

**BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form**

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	September 14, 2022	Meeting Date:	Sept. 19, 2022
Contact Information:			
Requested by:	Joanna Tennell		
On Behalf of Organization or Individual:	Windstar Homes, LLC		
Telephone:	317-736-3631		
Email address:	jtennell@franklin.in.gov		
Mailing Address:	70 E. Monroe Street, Franklin, IN 46131		
Describe Request:			
Request the following Performance Letters of Credit/Bond and Subdivision Performance Surety Agreements to be released for The Bluffs at Youngs Creek, Sec. 1, 2 & 3.			
Performance LOC # 6297-10-2: Storm sewer, swales & underdrains - \$230,124.90 Performance LOC # 6297-20-2: Storm sewer, swales & underdrains - \$149,927.28 Performance Bond # SU1176974: Storm sewer, swales & underdrains - \$761,363.76 Performance Bond # SU1176976: Sanitary sewers - \$327,586.20			
Request the following Maintenance Bonds to be accepted for The Bluffs at Youngs Creek, Sec. 1, 2 & 3.			
Maintenance Bond # 6135011253: Storm sewer, swales & underdrains - \$47,942.69 Maintenance Bond # 6135011262: Storm sewer, swales & underdrains - \$31,234.85 Maintenance Bond # 70NGP200062: Storm sewer, swales & underdrains - \$158,617.45 Maintenance Bond # 6135011271: Sanitary Sewer - \$68,247.13			
List Supporting Documentation Provided:			
1. Performance LOCs/bond and agreements (originals to be provided at meeting)			
2. Maintenance bonds			
Who will present the request?			
Name:	Joanna Tennell	Telephone:	317-736-3631

In order for an individual and/or agency to be considered for new business on the Board of Works agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 4:00 p.m. on the Wednesday before the meeting.

CRUM & FORSTER®

Subdivision Maintenance Bond

Bond Number 6135011253
Project Name Bluffs at Young's Creek - Section 1 - Storm Sewer
Improvements Storm Sewer, Swales, & Underdrains



KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,
Developer's Company Name Clayton Properties Group dba Fisher Contracting and Excavating as Principal
Developer's Company Address 9225 Harrison Park Court, Indianapolis, IN 46216 and
Surety Company Name United States Fire Insurance Company
Surety Company Address 305 Madison Avenue, Morristown, NJ 07962 as Surety are held and firmly bound unto the City of
Franklin, Indiana, in the penal sum of FORTY-SEVEN THOUSAND NINE HUNDRED FORTY-TWO and 69/100 Dollars,
\$47,942.69 for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 17th DAY OF August, 2022. THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Clayton Properties Group dba Fisher Contracting and Excavating has installed and completed improvements of Bluffs at Young's Creek - Section 1 - Storm Sewer, Swales, & Underdrains

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with the standards, specifications, and requirements of the City of Franklin, Indiana, and if Clayton Properties Group dba Fisher Contracting and Excavating, at its own expense for a period of three (3) years from the date of acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an additional one hundred and eighty (180) day period.

BY:	Developer's Company Name (printed) Signature for Developer's Company Signatory Name & Title (printed)	Clayton Properties Group dba Fisher Contracting and Excavating  James H. Fisher, President
BY:	Surety Company Name Signature of Attorney-in-Fact Attorney-in-Fact (printed)	United States Fire Insurance Company  Brook T. Smith

Accepted by the Franklin Board of Public Works and Safety this _____ day of _____, 20____.

Steve Barnett, Board Member **Melissa L. Jones, Board Member** **Bob Swinehamer, Board Member**

ATTEST: _____

Jayne Rhoades, Clerk-Treasurer

Released by the Franklin Board of Public Works and Safety this ____ day of _____, 20____

Board Member

Board Member

Board Member

ATTEST:

Clerk-Treasurer

**POWER OF ATTORNEY
UNITED STATES FIRE INSURANCE COMPANY
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY**

07438

KNOW ALL MEN BY THESE PRESENTS: That United States Fire Insurance Company, a corporation duly organized and existing under the laws of the state of Delaware, has made, constituted and appointed, and does hereby make, constitute and appoint:

Brook T. Smith, James T. Smith, Deborah S. Neichter, Michele, D. Lacrosse, Jason D. Cromwell

each, 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: Any and all bonds and undertakings of surety and other documents that the ordinary course of surety business may require, and to bind United States Fire Insurance Company thereby as fully and to the same extent as if such bonds or undertakings had been duly executed and acknowledged by the regularly elected officers of United States Fire Insurance Company at its principal office, in amounts or penalties: **Eighty Five Million Dollars (\$85,000,000)**

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind United States Fire Insurance Company except in the manner and to the extent therein stated.

