

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 RELEASING THE TEN PERCENT GUARANTEE BOND (MAINTENANCE BOND NO. US00129550SU23A) IN CONNECTION WITH SAN TAN HEIGHTS PARCEL B-4, LOCATED IN SECTION 2, TOWNSHIP 3 SOUTH, RANGE 7 EAST, SUPERVISOR DISTRICT 2.

WHEREAS, this matter has been brought before the Pinal County Board of Supervisors (the “**Board**”) by a request from the subdivision developer (the “**Subdivider**”) in connection with San Tan Heights Parcel B-4 (the “**Subdivision**”); and,

WHEREAS, the Subdivider has previously completed construction of all required Subdivision improvements, which were accepted by the Board on or about August 2, 2023 by way of Resolution No. 080223-RD23-016, recorded on August 3, 2023 at Fee Number 2023-057018 (the “**Improvements**”); and,

WHEREAS, the Subdivider posted a ten percent guarantee bond, which, per Pinal County Development Services Code (“**PCDSC**” or the “**Code**”) § 3.40.040(C)(4), is to guarantee against damage by on-site construction for a period of one year after acceptance of the Improvements by the Board; and,

WHEREAS, per the terms of the ten percent guarantee bond, the same guarantees that the Improvements shall be free from defects of workmanship and materials, general wear and tear excepted, for a period of 1 year from the date of acceptance of the Improvements; and,

WHEREAS, pursuant to PCDSC § 3.40.040(C)(4), “[a]fter completion of one year, satisfactory correction of any damages, and upon inspection by the county engineer, the ten percent guarantee bond may be released”; and,

WHEREAS, the ten percent guarantee bond in this matter is identified as Maintenance Bond No. US00129550SU23A in the amount of Ninety Four Thousand Five Hundred Twenty Two and 50/100 Dollars (\$94,522.50) issued by XL Specialty Insurance Company, a copy of which is attached hereto as **Exhibit “A”** (the “**Maintenance Bond**”); and,

WHEREAS, the Pinal County Department of Public Works and the county engineer have inspected the Improvements and have determined that they are in conformance with Pinal County standards and that all applicable Code requirements have been met such that the Maintenance Bond may be released.

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RESOLUTION NO. _____

NOW, THEREFORE, BE IT RESOLVED by the Board that the Maintenance Bond is hereby released.

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

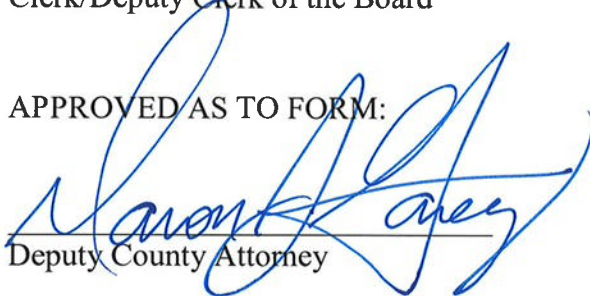
PASSED AND ADOPTED this _____ day of _____, 2025, by the
PINAL COUNTY BOARD OF SUPERVISORS.

Chair of the Board

ATTEST:

Clerk/Deputy Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney

EXHIBIT "A"

TO

RESOLUTION NO. _____

[Maintenance Bond No. US00129550SU23A]

XL Specialty Insurance Company

Surety's Name

MAINTENANCE BOND

Bond No. US00129550SU23A

KNOW ALL MEN BY THESE PRESENT, That we, Mattamy Arizona, LLC

Principal's Name

9200 E. Pima Center Parkway, Suite 160, Scottsdale, AZ, 85258

Principal's Address

XL Specialty Insurance Company

Surety's Name

505 Eagleview Blvd., Suite 100, Exton, PA 19341-0636

Surety's Address

hereinafter called Surety, are held and firmly bound unto Pinal County

Obligee's Name

a political subdivision of the State of Arizona

Obligee's Address

hereinafter called Obligee, in

the full and just sum of Ninety Four Thousand Five Hundred Twenty-Two and 50/100

Dollars

(\$ 94,522.50

), lawful money of the United States, for the payment of which we bind ourselves, our heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, said Obligee has entered into a certain agreement with Mattamy Arizona, LLC

Owner's Name

a portion of which requires a 1 year(s) maintenance bond covering workmanship and materials for the List of Improvements covered, hereinafter called Improvements, at San Tan Heights - Parcel B4

Project Name

W. San Tan Heights Blvd. & Amelia Way

Project Address

, which Improvements have been or are about to be completed and accepted.

NOW, THEREFORE, if said improvements shall be free from defects of workmanship and materials, general wear and tear excepted, for a period of 1 year(s) from the date of acceptance of said improvements, then this obligation shall be null and void; otherwise to remain in full force and effect.

Signed, sealed and dated this 16th day of June, 2023.

Mattamy Arizona, LLC

Principal's Name

By:

Witness as to Principal

XL Specialty Insurance Company

Surety's Name

By:

Witness as to Surety

Heather A. Robinson

James I. Moore, Attorney-in-Fact



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

BOND NUMBER US00129550SU23A
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:

James i. Moore

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 16th day of June, 2023



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 16th day of June, 2023



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 JUNE 16, 2023, before me, Diane M. Rubright, a Notary Public in and for said County and State, duly commissioned and sworn, personally appeared, James I. Moore, 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 March 23, 2027

Diane M. Rubright
Diane M. Rubright, Notary Public
Commission No. 817036

