

BOARD OF PUBLIC WORKS AND SAFETY (Form B-01-2012)
Agenda Request Form

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:	December 9, 2024	Meeting Date:	December 16, 2024
Contact Information:			
Requested by:	Matt McElroy		
On Behalf of Organization or Individual:		Windstar Homes, LLC	
Telephone:	317-736-3631		
Email address:	mmcelroy@franklin.in.gov		
Mailing Address:	70 E. Monroe Street, Franklin, IN 46131		
Describe Request:			
Request the following Performance Letters of Credit & Subdivision Performance Surety Agreements be released for Bluffs at Youngs Creek, Sec. 1 & Sec. 2:			
<u>Performance – Sec. 1:</u> LOC # 6297-10-3: Earthwork & Erosion Control - \$297,840.00 LOC # 6297-10-8: Pond Liner - \$53,880.00			
<u>Performance – Sec. 2:</u> LOC # 6297-20-3: Earthwork & Erosion Control - \$347,858.16			
Request the following Subdivision Maintenance Bonds and Surety Agreements be accepted for Bluffs at Youngs Creek, Sec. 1 & Sec. 2:			
<u>Maintenance – Sec. 1:</u> #47SUR300214011057: Earthwork & Erosion Control - \$74,460.00 #47SUR300214011058: Pond Liner - \$13,470.00			
<u>Maintenance – Sec. 2:</u> #47SUR300214011059: Earthwork & Erosion Control - \$86,964.54			
List Supporting Documentation Provided:			
1. Subdivision Maintenance Bonds			
Who will present the request?			
Name:	Matt McElroy	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.



Subdivision Maintenance Bond

Bond Number 47SUR300214011057
Project Name Bluffs at Young's Creek - Section 1
Improvements Earthwork, Erosion Control

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,
Developer's Company Name Clayton Properties Group dba Fisher Contracting & Excavating LLC as Principal
Developer's Company Address 819 East Park Street Trafalgar, IN 46181 and
Surety Company Name Berkshire Hathaway Specialty Insurance Company
Surety Company Address 1314 Douglas Street, Suite 1400, Omaha, NE 68102 - 1944 as Surety are held and firmly
bound unto the City of Franklin, Indiana, in the penal sum of Seventy Four Thousand Four Hundred Sixty and 00/100
DOLLARS, (\$74,460.00) for the payment of which we bind ourselves, our heirs, executors, administrators and
assigns.

SEALED AND DATED THIS 11th DAY OF October, 2024. THE CONDITIONS OF THE
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Clayton Properties Group dba Fisher Contracting & Excavating LLC has installed and completed
improvements of Bluffs at Young's Creek - Section 1 - Earthwork, Erosion Control

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 & Excavating LLC 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 & Excavating LLC
Signature for Developer's Company [Signature]
Signatory Name & Title (printed) James H. Fisher President

BY: *Surety Company Name* Berkshire Hathaway Specialty Insurance Company
Signature of Attorney-in-Fact [Signature]
Attorney-in-Fact (printed) Jessica Hernandez

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

Steve Barnett, Board Member *Ken Austin, Board Member* *Tina Gross, Board Member*

ATTEST: _____
Jan Jones, 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

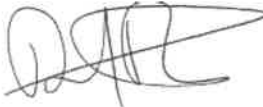
**BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY
NATIONAL INDEMNITY COMPANY / NATIONAL LIABILITY & FIRE INSURANCE COMPANY**

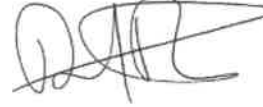
Know all men by these presents, that **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY**, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at One Lincoln Street, 23rd Floor, Boston, Massachusetts 02111, **NATIONAL INDEMNITY COMPANY**, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at 3024 Harney Street, Omaha, Nebraska 68131 and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, a corporation existing under and by virtue of the laws of the State of Connecticut and having an office at 100 First Stamford Place, Stamford, Connecticut 06902 (hereinafter collectively the "Companies"), pursuant to and by the authority granted as set forth herein, do hereby name, constitute and appoint: **Jessica Hernandez, Josefina Rojo, John P. Harney, Jacquelyn M. Norstrom, Haley Anderson, Matthew Labno, Melissa Heffernan, 353 N. Clark Street of the city of Chicago, State of Illinois**, their true and lawful attorney(s)-in-fact to make, execute, seal, acknowledge, and deliver, for and on their behalf as surety and as their act and deed, any and all undertakings, bonds, or other such writings obligatory in the nature thereof, in pursuance of these presents, the execution of which shall be as binding upon the Companies as if it has been duly signed and executed by their regularly elected officers in their own proper persons. **This authority for the Attorney-in-Fact shall be limited to the execution of the attached bond(s) or other such writings obligatory in the nature thereof.**

