



PUBLIC WORKS DEPARTMENT

1501 TRUXTUN AVENUE
BAKERSFIELD, CALIFORNIA 93301
(661) 326-3724

RAUL M. ROJAS, DIRECTOR • CITY ENGINEER

November 7, 2005

Terry Tucker
CENTEX HOMES
1840 S. Central
Visalia, California 93277

Re: Security Release for Tract No. 6104 Unit 1
Improvement Agreement No. 03-087

Gentlemen:

All improvements for the above-referenced tract have been completed, and a NOTICE OF COMPLETION AND ACCEPTANCE OF WORK has been approved by the City and was recorded March 18, 2005.

This letter and attached NOTICE OF COMPLETION AND ACCEPTANCE OF WORK is your authorization to release Safeco Insurance Company Of America's Faithful Performance Bond No. 6200131 in the amount of \$1,652,007.00.

Sixty days after recordation of the NOTICE OF COMPLETION AND ACCEPTANCE OF WORK, Developers Surety and Indemnity Company Subdivision Improvements Labor and Material Bond No. 6200131 in the amount of \$826,003.00 may be reduced to the sum of all claims on which an action or stop notice has been filed and notice thereof given in writing to the City of Bakersfield. If no such action or stop notice is filed, the Payment Bond may be released in its entirety.

The Safeco Insurance Company Of America's Maintenance Bond No. 6200131-1 in the amount of \$165,201.00 shall remain in effect for one year from the above-mentioned recording date. After that time, if no claims have been made, the warranty bond may be released.


You are to maintain your policies of insurance for this one year warranty period. Please submit to the City an updated copy of your Certificate of Insurance.

You may contact Tom Darnell of this office at (661) 326-3577 if you have any questions.

Very Truly Yours,

RAUL M. ROJAS
City Engineer

By:


Marian P. Shaw
Civil Engineer IV - Subdivisions

Attachment: NOTICE OF COMPLETION AND ACCEPTANCE OF WORK

jb

CC: Reading File
Project File

PLEASE COMPLETE THIS INFORMATION

RECORDING REQUESTED BY
and for the benefit of the
CITY OF BAKERSFIELD

WHEN RECORDED MAIL TO:

CITY OF BAKERSFIELD
CITY CLERK
1501 TRUXTUN AVENUE
BAKERSFIELD, CA 93301

James W. Fitch, Assessor - Recorder
Kern County Official Records

SABRINA
3/18/2005
10:37 AM

Recorded at the request of
Public

DOC#: 0205066867



Stat Types: 1 Pages: 1

Fees	0.00
Taxes	0.00
Others	0.00
PAID	\$0.00

This Space For Recorder's Use Only

**NOTICE OF COMPLETION
AND
ACCEPTANCE OF WORK**

(Work Within Public Right-of-Way)

NOTICE IS GIVEN that work was completed on that certain project known as **TRACT 6104 PHASE 1**, for the undersigned agency on **JUNE 3, 2004**, located **NORTH OF PANAMA LANE AND EAST OF BUENA VISTA ROAD**, and that said project was accepted by this agency on **MARCH 10, 2005**. The undersigned agency owns the following interest in said property described above: right-of-way and public improvements within the right-of-way.

The Contractor/Developer on said project was **CENTEX HOMES**, and contract number is City of Bakersfield Contract No. **03-087**. Please refer to said contract number on all communications relating to said contract. The address of the undersigned agency is City Hall, 1501 Truxtun Avenue, Bakersfield, California 93301.

I declare under penalty of perjury, under the laws of the State of California, that the contents herein are true and correct to the best of my knowledge.

Executed on March 10, 2005, at Bakersfield, California.

RAUL M. ROJAS
Public Works Director

CITY OF BAKERSFIELD

By 
HARVEY L. HALL, Mayor

From: Steve Lesh
To: Marian Shaw
Date: 6/3/2004 11:17:02 AM
Subject: Tr. 6104 Phases 1 & 5 - NOC

The improvements for this subdivision have been completed. A Notice of Completion can now be filed.

Steven Lesh
Construction Supervisor
City of Bakersfield Public Works
1501 Truxtun Ave.
Bakersfield, CA 93301
(661) 326-3106 Office
(661) 852-2116 Fax
slesh@ci.bakersfield.ca.us

CC: Don Richardson; Gerry Kraft; Jim Holladay; Laura Danley; Olivia Diaz; Robert Wilson; Sheryl Harispuru; Stuart Patteson; Tom Darnell

AGREEMENT # 03-087 FOR TRACT 6104 pd 1

MAINTENANCE BOND

Bond 6200131-1

KNOW ALL BY THESE PRESENTS, That we, CENTEX HOMES, a Nevada General Partnership

as Principal, and SAFECO INSURANCE COMPANY OF AMERICA,

a corporation organized under the laws of the State of WASHINGTON and duly authorized to do business in

the State of CALIFORNIA, as Surety, are held and firmly bound unto CITY OF BAKERSFIELD, CA

as Obligee, in the penal sum of One Hundred Sixty Five Thousand Two Hundred One and 00/100 -----

----- (\$ 165,201.00)

to which payment well and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal entered into a Contract with the CITY OF BAKERSFIELD, CA dated _____ for Various Improvements at Tract #6104, Greystone, Phase 1

WHEREAS, said Contract has been completed, and was approved on _____ day of _____,

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the Principal shall guarantee that the work will be free of any defective materials or workmanship which became apparent during the period of one (1) year(s) following completion of the Contract then this obligation shall be void, otherwise to remain in full force and effect, provided however, any additional warranty or guarantee whether expressed or implied is extended by the Principal or Manufacturer only, and the Surety assumes no liability for such a guarantee.

