

**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.*

<b>Date Submitted:</b>	December 10, 2024	<b>Meeting Date:</b>	December 16, 2024
<b>Contact Information:</b>			
<b>Requested by:</b>	Matt McElroy		
<b>On Behalf of Organization or Individual:</b>		Forestar	
<b>Telephone:</b>	317-736-3631		
<b>Email address:</b>	<a href="mailto:mmcelroy@franklin.in.gov">mmcelroy@franklin.in.gov</a>		
<b>Mailing Address:</b>	70 E. Monroe Street, Franklin, IN 46131		
<b>Describe Request:</b>			
Request the following Performance Bonds & Subdivision Performance Surety Agreements be accepted for Winterfield, Sec. 1:			
<u>Performance – Sec. 1:</u>			
0266195: Earthwork - \$131,760.00			
0266196: Plantings & Mounding - \$146,928.00			
0266197: Sanitary Sewers - \$478,617.00			
0266198: Storm sewers, swales & underdrains - \$867,401.76			
0266199: Streets - \$1,230,429.00			
0266200: Sidewalks - \$117,784.80			
0266201: Survey Monuments - \$22,020.00			
<b>List Supporting Documentation Provided:</b>			
1. Subdivision Performance Bonds & Agreements			
<b>Who will present the request?</b>			
<b>Name:</b>	Matt McElroy	<b>Telephone:</b>	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.*

**Berkley Insurance Company  
Subdivision Performance Bond**

Bond Number 0266195  
Project Name Winterfield Section 1  
Improvements Earthwork

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,  
*Developer's Company Name* Forestar (USA) Real Estate Group Inc. as Principal  
*Developer's Company Address* 2221 E Lamar Blvd, Suite 790, Arlington, TX 76006 and  
*Surety Company Name* Berkley Insurance Company  
*Surety Company Address* 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly bound unto the City of Franklin, Indiana, in the penal sum of One Hundred Thirty One Thousand Seven Hundred Sixty and 00/100 DOLLARS, (\$131,760.00) for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 6th DAY OF December, 2024. THE CONDITIONS OF THE ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Winterfield Section 1 Earthwork have not been improved as required by the regulations and procedures of the City of Franklin, Indiana.

NOW, THEREFORE, if said Forestar (USA) Real Estate Group Inc. shall construct said Winterfield Section 1 Earthwork according to specifications and regulations of the City of Franklin, Indiana, and comply with all the provisions of the ordinances, rules and regulations of the City of Franklin, Indiana, in relation to the mode, manner or form in which said work shall be done, and shall pay and save the City of Franklin, Indiana, against loss of damage which may arise by reason of delay in completion of said work, by reason of the manner in which said work is done or the quality of the materials furnished being in violation of the requirements of any law of the State of Indiana, or any ordinance of the City of Franklin, Indiana, controlling such work, then this obligation to be void; otherwise to be and remain in full force and effect. This performance bond shall be and remain in full force and effect until such time it is officially released by the Board of Public Works and Safety, City of Franklin, Indiana.

BY: *Developer's Company Name (printed)* Forestar (USA) Real Estate Group Inc.  
*Signature for Developer's Company* Mark Mastrosocco  
*Signatory Name & Title (printed)* Mark Mastrosocco



BY: *Surety Company Name* Berkley Insurance Company  
*Signature of Attorney-in-Fact* Noah William Pierce  
*Attorney-in-Fact (printed)* Noah William Pierce

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
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: Noah William Pierce or Jynell Marie Whitehead of Willis Towers Watson Southeast, Inc. of Tampa, FL its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00), to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company 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 Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 28th day of November, 2023.



Attest

By Ira S. Lederman, Executive Vice President & Secretary

Berkley Insurance Company

By Jeffrey M. Hafter, Senior Vice President

STATE OF CONNECTICUT )
) ss:
COUNTY OF FAIRFIELD )

Sworn to before me, a Notary Public in the State of Connecticut, this 28th day of November, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

Handwritten signature of Maria C. Rundbaken and the text 'Notary Public, State of Connecticut'

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



under my hand and seal of the Company, this 6th day of December, 2024.

