, CT 06902, do hereby nominate, constitute, and appoint:

**Kelly A. Gardner**

each 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 \$100,000,000.00.

Such bonds and undertakings, when duly executed by the aforesaid Attorney (s) - In - Fact shall be binding upon each said 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.

The 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 each of the Companies on the 26th day of July 2017.

RESOLVED, that Gary Kaplan, Daniel Riordan, Maria Duhart, Gregory Boal and Kevin Mirsch 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 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 Gary Kaplan, Daniel Riordan, Maria Duhart, Gregory Boal and Kevin Mirsch each is 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, the XL SPECIALTY INSURANCE COMPANY has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officers this April 13th, 2018.

**XL SPECIALTY INSURANCE COMPANY**



by:

*Gregory Boal*

Gregory Boal, VICE PRESIDENT

STATE OF PENNSYLVANIA  
COUNTY OF CHESTER

Attest:

*Kevin M. Mirsch*

Kevin M. Mirsch, ASSISTANT SECRETARY

On this 13th day of April, 2018, before me personally came Gregory Boal to me known, who, being duly sworn, did depose and say: that he is Vice President of XL SPECIALTY INSURANCE COMPANY, described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to the aforesaid instrument is such corporate seals and were affixed thereto by order and authority of the Boards of Directors of said Companies; and that he executed the said instrument by like order.



Commonwealth of Pennsylvania - Notary Seal  
Rebecca C. Shalhoub, Notary Public  
Northampton County  
My commission expires April 28, 2028  
Commission number 1268765

Member, Pennsylvania Association of Notaries

*Rebecca C. Shalhoub*

Rebecca C. Shalhoub, NOTARY PUBLIC

STATE OF PENNSYLVANIA  
COUNTY OF CHESTER

I, Kevin M. Mirsch, Assistant Secretary of XL SPECIALTY INSURANCE COMPANY, a corporation of the State of Delaware, do hereby certify that the above and foregoing is a full, true and correct copy of a Power of Attorney Issued by said Companies, and that I have compared same with the original and that it is a correct transcript therefrom and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation, at the City of Exton, this 18th day of February, 2025



*Kevin M. Mirsch*  
Kevin M. Mirsch, ASSISTANT SECRETARY

IN WITNESS WHEREOF, XL REINSURANCE AMERICA INC. has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officers this 13th day of April, 2018.



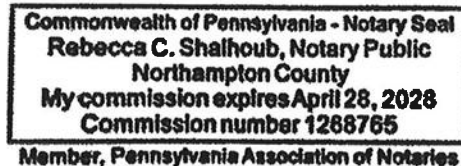
XL REINSURANCE AMERICA INC.

by: *Gregory Boal*  
Gregory Boal, VICE PRESIDENT

Attest: *Kevin M. Mirsch*  
Kevin M. Mirsch, ASSISTANT SECRETARY

STATE OF PENNSYLVANIA  
COUNTY OF CHESTER

On this 13th day of April, 2018, before me personally came Gregory Boal to me known, who, being duly sworn, did depose and say: that he is Vice President of XL REINSURANCE AMERICA INC., described in and which executed the above Instrument; that he knows the seal of said Corporation; that the seal affixed to the aforesaid Instrument is such corporate seal and was affixed thereto by order and authority of the Board of Directors of



*Rebecca C. Shalhoub*  
Rebecca C. Shalhoub, NOTARY PUBLIC

STATE OF PENNSYLVANIA  
COUNTY OF CHESTER

I, Kevin M. Mirsch, Assistant Secretary of XL REINSURANCE AMERICA INC. a corporation of the State of New York, do hereby certify that the person who executed this Power of Attorney, with the rights, respectively of XL REINSURANCE AMERICA INC., do hereby certify that the above and foregoing is a full, true and correct copy of a Power of Attorney Issued by said Corporation, and that I have compared same with the original and that it is a correct transcript therefrom and of the whole original and that the said Power of Attorney is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation, at the City of Exton, this 18th day of February, 2025



*Kevin M. Mirsch*  
Kevin M. Mirsch, ASSISTANT SECRETARY

This Power of Attorney may not be used to execute any bond with an Inception date

4/28/2028 12:00:00AM