

**WARRANTY BOND**

**SU1137937**

KNOW ALL MEN BY THESE PRESENTS:

That **UCP East Garrison, LLC, 99 Almaden Blvd., Suite 400, San Jose, CA 95113** as Principal, hereinafter called Principal, and, **Arch Insurance Company, 3 Parkway, Suite 1500, Philadelphia, PA 19102**, as Surety, hereinafter called Surety, are firmly bound unto **Marina Coast Water District, 2840 4<sup>th</sup> Avenue, Marina, CA 93933**, hereinafter called Obligee, in the sum of **Five Hundred Twenty Nine Thousand Three Hundred Twenty Eight and 00/100 Dollars (\$529,328.00)**, lawful money of the United States of America, to be paid to the said Obligee or its successors or its successors or assigns to the payment of which sum and truly to be made, we do bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Principal entered into a contract with the said Obligee dated March 27, 2012, for

**EAST GARRISON PHASE 2  
Sanitary Sewer-Ph 2 & ORD Avenue, Potable Water Ph 2 & ORD Avenue,  
Recycled Water**

NOW, THEREFORE, the condition of this obligation is such that, if Principal shall remedy any defects due to faulty materials or workmanship and pay for any damage to other work resulting there from which shall appear for a period of one year, beginning one year after the date of Board acceptance of the work provided for in the Contract, then this obligation shall be void; otherwise it shall be and remain in full force and effect.

Signed and sealed this 21<sup>st</sup> day of January, 2016

**UCP East Garrison, LLC**

By:  \_\_\_\_\_

**Arch Insurance Company**

By:  \_\_\_\_\_

Melissa Schmidt, Attorney-In-Fact

**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON BLUE BACKGROUND.**

***This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Mortgage, Note, Loan, Letter of Credit, Bank Deposit, Currency Rate, Interest Rate or Residential Value Guarantees.***

**POWER OF ATTORNEY**

Know All Persons By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Bonnie Kruse, Dawn L. Morgan, Elaine Marcus, James I. Moore, Jennifer J. McComb, Kelly A. Gardner, Mary Beth Graff, Melissa Schmidt, Peggy Faust, Stephen T. Kazmer and Tarlesa M. Pisciotto of Westmont, IL (EACH)

its true and lawful Attorney(s)in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed:

Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding Ninety Million Dollars (\$90,000,000.00).

This authority does not permit the same obligation to be split into two or more bonds In order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on September 15, 2011, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on September 15, 2011:


VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on September 15, 2011, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company

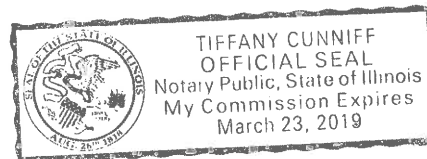
STATE OF ILLINOIS }  
COUNTY OF DU PAGE}

On January 21, 2016 before me, a Notary Public in and for said County and State, duly commissioned and sworn, personally appeared Melissa Schmidt known to me to be Attorney-in-Fact of Arch 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, 2019

  
\_\_\_\_\_  
Tiffany Cuniff, Notary Public  
Commission No. 816980



## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

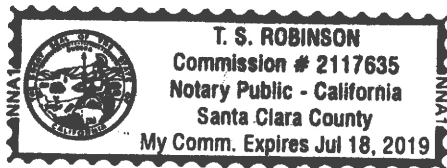
State of California

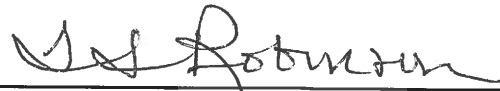
County of Santa Clara

On January 25, 2016 before me, T.S. Robinson, Notary Public, personally appeared Dustin L. Bogue, who 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 capacity(ies), 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 instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



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