Handwritten signature of Vincent P. Forte and the text 'Vincent P. Forte'

**Berkley Insurance Company**  
**Subdivision Performance Bond**

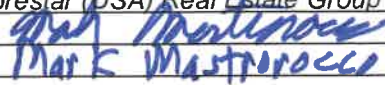
Bond Number      0266196  
Project Name      Winterfield Section 1  
Improvements     Plantings & Mounding

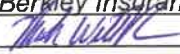
KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,  
*Developer's Company Name* Forestar (USA) Real Estate Group Inc. as Principal  
*Developer's Company Address* 2221 E Lamar Blvd, Suite 790, Arlington, TX 76006 and  
*Surety Company Name* Berkley Insurance Company  
*Surety Company Address* 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly bound unto the  
City of Franklin, Indiana, in the penal sum of One Hundred Forty Six Thousand Nine Hundred Twenty Eight and 00/100  
DOLLARS, (\$146,928.00) for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.


SEALED AND DATED THIS 6th DAY OF December, 2024. THE CONDITIONS OF THE  
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Winterfield Section 1 Plantings & Mounding have not been improved as required by the regulations  
and procedures of the City of Franklin, Indiana.

NOW, THEREFORE, if said Forestar (USA) Real Estate Group Inc. shall construct said Winterfield Section 1  
Plantings & Mounding according to specifications and regulations of the City of Franklin, Indiana, and comply with all  
the provisions of the ordinances, rules and regulations of the City of Franklin, Indiana, in relation to the mode, manner  
or form in which said work shall be done, and shall pay and save the City of Franklin, Indiana, against loss of damage  
which may arise by reason of delay in completion of said work, by reason of the manner in which said work is done or  
the quality of the materials furnished being in violation of the requirements of any law of the State of Indiana, or any  
ordinance of the City of Franklin, Indiana, controlling such work, then this obligation to be void; otherwise to be and  
remain in full force and effect. This performance bond shall be and remain in full force and effect until such time it is  
officially released by the Board of Public Works and Safety, City of Franklin, Indiana.

BY: *Developer's Company Name (printed)* Forestar (USA) Real Estate Group Inc.  
*Signature for Developer's Company*   
*Signatory Name & Title (printed)* Mark Mastrosocco *Division President*

BY: *Surety Company Name* Berkley Insurance Company  
*Signature of Attorney-in-Fact*   
*Attorney-in-Fact (printed)* Noah William Pierce



\*\*\*\*\*  
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  
BERKLEY INSURANCE COMPANY  
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Noah William Pierce or Jynell Marie Whitehead of Willis Towers Watson Southeast, Inc. of Tampa, FL* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

**RESOLVED**, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

**RESOLVED**, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

**RESOLVED**, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

**RESOLVED**, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company 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 Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 28th day of November, 2023.



Attest:

By Ira S. Lederman  
Executive Vice President & Secretary

Berkley Insurance Company

By Jeffrey M. Hafter  
Senior Vice President

STATE OF CONNECTICUT )  
  ) ss:  
COUNTY OF FAIRFIELD )

Sworn to before me, a Notary Public in the State of Connecticut, this 28th day of November, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN  
NOTARY PUBLIC  
CONNECTICUT  
MY COMMISSION EXPIRES  
APRIL 30, 2024

Maria C. Rundbaker  
Notary Public, State of Connecticut

**CERTIFICATE**

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



under my hand and seal of the Company, this 6th day of December, 2024.

Vincent P. Forte  
Vincent P. Forte



**Berkley Insurance Company**  
**Subdivision Performance Bond**

Bond Number      0266197  
Project Name      Winterfield Section 1  
Improvements     Sanitary sewers

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,  
*Developer's Company Name* Forestar (USA) Real Estate Group Inc. as Principal  
*Developer's Company Address* 2221 E Lamar Blvd, Suite 790, Arlington, TX 76006 and  
*Surety Company Name* Berkley Insurance Company  
*Surety Company Address* 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly bound unto the  
City of Franklin, Indiana, in the penal sum of Four Hundred Seventy Eight Thousand Six Hundred Seventeen and 00/100  
DOLLARS, (\$478,617.00) for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.


