
**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Release of Water and Sewer Maintenance Bond - Isola Retail Center

DEPARTMENT: Environmental Services

DIVISION: Business Office

AUTHORIZED BY: John Cirello

CONTACT: Becky Noggle

EXT: 2143

MOTION/RECOMMENDATION:

Approve the release of the original Water and Sewer Maintenance Bond in the amount of \$979.00 for the project known as Isola Retail Center.

District 5 Brenda Carey

Bob Briggs

BACKGROUND:

The following project has satisfactorily completed the two (2) year maintenance inspection by the Water and Sewer Division.

Release Maintenance Bond (Longwood-1 LLC) in the amount of \$979.00 for the water and sewer which was accepted by submission into County Records Memorandum dated December 16, 2005, for the project known as Isola Retail Center.

STAFF RECOMMENDATION:

Staff recommends that the Board approve the release of the original Water and Sewer Maintenance Bond in the amount of \$979.00 for the project known as Isola Retail Center.

ATTACHMENTS:

1. Original Maint Bond Isola Retail Center

Additionally Reviewed By: No additional reviews

Longwood-1, LLC
P.O. Box 941483
Maitland, FL 32794-1483

February 7, 2008

Becky Noggle
500 W. Lake Mary Blvd.
Sanford, FL 32773

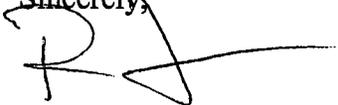
RE: Isola Retail Center
Bond # MB6607
Amount: \$979.00
District #5

Becky,

Please release the Cash Bond on the above referenced property and mail the check to Longwood -1, LLC, P.O. Box 941483, Maitland, FL 32794-1483.

If you require additional information, please do not hesitate to contact me at 407-539-1118, ext 111.

Sincerely,



Robert E. Isola

ENVIRONMENTAL SERVICES DEPARTMENT



December 28, 2007

Longwood-1 LLC
PO Box 941483
Maitland, FL 32794-1483

Re: Maintenance Bond

Project Name: Isola Retail Center
Bond# MB6607
Amount: \$979.00
District #5

To Whom It May Concern:

Pursuant to Seminole County's Land Development Code (LDC) requirements, Chapter 35, Part 8, Sec. 35.902 (H) (1,2) the County conducted an inspection of the referenced project on **12/12/07** to insure that any maintenance problems or design deficiencies which manifested themselves during the maintenance period were addressed prior to expiration of the Bond.

As of **12/12/07**, the Seminole County Water and Sewer Inspector found no deficiencies. Therefore, the above mentioned Maintenance Bond may be released as required by the Land Development Code.

Please send request for release of Cash Bond on your letterhead to Becky Noggle, 500 W Lake Mary Blvd., Sanford, FL 32773. LOC/Bonds are to be released by the Board of County Commissioners through a Regular Board Session.

If you have any questions, please contact Becky Noggle @ 407-665-2143.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Keith", written over a horizontal line.

Brent Keith
Sr. Utilities Inspector

c: Project File

MAINTENANCE BOND FOR WATER AND SEWER FACILITIES

BOND #MB6607

KNOW ALL MEN BY THESE PRESENTS:

FL 32794-1483

That we, Longwood-1, LLC whose address is PO Box 941483, Maitland, hereinafter referred to as "PRINCIPAL," and SEE ** whose address is SEE ***, hereinafter referred to as "SURETY" are held and firmly bound unto Seminole County, a political subdivision of the State of Florida, whose address is 1101 E. First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY," in the sum of \$979.00 (10% of original approved estimate or contract cost) for the payment of which we bind ourselves, heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents:

WHEREAS, the PRINCIPAL has constructed certain improvements, including water and sewer facilities and other appurtenances in that certain subdivision described as Lot-2 Longwood-Lake Mary, a plat of which is recorded in Plat Book 64, Page 9-10, Public Records of Seminole County, Florida; and

WHEREAS, the aforesaid improvements were made pursuant to certain plans and specifications dated 06/28, 2005, and filed with the COUNTY Department of Environmental Services; and

WHEREAS, PRINCIPAL is obligated to protect the COUNTY against any defects resulting from faulty materials or workmanship of said improvements and to maintain said improvements for a period of two (2) years from November 29th, 2005, **Contractors Bonding and Insurance Company

***200 S. Harbor City Blvd., Suite 402, Melbourne, FL 32901

NOW, THEREFORE, the condition of this obligation is such that if the PRINCIPAL shall promptly and faithfully protect the COUNTY against any defects resulting from faulty materials or workmanship of the aforesaid improvements and maintain said improvements for a period of two (2) years from 11/29, 2005, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The COUNTY Department of Environmental Services shall notify the PRINCIPAL in writing of any defect for which the PRINCIPAL is responsible and shall specify in said notice a reasonable period of time within which PRINCIPAL shall have to correct said defect. The SURETY unconditionally covenants and agrees that if the PRINCIPAL fails to perform within the time specified, the SURETY, upon 30 days written notice from COUNTY, or its authorized agent or officer, of the default will forthwith correct such defect or defects and pay the cost thereof, including, but not limited to engineering, legal and contingent costs. Should the SURETY fail or refuse to correct said defects, the COUNTY, in view of the public interest, health, safety, welfare and factors involved, and the consideration in approving and filing the said plat shall have the right to resort to any and all legal remedies against the PRINCIPAL and SURETY and either, both at law and in equity, including, specifically, specific performance to which the PRINCIPAL and SURETY unconditionally agree.