Signed and sealed this 19th day of October, 2005.

CENTEX HOMES, a Nevada General Partnership (Seal)
[Signature] (Seal)

(Seal)

SAFECO INSURANCE COMPANY OF AMERICA
By [Signature]
Allyson Dean Attorney-in-Fact

ACKNOWLEDGMENT BY SURETY

STATE OF Texas

County of Dallas }

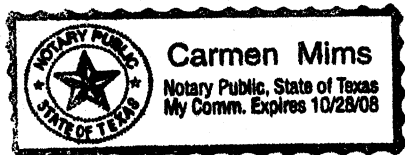
ss.

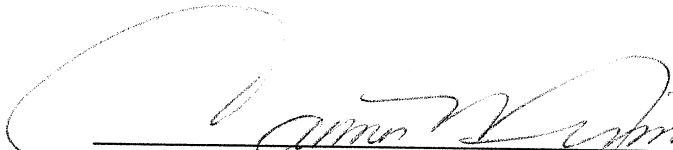
On this 19th day of October, 2005, before me personally appeared ALLYSON DEAN, known to, me to be the Attorney-in-Fact of SAFECO INSURANCE COMPANY OF AMERICA

_____ , the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

(Seal)





Notary Public in the State of TEXAS
County of DALLAS



POWER OF ATTORNEY

Safeco Insurance Companies
PO Box 34526
Seattle, WA 98124-1526

No. 6485

KNOW ALL BY THESE PRESENTS:

That **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, each a Washington corporation, does each hereby appoint

PHILIP N. BAIR; JANIE CERMENO; VICIE COLEMAN; ERIC S. FEIGHL; JOYCE A. JOHNSON; JIMMYE LANGFORD; PHYLLIS RAMIREZ; Houston, Texas; JOHN DEAL; BRIAN M. LEBOW; CARMEN MIMS; ALLYSON DEAN; Dallas, Texas**

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA** have each executed and attested these presents

this 14th day of June, 2005

Stephanie Daley-Watson

STEPHANIE DALEY-WATSON, SECRETARY

Mike Peters

MIKE PETERS, PRESIDENT, SURETY

CERTIFICATE

Extract from the By-Laws of **SAFECO INSURANCE COMPANY OF AMERICA** and of **GENERAL INSURANCE COMPANY OF AMERICA**:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of **SAFECO INSURANCE COMPANY OF AMERICA** and of **GENERAL INSURANCE COMPANY OF AMERICA** adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Stephanie Daley-Watson, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA** and of **GENERAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 14th day of October, 2005



Stephanie Daley-Watson

STEPHANIE DALEY-WATSON, SECRETARY



"Steve Lesh"
<Slesh@bakersfieldcity.us>

To: <ttucker@centexhomes.com>
cc:
Subject: Fwd: Tr. 6104 Phases 1 & 5 - NOC

10/03/2005 01:59 PM

----- Message from "Steve Lesh" <Slesh@ci.bakersfield.ca.us> on Thu, 03 Jun 2004 11:16:44 -0700 -----

To: "Marian Shaw" <Mshaw@ci.bakersfield.ca.us>

cc: "Don Richardson" <Drichard.citypo1.CITYDOM@ci.bakersfield.ca.us>, "Gerry Kraft" <Gkraft.citypo1.CITYDOM@ci.bakersfield.ca.us>, "Jim Holladay" <Jhollada.citypo1.CITYDOM@ci.bakersfield.ca.us>, "Laura Danley" <Ldanley.citypo1.CITYDOM@ci.bakersfield.ca.us>, "Olivia Diaz" <Odiaz.citypo1.CITYDOM@ci.bakersfield.ca.us>, "Robert Wilson" <Rwilson.citypo1.CITYDOM@ci.bakersfield.ca.us>, "Sheryl Harispuru" <Sharispu.citypo1.CITYDOM@ci.bakersfield.ca.us>, "Stuart Patteson" <Spatteso.citypo1.CITYDOM@ci.bakersfield.ca.us>, "Tom Darnell" <Tdarnell.citypo1.CITYDOM@ci.bakersfield.ca.us>

Subject Tr. 6104 Phases 1 & 5 - NOC *Hidden Oak 5*
:
Greystone 1

The improvements for this subdivision have been completed. A Notice of Completion can now be filed.

Steven Lesh
Construction Supervisor
City of Bakersfield Public Works
1501 Truxtun Ave.
Bakersfield, CA 93301
(661) 326-3106 Office
(661) 852-2116 Fax
slesh@ci.bakersfield.ca.us