SEALED AND DATED THIS 6th DAY OF December, 2024. THE CONDITIONS OF THE  
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Winterfield Section 1 Sanitary sewers have not been improved as required by the regulations and  
procedures of the City of Franklin, Indiana.

NOW, THEREFORE, if said Forestar (USA) Real Estate Group Inc. shall construct said Winterfield Section 1  
Sanitary sewers according to specifications and regulations of the City of Franklin, Indiana, and comply with all the  
provisions of the ordinances, rules and regulations of the City of Franklin, Indiana, in relation to the mode, manner or  
form in which said work shall be done, and shall pay and save the City of Franklin, Indiana, against loss of damage  
which may arise by reason of delay in completion of said work, by reason of the manner in which said work is done or  
the quality of the materials furnished being in violation of the requirements of any law of the State of Indiana, or any  
ordinance of the City of Franklin, Indiana, controlling such work, then this obligation to be void; otherwise to be and  
remain in full force and effect. This performance bond shall be and remain in full force and effect until such time it is  
officially released by the Board of Public Works and Safety, City of Franklin, Indiana.

BY: *Developer's Company Name (printed)* Forestar (USA) Real Estate Group Inc.  
*Signature for Developer's Company* *Mark Mastrosaccio*  
*Signatory Name & Title (printed)* Mark Mastrosaccio *Division President*

BY: *Surety Company Name* Berkley Insurance Company  
*Signature of Attorney-in-Fact* *Noah William Pierce*  
*Attorney-in-Fact (printed)* Noah William Pierce



\*\*\*\*\*  
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  
BERKLEY INSURANCE COMPANY  
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Noah William Pierce or Jynell Marie Whitehead of Willis Towers Watson Southeast, Inc. of Tampa, FL* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

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**RESOLVED**, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

**RESOLVED**, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

**RESOLVED**, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

**RESOLVED**, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company 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 Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 28th day of November, 2023.



Attest:  
By Ira S. Lederman  
Executive Vice President & Secretary

Berkley Insurance Company  
By Jeffrey M. Hafter  
Senior Vice President

STATE OF CONNECTICUT )  
 ) ss:  
COUNTY OF FAIRFIELD )

Sworn to before me, a Notary Public in the State of Connecticut, this 28th day of November, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN  
NOTARY PUBLIC  
CONNECTICUT  
MY COMMISSION EXPIRES  
APRIL 30, 2024

Maria C. Rundbaken  
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



under my hand and seal of the Company, this 6th day of December, 2024.

Vincent P. Forte  
Vincent P. Forte

**Berkley Insurance Company**  
**Subdivision Performance Bond**


Bond Number      0266198  
Project Name      Winterfield Section 1  
Improvements     Storm sewers, swales & underdrains

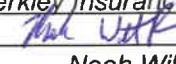
KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,  
*Developer's Company Name* Forestar (USA) Real Estate Group Inc. as Principal  
*Developer's Company Address* 2221 E Lamar Blvd, Suite 790, Arlington, TX 76006 and  
*Surety Company Name* Berkley Insurance Company  
*Surety Company Address* 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly bound unto the  
City of Franklin, Indiana, in the penal sum of Eight Hundred Sixty Seven Thousand Four Hundred One and 76/100  
DOLLARS, (\$867,401.76) for the payment of which we bind ourselves, our heirs, executors, administrators and assigns.


SEALED AND DATED THIS 6th DAY OF December, 2024. THE CONDITIONS OF THE  
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Winterfield Section 1 Storm sewers, swales & underdrains have not been improved as required by  
the regulations and procedures of the City of Franklin, Indiana.

