PERFORMANCE BOND

Bond No. 0945-1031

KNOW ALL PERSONS BY THESE PRESENT: that

Scott Peterson Construction Co., Inc.

CONTRACTOR

P.O. Box 60787, Jacksonville, FL 32236

ADDRESS OF CONTRACTOR

a <u>Corporation</u>, hereinafter called PRINCIPAL, and (Corporation, Partnership, Individual)

American Bonding Company

NAME OF SURETY

6245 E. Broadway Blvd., Ste. 600, Tucson, AZ 85711

ADDRESS OF SURETY

hereinafter called SURFTY, are held and firmly bound unto

NASSAU County Board of Commissioners

NAME OF OWNER

2290 South 8th Street, Fernandina Beach, FL 32034

ADDRESS OF DWNER

hereinafter called OWNER, and unto all persons, firms, and corporations who or which may furnish labor, or who furnish materials to perform as described under the contract and to their successors and assigns in the total aggregate penal sum of One Hundred Forty-Four Thousand Seven Hundred Sixty-Five (\$144,705.00) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, assigns, jointly and severally, firmly by these present.

THE CONDITION OF THIS OBLIGATION is such that whereas, the PRINCIPAL entered into a certain contract with the OWNER, dated the ________ day of ______, 1991, a copy of which is herato attached and made a part hereof for the work as described in the Contract Documents for FUEL TANK INSTALLATION.

NOW THEREFORE, if the PRINCIPAL shall promptly make payment to all parsons, firms and corporations furnishing materials for or performing labor in the prosecution of the WORK provided for in such contract, and any authorized extensions or modifications thereof, including all amounts due for materials, lubricants, oil, gasoline, coal and coke, repairs on machinery, equipment, and tools, consumed or used in connection with the completion of such WORK, and for all labor cost incurred in such WORK including that by a SUBCONTRACTOR, and to any mechanic or materialmen lien-holder whether-it acquires its lien by operation of State or Federal law; then this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED, FURTHER, that beneficiaries or claimants hereunder shall be limited to the SUBCONTRACTORS, and persons, firms, and corporations having a direct contract with the PRINCIPAL or its SUBCONTRACTORS.

PROVIDED, FURTHER, that the said EURETY for value received 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 the SPECIFICATIONS accompanying the same shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of this contract or to the WORK or to the SPECIFICATIONS.

FTI.8/91

PROVIDED, FURTHER, that it is expressly agraed that this bond shall be deemed amended automatically and immediately, without formal and separate amendments herato, upon amendment to the Contract not increasing the contract price more than 20 percent, as to bind the PRINCIPAL and the SURETY to the full and faithful performance of the Contract as so amended. The term "Amendment", wherever used in this bond and whether referring to this bond, the contract or the loan documents shall include any alteration, addition, extension or modification of any character whatspeyer.

PROVIDED, FURTHER, that no final settlement between the OWNER or GOYERNMENT and the CONTRACTOR shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

WITNESS WHEREOF, this instrument is executed in $\frac{\text{two }(2)}{\text{number}}$ counterparts, each of number which shall be deemed an original, this $\frac{11\text{th}}{\text{1991}}$ day of $\frac{\text{October}}{\text{October}}$,

ATTEST:

SECRETARY

(SEAL)

WITNESS AS TO PRINCIPAL

ADDRESS:_

PRINCIPAL

P.O. Box 60787

Scott Peterson Construction Co.

Jacksonville, FL 32236

ADDRESS OF WITNESS

ATTEST:

WITNESS AS TO SURETY

ADDRESS OF WITNESS A 33 M

American Bonding Company

SURETY BY:

ATTORNEY-IN-FACT

Albert Elia, III, Attorney-In-Fact ADDRESS: and Florida Resident Agent 6245 E. Broadway Blvd., Ste. 600 Turson, AZ 85711

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NOTE: Date of bond must not be prior to date of Contract.

If CONTRACTOR is partnership, all partners should execute bond. IMPORTANT: Surety companies executing bonds must appear on the Treasury Department's most current list (Circular 570 as emended) and be suthorized to transact business in the State where the project is located.

PAYMENT BOND

KNOW ALL PERSONS BY THESE PRESENT: that

Scott Peterson Construction Co. Inc.
CONTRACTOR

B.O. Box 60787, Jacksonville, FL 32236

ADDRESS OF CONTRACTOR

Corporation , hereinafter called PRINCIPAL, and (Corporation, Partnership, Individual)

American Bonding Company

NAME OF SURETY

6245 E. Broadway Blvd., Ste. 600, Tucson, AZ 85711

ADDRESS OF SURETY
hereinafter called SURETY, are held and firmly bound unto

NASSAU County Broad of Commissioners

2290 South 8th Street, Fernandina Beach, FL 32034

ADDRESS OF OWNER

hereinafter called OWNER, and unto all persons, firms, and corporations who or which may furnish labor, or who furnish materials to perform as described under the contract and to their successors and assigns in the total aggregate penal sum of the Hundred Forty-Four Thousand Seven Hundred Sixty-Five (\$ 144,765.00) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, assigns, jointly and severally, firmly by these present.