This Power of Attorney revokes all previous Powers of Attorney issued on behalf of the Attorneys-In-Fact named above and expires on January 31, 2023.

This Power of Attorney is granted pursuant to Article IV of the By-Laws of United States Fire Insurance Company as now in full force and effect, and consistent with Article III thereof, which Articles provide, in pertinent part:

Article IV, Execution of Instruments - Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation:

(a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;

(b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation.

Article III, Officers, Section 3.11, Facsimile Signatures. The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed, facsimile, lithographed or otherwise produced. In addition, if and as authorized by the Board of Directors, dividend warrants or checks, or other numerous instruments similar to one another in form, may be signed by the facsimile signature or signatures, lithographed or otherwise produced, of such officer or officers of the Corporation as from time to time may be authorized to sign such instruments on behalf of the Corporation. The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 28th day of September, 2021.

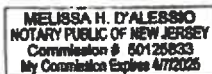
UNITED STATES FIRE INSURANCE COMPANY



Matthew E. Lubin, President

State of New Jersey }
County of Morris }

On this 28th day of September, 2021, before me, a Notary public of the State of New Jersey, came the above named officer of United States Fire Insurance Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of United States Fire Insurance Company thereto by the authority of his office.



Melissa H. D'Alessio (Notary Public)

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the 1st day of August 2022

UNITED STATES FIRE INSURANCE COMPANY



Michael C. Fay, Senior Vice President



CRUM & FORSTER®

Subdivision Maintenance Bond

Bond Number 6135011262
Project Name Bluffs at Young's Creek - Section 2 - Storm Sewer
Improvements Storm Sewer, Swales, & Underdrains

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,

Developer's Company Name Clayton Properties Group dba Fisher Contracting and Excavating as Principal

Developer's Company Address 9225 Harrison Park Court, Indianapolis, IN, 46216 and

Surety Company Name United States Fire Insurance Company

Surety Company Address 305 Madison Avenue, Morristown, NJ, 07962 as Surety are held and firmly bound unto the City of Franklin, Indiana, in the penal sum of THIRTY-ONE THOUSAND TWO HUNDRED THIRTY-FOUR and 85/100 Dollars, \$31,234.85 for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 17th DAY OF August, 2022. THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Clayton Properties Group dba Fisher Contracting and Excavating has installed and completed improvements of Bluffs at Young's Creek - Section 2 - Storm Sewer, Swales, & Underdrains

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with the standards, specifications, and requirements of the City of Franklin, Indiana, and if Clayton Properties Group dba Fisher Contracting and Excavating, at its own expense for a period of three (3) years from the date of acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an additional one hundred and eighty (180) day period.

Developer's Company Name (printed) Clayton Properties Group dba Fisher Contracting and Excavating
BY: *Signature for Developer's Company* *James H. Fisher*
Signatory Name & Title (printed) James H. Fisher President

Surety Company Name United States Fire Insurance Company
BY: *Signature of Attorney-in-Fact* *Brook T. Smith*
Attorney-in-Fact (printed) Brook T. Smith

Accepted by the Franklin Board of Public Works and Safety this _____ day of _____, 20__.

Steve Barnett, Board Member

Melissa L. Jones, Board Member

Bob Swinehamer, Board Member

ATTEST: _____

Jayne Rhoades, Clerk-Treasurer

Released by the Franklin Board of Public Works and Safety this ____ day of _____, 20____

Board Member

Board Member

Board Member

ATTEST:

Clerk-Treasurer

**POWER OF ATTORNEY
UNITED STATES FIRE INSURANCE COMPANY
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY**

07438

KNOW ALL MEN BY THESE PRESENTS: That United States Fire Insurance Company, a corporation duly organized and existing under the laws of the state of Delaware, has made, constituted and appointed, and does hereby make, constitute and appoint:

Brook T. Smith, James T. Smith, Deborah S. Neichter, Michele, D. Lacrosse, Jason D. Cromwell

each, 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: Any and all bonds and undertakings of surety and other documents that the ordinary course of surety business may require, and to bind United States Fire Insurance Company thereby as fully and to the same extent as if such bonds or undertakings had been duly executed and acknowledged by the regularly elected officers of United States Fire Insurance Company at its principal office, in amounts or penalties: **Eighty Five Million Dollars (\$85,000,000)**

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind United States Fire Insurance Company except in the manner and to the extent therein stated.