In witness whereof, this Power of Attorney has been subscribed by an authorized officer of the Companies, and the corporate seals of the Companies have been affixed hereto this date of August 24, 2023. This Power of Attorney is made and executed pursuant to and by authority of the Bylaws, Resolutions of the Board of Directors, and other Authorizations of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY and NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, which are in full force and effect, each reading as appears on the back page of this Power of Attorney, respectively. **The following seals of the Companies and signatures by an authorized officer of the Company may be affixed by facsimile or digital format, which shall be deemed the equivalent of and constitute the written signature of such officer of the Companies and original seals of the Companies for all purposes regarding this Power of Attorney, including satisfaction of any signature and seal requirements on any and all undertakings, bonds, or other such writings obligatory in the nature thereof, to which this Power of Attorney applies.**

**BERKSHIRE HATHAWAY SPECIALTY
INSURANCE COMPANY,**

**NATIONAL INDEMNITY COMPANY,
NATIONAL LIABILITY & FIRE INSURANCE COMPANY,**


By: _____
David Fields, Executive Vice President


By: _____
David Fields, Vice President



NOTARY
State of Massachusetts, County of Suffolk, ss:
On this 24th day of August, 2023, before me appeared David Fields, Executive Vice President of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY** and Vice President of **NATIONAL INDEMNITY COMPANY** and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, who being duly sworn, says that his capacity is as designated above for such Companies; that he knows the corporate seals of the Companies; that the seals affixed to the foregoing instrument are such corporate seals; that they were affixed by order of the board of directors or other governing body of said Companies pursuant to its Bylaws, Resolutions and other Authorizations, and that he signed said instrument in that capacity of said Companies.

[Notary Seal]






Notary Public

I, Ralph Tortorella, the undersigned, Officer of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY and NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies which is in full force and effect and has not been revoked. **IN TESTIMONY WHEREOF**, see hereunto affixed the seals of said Companies this **October 11, 2024**.





Ralph Tortorella, Officer

To verify the authenticity of this Power of Attorney please contact us at: BHSI Surety Department, Berkshire Hathaway Specialty Insurance Company, One Lincoln Street, 23rd Floor Boston, MA 02111 | (770) 625-2516 or by email at Jennifer.Porter@bhspecialty.com THIS POWER OF ATTORNEY IS VOID IF ALTERED To notify us of a claim please contact us on our 24-hour toll free number at (855) 453-9675, via email at claims@bhspecialty.com, via fax to (617) 507-8259, or via mail.

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY (BYLAWS)

ARTICLE V.

CORPORATE ACTIONS

....

EXECUTION OF DOCUMENTS:

....

Section 6.(b) The President, any Vice President or the Secretary, shall have the power and authority:

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company bonds and other undertakings, and
- (2) To remove at any time any such Attorney-in-fact and revoke the authority given him.

NATIONAL INDEMNITY COMPANY (BY-LAWS)

Section 4. Officers, Agents, and Employees:

A. The officers shall be a President, one or more Vice Presidents, a Secretary, one or more Assistant Secretaries, a Treasurer, and one or more Assistant Treasurers none of whom shall be required to be shareholders or Directors and each of whom shall be elected annually by the Board of Directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the Board of Directors, and shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the Board of Directors; and the Board of Directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the corporation.

NATIONAL INDEMNITY COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)

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.

NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BY-LAWS)

ARTICLE IV

Officers

Section 1. Officers, Agents and Employees:

A. The officers shall be a president, one or more vice presidents, one or more assistant vice presidents, a secretary, one or more assistant secretaries, a treasurer, and one or more assistant treasurers, none of whom shall be required to be shareholders or directors, and each of whom shall be elected annually by the board of directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the board of directors. The president and secretary shall be different individuals. Election or appointment of an officer or agent shall not create contract rights. The officers of the Corporation shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the board of directors; and the board of directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the Corporation.

NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)

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.



Subdivision Maintenance Bond

Bond Number 47SUR300214011058
 Project Name Bluffs at Young's Creek - Section 1
 Improvements Pond Liner

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,
 Developer's Company Name Clayton Properties Group dba Fisher Contracting & Excavating LLC as Principal
 Developer's Company Address 819 East Park Street Trafalgar, IN 46181 and
 Surety Company Name Berkshire Hathaway Specialty Insurance Company
 Surety Company Address 1314 Douglas Street, Suite 1400, Omaha, NE 68102 - 1944 as Surety are held and firmly
 bound unto the City of Franklin, Indiana, in the penal sum of Thirteen Thousand Four Hundred Seventy and 00/100
 DOLLARS, (\$13,470.00) for the payment of which we bind ourselves, our heirs, executors, administrators and
 assigns.