NOW, THEREFORE, if said Forestar (USA) Real Estate Group Inc. shall construct said Winterfield Section 1  
Storm sewers, swales & underdrains according to specifications and regulations of the City of Franklin, Indiana, and  
comply with all the provisions of the ordinances, rules and regulations of the City of Franklin, Indiana, in relation to the  
mode, manner or form in which said work shall be done, and shall pay and save the City of Franklin, Indiana, against  
loss of damage which may arise by reason of delay in completion of said work, by reason of the manner in which said  
work is done or the quality of the materials furnished being in violation of the requirements of any law of the State of  
Indiana, or any ordinance of the City of Franklin, Indiana, controlling such work, then this obligation to be void; otherwise  
to be and remain in full force and effect. This performance bond shall be and remain in full force and effect until such  
time it is officially released by the Board of Public Works and Safety, City of Franklin, Indiana.

BY: *Developer's Company Name (printed)* Forestar (USA) Real Estate Group Inc.  
*Signature for Developer's Company*   
*Signatory Name & Title (printed)* Mark Mastrolonca Division President

BY: *Surety Company Name* Berkley Insurance Company  
*Signature of Attorney-in-Fact*   
*Attorney-in-Fact (printed)* Noah William Pierce



\*\*\*\*\*  
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  
BERKLEY INSURANCE COMPANY  
WILMINGTON, DELAWARE

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IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 28th day of November, 2023.



Attest:

By [Signature]  
Ira S. Lederman  
Executive Vice President & Secretary

Berkley Insurance Company

By [Signature]  
Jeffrey M. Hafter  
Senior Vice President

STATE OF CONNECTICUT )  
  ) ss:  
COUNTY OF FAIRFIELD   )

Sworn to before me, a Notary Public in the State of Connecticut, this 28th day of November, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN  
NOTARY PUBLIC  
CONNECTICUT  
MY COMMISSION EXPIRES  
APRIL 30, 2024

[Signature]  
Notary Public, State of Connecticut

**CERTIFICATE**

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



under my hand and seal of the Company, this 6th day of December, 2024.  
[Signature]  
Vincent P. Forte

**Berkley Insurance Company**  
**Subdivision Performance Bond**

Bond Number      0266199  
Project Name      Winterfield Section 1  
Improvements     Streets

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,  
*Developer's Company Name* Forestar (USA) Real Estate Group Inc. as Principal  
*Developer's Company Address* 2221 E Lamar Blvd, Suite 790, Arlington, TX 76006 and  
*Surety Company Name* Berkley Insurance Company  
*Surety Company Address* 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly bound unto the  
City of Franklin, Indiana, in the penal sum of One Million Two Hundred Thirty Thousand Four Hundred Twenty Nine  
and 00/100 DOLLARS, (\$1,230,429.00) for the payment of which we bind ourselves, our heirs, executors,  
administrators and assigns.


SEALED AND DATED THIS 6th DAY OF December, 2024. THE CONDITIONS OF THE  
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Winterfield Section 1 Streets have not been improved as required by the regulations and  
procedures of the City of Franklin, Indiana.

NOW, THEREFORE, if said Forestar (USA) Real Estate Group Inc. shall construct said Winterfield Section 1  
Streets according to specifications and regulations of the City of Franklin, Indiana, and comply with all the provisions of  
the ordinances, rules and regulations of the City of Franklin, Indiana, in relation to the mode, manner or form in which  
said work shall be done, and shall pay and save the City of Franklin, Indiana, against loss of damage which may arise  
by reason of delay in completion of said work, by reason of the manner in which said work is done or the quality of the  
materials furnished being in violation of the requirements of any law of the State of Indiana, or any ordinance of the City  
of Franklin, Indiana, controlling such work, then this obligation to be void; otherwise to be and remain in full force and  
effect. This performance bond shall be and remain in full force and effect until such time it is officially released by the  
Board of Public Works and Safety, City of Franklin, Indiana.