This Power of Attorney revokes all previous Powers of Attorney issued on behalf of the Attorneys-In-Fact named above and expires on January 31, 2023.

This Power of Attorney is granted pursuant to Article IV of the By-Laws of United States Fire Insurance Company as now in full force and effect, and consistent with Article III thereof, which Articles provide, in pertinent part:

Article IV, Execution of Instruments - Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation:

(a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;

(b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation.

Article III, Officers, Section 3.11, Facsimile Signatures. The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed, facsimile, lithographed or otherwise produced. In addition, if and as authorized by the Board of Directors, dividend warrants or checks, or other numerous instruments similar to one another in form, may be signed by the facsimile signature or signatures, lithographed or otherwise produced, of such officer or officers of the Corporation as from time to time may be authorized to sign such instruments on behalf of the Corporation. The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 28th day of September, 2021.

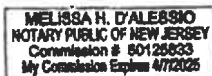
UNITED STATES FIRE INSURANCE COMPANY



Matthew E. Lubin, President

State of New Jersey)
County of Morris)

On this 28th day of September, 2021, before me, a Notary public of the State of New Jersey, came the above named officer of United States Fire Insurance Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of United States Fire Insurance Company thereto by the authority of his office.



Melissa H. D'Alessio (Notary Public)

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the 17th day of August 2022

UNITED STATES FIRE INSURANCE COMPANY



Michael C. Fay, Senior Vice President



National Indemnity Company

A member of the Berkshire Hathaway group of insurance companies

Subdivision Maintenance Bond

Bond Number 70NGP200062
Project Name Bluffs at Young's Creek - Section 3
Improvements Storm Sewer, Swales & Underdrains

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,
Clayton Properties Group dba Fisher Contracting and Excavating, as Principal, 9225 S Harrison Park Court,
Indianapolis, Indiana, 46216 and National Indemnity Company, 1314 Douglas Street, Suite 1400, Omaha, Nebraska
68102 as Surety are held and firmly bound unto the City of Franklin, Indiana, in the penal sum of One Hundred Fifty-
Eight Thousand, Six Hundred Seventeen and 45/100 DOLLARS (\$158,617.45) for the payment of which we bind
ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 17th DAY OF August, 2022. THE CONDITIONS OF
THE ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Clayton Properties Group dba Fisher Contracting and Excavating has installed and completed
improvements of Bluffs at Young's Creek - Section 3 - Storm Sewer, Swales, & Underdrains.

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with
the standards, specifications, and requirements of the City of Franklin, Indiana, and if Clayton Properties Group dba
Fisher Contracting and Excavating, at its own expense for a period of three (3) years from the date of acceptance
by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of improper
workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and
Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an
additional one hundred and eighty (180) day period.

BY: Developer's Company Name (printed) Clayton Properties Group dba Fisher Contracting and Excavating
Signature for Developer's Company James H. Fisher
Signatory Name & Title (printed) James H. Fisher, President

Surety Company Name National Indemnity Company
BY: Signature of Attorney-in-Fact Matthew G. Grantham
Attorney-in-Fact (printed) Matthew G. Grantham

*** Accepted by the Franklin Board of Public Works and Safety this ____ day of _____, 2022.



Steve Barnett, Board Member Melissa L. Jones, Board Member Bob Swinehamer, Board Member

ATTEST: Jayne Rhoades, Clerk-Treasurer

Released by the Franklin Board of Public Works and Safety this ____ day of _____, 2022.