SEALED AND DATED THIS 11th DAY OF October, 2024. THE CONDITIONS OF THE
 ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Clayton Properties Group dba Fisher Contracting & Excavating LLC has installed and completed
 improvements of Bluffs at Young's Creek - Section 1 - Pond Liner

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 & Excavating LLC 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 & Excavating LLC
Signature for Developer's Company [Signature]
Signatory Name & Title (printed) James H. Fisher, President

BY: *Surety Company Name* Berkshire Hathaway Specialty Insurance Company
Signature of Attorney-in-Fact [Signature]
Attorney-in-Fact (printed) Jessica Hernandez

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

 Steve Barnett, Board Member Ken Austin, Board Member Tina Gross, Board Member

ATTEST: _____
Jan Jones, 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

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY NATIONAL INDEMNITY COMPANY / NATIONAL LIABILITY & FIRE INSURANCE COMPANY

Know all men by these presents, that **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY**, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at One Lincoln Street, 23rd Floor, Boston, Massachusetts 02111, **NATIONAL INDEMNITY COMPANY**, a corporation existing under and by virtue of the laws of the State of Nebraska and having an office at 3024 Harney Street, Omaha, Nebraska 68131 and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, a corporation existing under and by virtue of the laws of the State of Connecticut and having an office at 100 First Stamford Place, Stamford, Connecticut 06902 (hereinafter collectively the "Companies"), pursuant to and by the authority granted as set forth herein, do hereby name, constitute and appoint: **Jessica Hernandez, Josefina Rojo, John P. Harney, Jacquelyn M. Norstrom, Haley Anderson, Matthew Labno, Melissa Heffernan, 353 N. Clark Street of the city of Chicago, State of Illinois**, their true and lawful attorney(s)-in-fact to make, execute, seal, acknowledge, and deliver, for and on their behalf as surety and as their act and deed, any and all undertakings, bonds, or other such writings obligatory in the nature thereof, in pursuance of these presents, the execution of which shall be as binding upon the Companies as if it has been duly signed and executed by their regularly elected officers in their own proper persons. **This authority for the Attorney-in-Fact shall be limited to the execution of the attached bond(s) or other such writings obligatory in the nature thereof.**

In witness whereof, this Power of Attorney has been subscribed by an authorized officer of the Companies, and the corporate seals of the Companies have been affixed hereto this date of August 24, 2023. This Power of Attorney is made and executed pursuant to and by authority of the Bylaws, Resolutions of the Board of Directors, and other Authorizations of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY and NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, which are in full force and effect, each reading as appears on the back page of this Power of Attorney, respectively. **The following seals of the Companies and signatures by an authorized officer of the Company may be affixed by facsimile or digital format, which shall be deemed the equivalent of and constitute the written signature of such officer of the Companies and original seals of the Companies for all purposes regarding this Power of Attorney, including satisfaction of any signature and seal requirements on any and all undertakings, bonds, or other such writings obligatory in the nature thereof, to which this Power of Attorney applies.**

**BERKSHIRE HATHAWAY SPECIALTY
INSURANCE COMPANY,**

**NATIONAL INDEMNITY COMPANY,
NATIONAL LIABILITY & FIRE INSURANCE COMPANY,**

By: _____
David Fields, Executive Vice President

By: _____
David Fields, Vice President

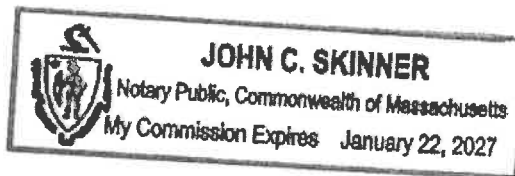


NOTARY

State of Massachusetts, County of Suffolk, ss:

On this 24th day of August, 2023, before me appeared David Fields, Executive Vice President of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY** and Vice President of **NATIONAL INDEMNITY COMPANY** and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, who being duly sworn, says that his capacity is as designated above for such Companies; that he knows the corporate seals of the Companies; that the seals affixed to the foregoing instrument are such corporate seals; that they were affixed by order of the board of directors or other governing body of said Companies pursuant to its Bylaws, Resolutions and other Authorizations, and that he signed said instrument in that capacity of said Companies.

[Notary Seal]



Notary Public

I, Ralph Tortorella, the undersigned, Officer of **BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY, NATIONAL INDEMNITY COMPANY** and **NATIONAL LIABILITY & FIRE INSURANCE COMPANY**, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies which is in full force and effect and has not been revoked. **IN TESTIMONY WHEREOF**, see hereunto affixed the seals of said Companies this **October 11, 2024**.



Ralph Tortorella, Officer

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BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY (BYLAWS)

ARTICLE V.