BY: *Developer's Company Name (printed)* Forestar (USA) Real Estate Group Inc.  
*Signature for Developer's Company* *Mark Mastroianni*  
*Signatory Name & Title (printed)* Mark Mastroianni Division President

BY: *Surety Company Name* Berkley Insurance Company  
*Signature of Attorney-in-Fact* *Noah William Pierce*  
*Attorney-in-Fact (printed)* Noah William Pierce



\*\*\*\*\*  
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  
BERKLEY INSURANCE COMPANY  
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Noah William Pierce or Jynell Marie Whitehead of Willis Towers Watson Southeast, Inc. of Tampa, FL* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

**RESOLVED**, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

**RESOLVED**, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

**RESOLVED**, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

**RESOLVED**, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company 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 Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 28th day of November, 2023.



Attest  
By Ira S. Lederman  
Executive Vice President & Secretary

Berkley Insurance Company  
By Jeffrey M. Hafter  
Senior Vice President

STATE OF CONNECTICUT )  
 ) ss:  
COUNTY OF FAIRFIELD )

Sworn to before me, a Notary Public in the State of Connecticut, this 28th day of November, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN  
NOTARY PUBLIC  
CONNECTICUT  
MY COMMISSION EXPIRES  
APRIL 30, 2024

Maria C. Rundbaken  
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

under my hand and seal of the Company, this 6th day of December, 2024.



Vincent P. Forte  
Vincent P. Forte

**Berkley Insurance Company**  
**Subdivision Performance Bond**

Bond Number 0266201  
 Project Name Winterfield Section 1  
 Improvements Survey Monuments

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,  
*Developer's Company Name* Forestar (USA) Real Estate Group Inc. as Principal  
*Developer's Company Address* 2221 E Lamar Blvd, Suite 790, Arlington, TX 76006 and  
*Surety Company Name* Berkley Insurance Company  
*Surety Company Address* 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly bound unto the  
 City of Franklin, Indiana, in the penal sum of Twenty Two Thousand Twenty and 00/100 DOLLARS, (\$22,020.00) for  
 the payment of which we bind ourselves, our heirs, executors, administrators and assigns.

SEALED AND DATED THIS 6th DAY OF December, 2024. THE CONDITIONS OF THE  
 ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Winterfield Section 1 Survey Monuments have not been improved as required by the regulations  
 and procedures of the City of Franklin, Indiana.

NOW, THEREFORE, if said Forestar (USA) Real Estate Group Inc. shall construct said Winterfield Section 1  
Survey Monuments according to specifications and regulations of the City of Franklin, Indiana, and comply with all the  
 provisions of the ordinances, rules and regulations of the City of Franklin, Indiana, in relation to the mode, manner or  
 form in which said work shall be done, and shall pay and save the City of Franklin, Indiana, against loss of damage  
 which may arise by reason of delay in completion of said work, by reason of the manner in which said work is done or  
 the quality of the materials furnished being in violation of the requirements of any law of the State of Indiana, or any  
 ordinance of the City of Franklin, Indiana, controlling such work, then this obligation to be void; otherwise to be and  
 remain in full force and effect. This performance bond shall be and remain in full force and effect until such time it is  
 officially released by the Board of Public Works and Safety, City of Franklin, Indiana.

BY: *Developer's Company Name (printed)* Forestar (USA) Real Estate Group Inc.  
*Signature for Developer's Company* *Mark Mastorocco*  
*Signatory Name & Title (printed)* Mark Mastorocco



BY: *Surety Company Name* Berkley Insurance Company  
*Signature of Attorney-in-Fact* *Noah William Pierce*  
*Attorney-in-Fact (printed)* Noah William Pierce

\*\*\*\*\*  
 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  
BERKLEY INSURANCE COMPANY  
WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Noah William Pierce or Jynell Marie Whitehead of Willis Towers Watson Southeast, Inc. of Tampa, FL* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

**RESOLVED**, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

**RESOLVED**, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

**RESOLVED**, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

**RESOLVED**, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company 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 Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 28th day of November, 2023.