Board Member Board Member Board Member

ATTEST: Clerk-Treasurer

POWER-OF-ATTORNEY

70NGP200062

NATIONAL INDEMNITY COMPANY

1314 DOUGLAS STREET, SUITE 1400, OMAHA, NEBRASKA 68102-1944

(402) 916-3000

KNOW ALL MEN BY THESE PRESENTS: This Power-of-Attorney is not valid unless attached to the duly-executed bond that it authorizes. This Power-of-Attorney specifies **THE AUTHORITY OF THE ATTORNEY-IN-FACT** and **THE LIABILITY OF NATIONAL INDEMNITY COMPANY, WHICH SHALL NOT EXCEED:**

**ONE HUNDRED FIFTY-EIGHT THOUSAND,
SIX HUNDRED SEVENTEEN AND 45/100 DOLLARS
(\$ 158,617.45)**

NATIONAL INDEMNITY COMPANY, a Nebraska corporation, having its principal office in the City of Omaha, State of Nebraska, does hereby make, constitute and appoint **Matthew G. Grantham** in the City of **Omaha**, County of **Douglas**, State of **Nebraska**, its true and lawful attorney-in-fact, at **Omaha**, in the State of **Nebraska**, to make, execute, seal and deliver for and on its behalf, and as its act and deed, any and all bonds and undertakings, provided that the liability of the Company as surety on any such bond executed under this authority shall not in any event exceed the sum shown above.

THIS POWER VOID IF ALTERED OR ERASED

The acknowledgement and execution of any such document by the said Attorney-In-Fact shall be as binding upon the Company as if such bond had been executed and acknowledged by the regularly-elected officers of this Company.

This Power of Attorney is granted, and is signed and sealed by original signature, under and by the authority of the following Resolution adopted by the Executive Committee, as duly authorized by the Board of Directors of NATIONAL INDEMNITY COMPANY, at a meeting duly called and held on the 15th day of March, 2017:

RESOLVED: That the President, any Vice President or the Secretary shall have the power and authority to (1) appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company bonds and other undertakings and (2) remove at any time any such Attorney-in-fact and revoke the authority given.

FURTHER RESOLVED: That any Surety Administrator or Surety Underwriter shall have the power and authority to appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company any license bond with a limit of \$10,000 or less.

FURTHER RESOLVED: That any Surety Administrator shall have the power and authority to appoint Attorneys-in-fact and to authorize them to execute on behalf of this Company (1) any bond, except an appeal bond, with a limit of \$10,000 or less and (2) any license bond with a limit of \$50,000 or less.

In Witness Whereof NATIONAL INDEMNITY COMPANY has caused its official seal to be hereunder affixed, and these presents to be signed by its **Senior Vice President**, this **31st** day of **August, 2022**.

NATIONAL INDEMNITY COMPANY

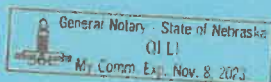


BY Thomas L. Young
(Name) **Thomas L. Young**
(Title) **Senior Vice President**

STATE OF NEBRASKA

COUNTY OF DOUGLAS

On this **31st** day of **August, 2022**, before me, a Notary Public, personally appeared **Thomas L. Young**, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as **Senior Vice President** of said NATIONAL INDEMNITY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



24
Notary Public, Nebraska

- THIS POWER DOES NOT AUTHORIZE EXECUTION OF BONDS OF NE EXEAT OR ANY GUARANTEE FOR FAILURE TO PROVIDE PAYMENTS OF ALIMONY SUPPORT OR WAGE LAW CLAIMS, OR BONDS FOR CRIMINAL APPEARANCE.
- THIS POWER DOES NOT AUTHORIZE THE EXECUTION OF BONDS FOR LOAN GUARANTEES.

NI-1180bb (08/18)

This Power Can Only Be Used in The State of: INDIANA
This Power Can Only Be Used For the Following Obligor(s): CITY OF FRANKLIN, INDIANA
Bond Title / Description: BLUES AT YOUNG'S CREEK- SECTION 1- STORM SEWER, SNALES, & UNDERPINNING
Principal or case reference: CLAYTON PROPERTIES GROUP, INC. DBA FISHER CONTRACTING AND EXCAVATING



CRUM & FORSTER®

AN IRVING-CLOUD COMPANY

Subdivision Maintenance Bond

Bond Number 6135011271
Project Name Bluffs at Young's Creek - Section 3 - Sanitary Sewer
Improvements Sanitary Sewer

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,

Developer's Company Name Clayton Properties Group dba Fisher Contracting and Excavating as Principal

Developer's Company Address 9225 Harrison Park Court Indianapolis, IN 46216 and

Surety Company Name United States Fire Insurance Company

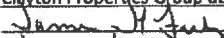
Surety Company Address 305 Madison Avenue, Morristown, NJ, 07962 as Surety are held and firmly bound unto the City of Franklin, Indiana, in the penal sum of **SIXTY-EIGHT THOUSAND TWO HUNDRED FOURTY-SEVEN and 13/100 Dollars, \$68,247.13** for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.