CORPORATE ACTIONS

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EXECUTION OF DOCUMENTS:

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Section 6.(b) The President, any Vice President or the Secretary, shall have the power and authority:

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company bonds and other undertakings, and
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NATIONAL INDEMNITY COMPANY (BY-LAWS)

Section 4. Officers, Agents, and Employees:

A. The officers shall be a President, one or more Vice Presidents, a Secretary, one or more Assistant Secretaries, a Treasurer, and one or more Assistant Treasurers none of whom shall be required to be shareholders or Directors and each of whom shall be elected annually by the Board of Directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the Board of Directors, and shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the Board of Directors; and the Board of Directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the corporation.

NATIONAL INDEMNITY COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)

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.

NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BY-LAWS)

ARTICLE IV

Officers

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NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)

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Subdivision Maintenance Bond

Bond Number 47SUR300214011059
 Project Name Bluffs at Young's Creek - Section 2
 Improvements Earthwork, Erosion Control

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,
Developer's Company Name Clayton Properties Group dba Fisher Contracting & Excavating LLC as Principal
Developer's Company Address 819 East Park Street Trafalgar, IN 46181 and
Surety Company Name Berkshire Hathaway Specialty Insurance Company
Surety Company Address 1314 Douglas Street, Suite 1400, Omaha, NE 68102 - 1944 as Surety are held and firmly
 bound unto the City of Franklin, Indiana, in the penal sum of Eighty Six Thousand Nine Hundred Sixty Four and 54/100
 DOLLARS, (\$86,964.54) for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 11th DAY OF October, 2024. THE CONDITIONS OF THE
 ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Clayton Properties Group dba Fisher Contracting & Excavating LLC has installed and completed
 improvements of Bluffs at Young's Creek - Section 2 - Earthwork, Erosion Control

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 & Excavating LLC 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 & Excavating LLC
Signature for Developer's Company
Signatory Name & Title (printed) James H. Fisher, President

BY: *Surety Company Name* Berkshire Hathaway Specialty Insurance Company
Signature of Attorney-in-Fact
Attorney-in-Fact (printed) Jessica Hernandez

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

Steve Barnett, Board Member *Ken Austin, Board Member* *Tina Gross, Board Member*

ATTEST: _____
Jan Jones, 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

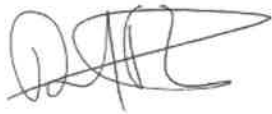
Power Of Attorney

BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY NATIONAL INDEMNITY COMPANY / NATIONAL LIABILITY & FIRE INSURANCE COMPANY

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**BERKSHIRE HATHAWAY SPECIALTY
INSURANCE COMPANY,**



By: _____
David Fields, Executive Vice President



**NATIONAL INDEMNITY COMPANY,
NATIONAL LIABILITY & FIRE INSURANCE COMPANY,**



By: _____
David Fields, Vice President



NOTARY

State of Massachusetts, County of Suffolk, ss:

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[Notary Seal]






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Ralph Tortorella, Officer

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BERKSHIRE HATHAWAY SPECIALTY INSURANCE COMPANY (BYLAWS)

ARTICLE V.

CORPORATE ACTIONS

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EXECUTION OF DOCUMENTS:

....

Section 6.(b) The President, any Vice President or the Secretary, shall have the power and authority:

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company bonds and other undertakings, and
- (2) To remove at any time any such Attorney-in-fact and revoke the authority given him.

NATIONAL INDEMNITY COMPANY (BY-LAWS)

Section 4. Officers, Agents, and Employees:

A. The officers shall be a President, one or more Vice Presidents, a Secretary, one or more Assistant Secretaries, a Treasurer, and one or more Assistant Treasurers none of whom shall be required to be shareholders or Directors and each of whom shall be elected annually by the Board of Directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the Board of Directors, and shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the Board of Directors; and the Board of Directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the corporation.

NATIONAL INDEMNITY COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)

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.

NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BY-LAWS)

ARTICLE IV

Officers

Section 1. Officers, Agents and Employees:

A. The officers shall be a president, one or more vice presidents, one or more assistant vice presidents, a secretary, one or more assistant secretaries, a treasurer, and one or more assistant treasurers, none of whom shall be required to be shareholders or directors, and each of whom shall be elected annually by the board of directors at each annual meeting to serve a term of office of one year or until a successor has been elected and qualified, may serve successive terms of office, may be removed from office at any time for or without cause by a vote of a majority of the board of directors. The president and secretary shall be different individuals. Election or appointment of an officer or agent shall not create contract rights. The officers of the Corporation shall have such powers and rights and be charged with such duties and obligations as usually are vested in and pertain to such office or as may be directed from time to time by the board of directors; and the board of directors or the officers may from time to time appoint, discharge, engage, or remove such agents and employees as may be appropriate, convenient, or necessary to the affairs and business of the Corporation.

NATIONAL LIABILITY & FIRE INSURANCE COMPANY (BOARD RESOLUTION ADOPTED AUGUST 6, 2014)

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.