

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 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 Board of Commissioners

NAME OF OWNER

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 perial sum of One 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.

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 materialman 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 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.

PROVIDED, FURTHER, that it is expressly agreed that this bond shall be deemed amended automatically and immediately, without formal and separate amendments hereto, 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 whatsoever.

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

WITNESS WHEREOF, this instrument is executed in two (2) counterparts, each of which shall be deemed an original, this 11th day of October, 1991.

ATTEST:

SECRETARY

(SEAL)

WITNESS AS TO PRINCIPAL

ADDRESS OF WITNESS

Scott Peterson Construction Co., Inc.  
PRINCIPAL

BY: [Signature]

ADDRESS: P.O. Box 60787

Jacksonville, FL 32236

ATTEST:

Denise Almeyda  
WITNESS AS TO SURETY

4830 W. Kennedy Tampa,  
ADDRESS OF WITNESS FL 33609

American Bonding Company  
SURETY

BY: [Signature]

ATTORNEY-IN-FACT

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

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 amended) and be authorized to transact business in the State where the project is located.

PAYMENT BOND

Bond No. 0945-1031

KNOW ALL PERSONS BY THESE PRESENT: that

Scott Peterson Construction Co., Inc.  
CONTRACTOR

R.O. Box 60787, Jacksonville, FL 32236  
ADDRESS OF CONTRACTOR

a 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 Board of Commissioners  
NAME OF OWNER

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 One 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.

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,

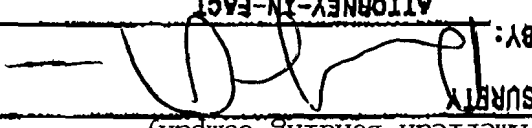
NOW THEREFORE, if the PRINCIPAL shall promptly make payment to all persons, firms and corporations furnishing materials for or performing labor in the prosecution of the WORK provided for in such contract, and any authorized extensions or modifications thereof, including all amounts due for materials, 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.

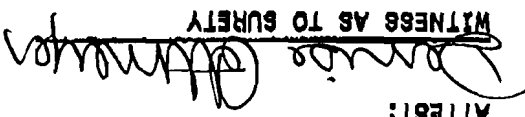
PROVIDED, FURTHER, that beneficiaries or claimants hereunder shall be limited to the SUBCONTRACTORS, and persons, firms, and corporations having a direct contract with the PRINCIPAL or its SUBCONTRACTORS.


PROVIDED, FURTHER, that the said 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.

IMPORTANT: Surety companies executing bonds must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

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

ATTEST: American Bonding Company  
BY:   
ATTOENEY-IN-FACT  
ADDRESS: Albert E. III, Attorney-In-Fact  
6245 E. Broadway Blvd., Ste. 600  
Tucson, AZ 85711

ATTEST:   
WITNESS AS TO SURETY  
ADDRESS OF WITNESS  
4830 W. Kennedy Tampa, FL 33609

ATTEST: Scott Peterson Construction Co., Inc.  
PRINCIPAL  
BY:   
ADDRESS: P.O. Box 60787  
Jacksonville, FL 32236

ATTEST: SECRETARY  
(SEAL)  
WITNESS AS TO PRINCIPAL  
ADDRESS OF WITNESS

number which shall be deemed an original, this \_\_\_\_\_ day of \_\_\_\_\_ 1991.

WITNESS WHEREOF, this instrument is executed in two (2) counterparts, each of which shall be deemed an original, this \_\_\_\_\_ day of \_\_\_\_\_ 1991.

PROVIDED, FURTHER, that it is expressly agreed that this bond shall be deemed amended automatically and immediately, without formal and separate amendments hereto, 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 whatsoever.

INDIVIDUAL ACKNOWLEDGEMENT

State of \_\_\_\_\_  
County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally  
came \_\_\_\_\_ to me known and known to  
me to be the person described in and who executed the foregoing  
instrument, and he thereupon duly acknowledged to me that he executed  
the same.

Notary Public \_\_\_\_\_

CORPORATE OR FIRM ACKNOWLEDGEMENT

State of Florida  
County of Alameda

On this 15 day of October, 1991, before me personally  
appeared Scott Peterson to me known, who being  
duly sworn, did depose and say that he resided in the State of Florida  
and that he is the President of the corporation  
of Scott Peterson Co. Inc. described in and which executed the foregoing instrument; that he knew  
the seal of said corporation; that the seal affixed to said instrument was  
such corporate seal; that it was affixed by order of the Board of Directors  
of said Corporation and that he signed his name thereto by like order.

Carole A. Weber  
Notary Public  
6-19-95

SURETY ACKNOWLEDGEMENT

State of Florida  
County of Hillsborough

On this 11th day of October, 1991, before me personally  
appeared Albert Eiza, III, who being by me duly sworn,  
did depose and say that he resided in the Tampa, Florida  
and that he is the Attorney-in-Fact of AMERICAN NONDING COMPANY  
the Surety described in and which executed the foregoing instrument; that  
he knew the seal of the said Surety; that the seal affixed to said  
instrument was such surety seal; that it was affixed by order of the  
Board of Directors of said Surety, that he signed his name thereto by like  
order.

Notary Public, State of Florida  
My Commission Expires August 28, 1994

Carole A. Weber  
Notary Public



AMERICAN BONDING COMPANY  
PASADENA, CALIFORNIA  
A STOCK COMPANY

0945 N<sup>o</sup> 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 statute, 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 vice-presidents, 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.

THIS POWER NULL AND VOID IF A PHOTOCOPY  
OR IF NUMBERED NOT IN RED