SEALED AND DATED THIS 17th DAY OF August, 2022. THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Clayton Properties Group dba Fisher Contracting and Excavating has installed and completed improvements of Bluffs at Young's Creek - Section 3 - Sanitary Sewer

NOW, THEREFORE, warrants its workmanship and all materials used in the work to be in accordance with the standards, specifications, and requirements of the City of Franklin, Indiana, and if Clayton Properties Group dba Fisher Contracting and Excavating, at its own expense for a period of three (3) years from the date of acceptance by the City of Franklin, Indiana, shall make all repairs which may become necessary by reason of improper workmanship or materials, then this obligation to be null and void, otherwise to be and remain in full force and effect.

It is a further condition of this bond that if it is not released by official action of the Board of Public Works and Safety within the stated three (3) years from the date of acceptance, such term shall automatically extend for an additional one hundred and eighty (180) day period.

BY: *Developer's Company Name (printed)* Clayton Properties Group dba Fisher Contracting and Excavating
Signature for Developer's Company 
Signatory Name & Title (printed) James H. Fisher President

BY: *Surety Company Name* United States Fire Insurance Company
Signature of Attorney-in-Fact 
Attorney-in-Fact (printed) Brook T. Smith

Accepted by the Franklin Board of Public Works and Safety this _____ day of _____, 20__.

Steve Barnett, Board Member

Melissa L. Jones, Board Member

Bob Swinehamer, Board Member

ATTEST: _____

Jayne Rhoades, Clerk-Treasurer

Released by the Franklin Board of Public Works and Safety this ____ day of _____, 20_____.

Board Member Board Member Board Member

ATTEST: _____
Clerk-Treasurer

**POWER OF ATTORNEY
UNITED STATES FIRE INSURANCE COMPANY
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY**

07438

KNOW ALL MEN BY THESE PRESENTS: That United States Fire Insurance Company, a corporation duly organized and existing under the laws of the state of Delaware, has made, constituted and appointed, and does hereby make, constitute and appoint:

Brook T. Smith, James T. Smith, Deborah S. Neichter, Michele, D. Lacrosse, Jason D. Cromwell

each, 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: Any and all bonds and undertakings of surety and other documents that the ordinary course of surety business may require, and to bind United States Fire Insurance Company thereby as fully and to the same extent as if such bonds or undertakings had been duly executed and acknowledged by the regularly elected officers of United States Fire Insurance Company at its principal office, in amounts or penalties: **Eighty Five Million Dollars (\$85,000,000)**

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind United States Fire Insurance Company except in the manner and to the extent therein stated.

This Power of Attorney revokes all previous Powers of Attorney issued on behalf of the Attorneys-In-Fact named above and expires on January 31, 2023.

This Power of Attorney is granted pursuant to Article IV of the By-Laws of United States Fire Insurance Company as now in full force and effect, and consistent with Article III thereof, which Articles provide, in pertinent part:

Article IV, Execution of Instruments - Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation:

- (a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;
- (b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation.

Article III, Officers, Section 3.11, Facsimile Signatures. The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed, facsimile, lithographed or otherwise produced. In addition, if and as authorized by the Board of Directors, dividend warrants or checks, or other numerous instruments similar to one another in form, may be signed by the facsimile signature or signatures, lithographed or otherwise produced, of such officer or officers of the Corporation as from time to time may be authorized to sign such instruments on behalf of the Corporation. The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 28th day of September, 2021.

UNITED STATES FIRE INSURANCE COMPANY



State of New Jersey }
County of Morris }

Matthew E. Lubin, President

On this 28th day of September, 2021, before me, a Notary public of the State of New Jersey, came the above named officer of United States Fire Insurance Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of United States Fire Insurance Company thereto by the authority of his office.



Melissa H. D'Alessio (Notary Public)

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the 17th day of August 2022

UNITED STATES FIRE INSURANCE COMPANY



Michael C. Fay, Senior Vice President