The PRINCIPAL and SURETY further jointly and severally agree that the COUNTY, at its option, shall have the right to correct said defects resulting from faulty materials or workmanship, or, pursuant to public advertisement and receipt of bids, cause to be corrected any defects or said defects in case the PRINCIPAL shall fail or refuse to do so, and in the event the COUNTY should exercise and give effect to such right, the PRINCIPAL and the SURETY shall be jointly and severally liable hereunder to reimburse the COUNTY the total costs thereof, including, but not limited to, engineering, legal and contingent costs, together with any damages either direct or consequent which have been sustained on account of the failure of the PRINCIPAL to correct such defects.

IN WITNESS WHEREOF, the PRINCIPAL and the SURETY have executed these presents this 29 day of November, 2005.

PO Box 941483, Maitland, FL 32794
Address

Longwood-1, LLC (PRINCIPAL)
By: [Signature] (Signature)
its Robert E. Isola (Title) Managing Member

[CORPORATE SEAL]

1560 Orange Avenue, Ste 750
Winter Park, FL 32789
200 S. Harbor City Blvd.
Address

Contractors Bonding and Insurance Company (SURETY)
By: [Signature] (Signature)
its Attorney-in-Fact
Ansgar S. Guffey & Florida Resident Agent

[CORPORATE SEAL]

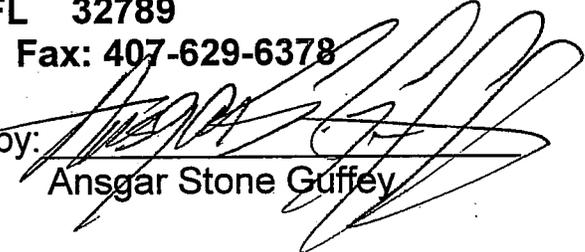
FLORIDA RESIDENT AGENT INFORMATION

Please be aware that Ansgar Stone Guffey is licensed with the carrier that executed the attached bond(s) as a resident agent in the State of Florida. His license number is E066926.

The name, address, telephone and fax number is:

Sellers Kuykendall, LLC
1560 Orange Avenue, Suite 750
Winter Park, FL 32789
Phone: 407-894-5431 Fax: 407-629-6378

The attached bond is countersigned by:


Ansgar Stone Guffey

FLORIDA DEPARTMENT OF INSURANCE

ANSGAR STONE GUFFEY

License Number **E066926**

IS LICENSED TO TRANSACT THE FOLLOWING CLASSES OF INSURANCE:

General Lines (Prop. & Casu)



**RESIDENT
LICENSE**

This Licensee must have an active appointment with the insurer or employer for which products or services are being marketed. See reverse for additional requirements.
The Florida Community College System is Exporior's subcontractor for providing test centers for the fulfillment of its contract with the Florida Department of Insurance



LIMITED POWER OF ATTORNEY

Not Valid for Bonds

Power of Attorney

Executed On or After: JANUARY 31ST, 2006

Number: 948126

READ CAREFULLY to be used only with the bond specified herein

Only an unaltered original of this Power of Attorney document is valid. A valid original of this document is printed on gray security paper with black and red ink and bears the seal of Contractors Bonding and Insurance Company (the "Company"). The original document contains a watermark with the letters "cbic" embedded in the paper rather than printed upon it. The watermark appears in the blank space beneath the words "Limited Power of Attorney" at the top of the document and is visible when the document is held to the light. This document is valid solely in connection with the execution and delivery of the bond bearing the number indicated below, and provided also that the bond is of the type indicated below. This document is valid only if the bond is executed on or before the date indicated above.

KNOW ALL MEN BY THESE PRESENTS, that the Company does hereby make, constitute and appoint the following: MARTHA L. GRAY, RICHARD M. LARUE, JR. and ANSGAR S. GUFFEY its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver on behalf of the Company: (1) any and all bonds and undertakings of suretyship given for any purpose, provided, however, that no such person shall be authorized to execute and deliver any bond or undertaking that shall obligate the Company for any portion of the penal sum thereof in excess of \$10,000,000, and provided, further, that no Attorney-in-Fact shall have the authority to issue a bid or proposal bond for any project where, if a contract is awarded, any bond or undertaking would be required with penal sum in excess of \$10,000,000; and (2) consents, releases and other similar documents required by an obligee under a contract bonded by the Company. This appointment is made under the authority of the Board of Directors of the Company.

CERTIFICATE

I, the undersigned secretary of Contractors Bonding and Insurance Company, a Washington corporation, DO HEREBY CERTIFY that this Power of Attorney remains in full force and effect and has not been revoked, and, furthermore, that the resolutions of the Board of Directors set forth on the reverse are now in full force and effect

Bond Number

MB6607

Signed and sealed this

29TH

day of

NOVEMBER 2005

R. Kirk Eland, Secretary

CBIC • 1213 Valley Street • P.O. Box 9271 • Seattle, WA 98109-0271
(206) 622-7053 • (800) 765-CBIC (Toll Free) • (800) 950-1558 (FAX)

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