NAME OF OWNER

THE CONDITION OF THIS OBLIGATION is such that whereas, the PRINCIPAL entered into a certain contract with the OWNER, dated the _______ day of _______, 1991, a copy of which is hereto attached and made a part hereof for the work as described in the Contract Documents for FUEL TANK INSTALLATION,

NOW THEREFORE, if the PRINCIPAL shall promptly make payment to all persons, firms and corporations furnishing materials for or performing labor in the prosecution of the WORK provided for in such contract, and any authorized extensions or modifications thereof, including all amounts due for materials, lubricants, Oil, gasoline, coal and coke, repairs on machinery, equipment, and tools, consumed or used in connection with the completion of such WORK, and for all labor cost incurred in such WORK including that by a SUBCONTRACTOR, and to any mechanic or materialmen lien-holder whether it acquires its lien by operation of State or Federal law; then this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED, FURTHER, that beneficiarise or claimants hereunder shall be limited to the SUBCONTRACTORS, and persons, firms, and corporations having a direct contract with the PRINCIPAL or its SUBCONTRACTORS.

PROVIDED, FURTHER, that the said SURETY for value received 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 the SPECIFICATIONS accompanying the same shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of this contract or to the WORK or to the SPECIFICATIONS.

FTI.8/91

any character whatsoever. documents shall include any alteration, addition, extension or molification of in this bond and whether referring to this bond, the contract or the loan performance of the Contract as so amended. The term "Amendment", wherever used than 20 percent, as to bind the PRINCIPAL and the SURETY to the full and faithful amended automatically and immediately, without formal and separate amendments hereto, upon amendment to the Contract not increasing the contract price more PROVIDED, FURTHER, that it is expressly agreed that this bond shall be deemed 1031.

.bellstaenu ad yam the CONTRACTOR shall abridge the right of any beneficiary hereunder, whose claim PROVIDED, FURTHER, that no final settlement between the CMMER or GOVERNMENT and

WITHESS WHEREOF, this instrument is executed in $\frac{\text{two }(2)}{\text{counterparts}}$ counterparts, each of

SECRETARY Princi Pal Scott Peterson Construction Co., Inc. :T83TTA 1001 which shall be deemed an original, this <u>lith</u> day of October

Jacksonville, FL 32236 **FDDRESS:** P.O. Box 60787

MITHESS AS TO PRINCIPAL

ADDRESS OF WITNESS

:T83TTA

(SEVE)

YIZNESS AS TO SURETY

Albert Elia, III, Attorney-In-Fact 6245 E. Broadway Blvd., Ste. 600 attorney-in-fact American Bonding Company

VDDBERR OF MITNESS 4830 M. KRODSAN I GIODDA.

NOTE: Date of bond must not be prior to date of Contract:

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Tucson AZ 85711

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A M E R I C A N B O N D I N G C O M P A N Y PASADENA, CALIFORNIA A STOCK COMPANY

0945 № 1031

POWER OF ATTORNEY

AMERICAN BONDING COMPANY, a Nebraska Corporation, having its administration office in the City of Pasadena, State of California, does hereby make, constitute and appoint

ALBERT ELIA III or EVELYN D. ROGERS of Tampa, Florida

as Attorney (s)-in-fact, with full power and authority hereby conferred to execute and deliver and affix the seal of the corporation thereto, if a seal is required, for and on its behalf as Surety and as its act and deed, all of the following classes of documents, to wit: any and all bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law statue, rule regulation contract or otherwise, for any single obligation, regardless of the number of instruments issued for the obligation.

This power is construed to be used for any and all bonds in an amount not to exceed Two Hundred Fifty Thousand (\$250,000.00)

AMERICAN BONDING COMPANY further certified that the following is a true and exact copy of Article VII Section 3. of the By-Laws of AMERICAN BONDING COMPANY duly adopted and now in force, to wit:

SECTION 3. All bonds, undertakings, recognizances or other written obligations of the corporation shall be executed in the name of the corporation by the president, any vice-president, secretary, any assistant-secretary or the treasurer, or by such other persons as may from time to time be properly authorized. The president, any vice-president, the secretary, any assistant-secretary or the treasurer may appoint or remove resident vicepresidents, resident assistant-secretaries, attorneys in fact, agents or other persons who shall have authority to issue and deliver bonds, undertakings, recognizances or other written obligations in the name of the corporation. The corporate seal is not necessary for the validity of any bonds, undertakings, or other obligations of the corporation. The signature of any authorized officer and the seal of the corporation may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, or undertaking of the corporation; and such signature and seal when so used shall have the same force and effect as though manually affixed.