Attest:  
By [Signature]  
Ira S. Lederman  
Executive Vice President & Secretary

Berkley Insurance Company  
By [Signature]  
Jeffrey M. Hafter  
Senior Vice President

STATE OF CONNECTICUT )  
  ) ss:  
COUNTY OF FAIRFIELD )

Sworn to before me, a Notary Public in the State of Connecticut, this 28th day of November, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDSAKEN  
NOTARY PUBLIC  
CONNECTICUT  
MY COMMISSION EXPIRES  
APRIL 30, 2024

[Signature]  
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

[Signature] under my hand and seal of the Company, this 6th day of December, 2024.



[Signature]  
Vincent P. Forte

**Berkley Insurance Company**  
**Subdivision Performance Bond**

Bond Number      0266200  
Project Name      Winterfield Section 1  
Improvements     Sidewalks

KNOW ALL MEN BY THESE PRESENTS, that We, the undersigned,  
*Developer's Company Name* Forestar (USA) Real Estate Group Inc. as Principal  
*Developer's Company Address* 2221 E Lamar Blvd, Suite 790, Arlington, TX 76006 and  
*Surety Company Name* Berkley Insurance Company  
*Surety Company Address* 475 Steamboat Road, Greenwich, CT 06830 as Surety are held and firmly bound unto the  
City of Franklin, Indiana, in the penal sum of One Hundred Seventeen Thousand Seven Hundred Eighty Four and  
80/100 DOLLARS, (\$117,784.80) for the payment of which we bind ourselves, our heirs, executors, administrators and  
assigns.

SEALED AND DATED THIS 6th DAY OF December, 2024. THE CONDITIONS OF THE  
ABOVE OBLIGATION ARE SUCH THAT:

WHEREAS, Winterfield Section 1 Sidewalks have not been improved as required by the regulations and  
procedures of the City of Franklin, Indiana.

NOW, THEREFORE, if said Forestar (USA) Real Estate Group Inc. shall construct said Winterfield Section 1  
Sidewalks according to specifications and regulations of the City of Franklin, Indiana, and comply with all the provisions  
of the ordinances, rules and regulations of the City of Franklin, Indiana, in relation to the mode, manner or form in which  
said work shall be done, and shall pay and save the City of Franklin, Indiana, against loss of damage which may arise  
by reason of delay in completion of said work, by reason of the manner in which said work is done or the quality of the  
materials furnished being in violation of the requirements of any law of the State of Indiana, or any ordinance of the City  
of Franklin, Indiana, controlling such work, then this obligation to be void; otherwise to be and remain in full force and  
effect. This performance bond shall be and remain in full force and effect until such time it is officially released by the  
Board of Public Works and Safety, City of Franklin, Indiana.

BY: *Developer's Company Name (printed)*      Forestar (USA) Real Estate Group Inc.  
*Signature for Developer's Company*        
*Signatory Name & Title (printed)*      Mark Mastroiocco      Division President

BY: *Surety Company Name*      Berkley Insurance Company  
*Signature of Attorney-in-Fact*        
*Attorney-in-Fact (printed)*      Noah William Pierce



\*\*\*\*\*

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  
**BERKLEY INSURANCE COMPANY**  
 WILMINGTON, DELAWARE

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Noah William Pierce or Jynell Marie Whitehead of Willis Towers Watson Southeast, Inc. of Tampa, FL* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Fifty Million and 00/100 U.S. Dollars (U.S.\$50,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

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**RESOLVED**, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

**RESOLVED**, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

**RESOLVED**, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company 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 Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 28th day of November, 2023.



Attest:  
 By Ira S. Lederman  
 Executive Vice President & Secretary

Berkley Insurance Company  
 By Jeffrey M. Hafter  
 Senior Vice President

STATE OF CONNECTICUT )  
 ) ss:  
 COUNTY OF FAIRFIELD )

Sworn to before me, a Notary Public in the State of Connecticut, this 28th day of November, 2023, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN  
 NOTARY PUBLIC  
 CONNECTICUT  
 MY COMMISSION EXPIRES  
 APRIL 30, 2024

Maria C. Rundbaken  
 Notary Public, State of Connecticut

**CERTIFICATE**

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



under my hand and seal of the Company, this 6th day of December, 2024.  
Vincent P. Forte  
 Vincent P. Forte