



Landscaping Performance Bond

Bond No. 9358369

We, the undersigned Gallant Construction Company, Inc., a corporation, partnership, or individual, with a principal business address of 345 Memorial Drive in the City of Crystal Lake, State of Illinois, as Principal, and Fidelity and Deposit Company of Maryland, a corporation duly organized under the laws of the State of Maryland, with a principal business address of 1299 Zurich Way, 5th Floor, in the City of Schaumburg, State of Illinois, and duly authorized to conduct a corporate surety business in the State of Minnesota, as *Surety*, are held and firmly bound unto the City of Bloomington, a Minnesota municipal corporation, the *Obligee*, in the sum of \$27,887.00 DOLLARS, to be paid to the *Obligee*, for which payment, we jointly and severally bind ourselves and each of our heirs, executors, administrators, successors and assigns firmly by these presents.

The basis for this obligation is that the *Principal* has requested the *Obligee's* Manager of Building and Inspection Division, Department of Community Development, to issue a permit for construction on the premises located at 611 W 98th St., in the City of Bloomington, County of Hennepin, State of Minnesota, legally described as follows:

(Purchase Order-Bank of America US (JLL), 611 W 98th St., Bloomington, MN 55420) Job No. 02807P201241

and as a condition precedent to the issuance of the requested permit, the *Principal* must submit and obtain the *Obligee's* approval of certain landscaping plans and provide a performance bond for the erosion control measures pursuant to *Bloomington City Code Sections 15.11 and 19.52*.

NOW THEREFORE, if the *Principal* fulfills all of the prescribed conditions or requirements as set forth in or attached to the above-described permit, including without limitation: completion of the landscaping in accordance with the approved plans and replace any vegetation that has died within one year of planting, and all conditions and requirements set forth by the City Council, City Code and State law within the time and in the manner specified therein, then this obligation shall be void. Should the *Principal* not fulfill the above-stated conditions and requirements as specified, then this obligation shall remain in full force and effect and recovery from the *Surety* of the bond amount may be had by the *Obligee*.

If any legal action be filed upon this bond, venue shall lie in the Fourth Judicial District, County of Hennepin, State of Minnesota and the *Obligee* shall be entitled to recover from the *Principal* all costs and disbursements, including reasonable attorney's fees.

Community Development

Planning and Economic Dev.
1800 W. Old Shakopee Road
Bloomington MN 55431-3027

PH 952-563-8920
FAX 952-563-8949
TTY 952-563-8740

E-MAIL planning@ci.bloomington.mn.us
www.ci.bloomington.mn.us

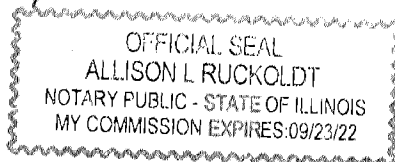
IN TESTIMONY WHEREOF, we have set our hands and seals this 3rdday of February, 2021, in the presence of:Gallant Construction
PRINCIPAL - Company, Inc.

By

Its

By

Its

PresidentDirector of ConstructionSTATE OF Illinois)
COUNTY OF McHenry) SS.The foregoing was acknowledged before me this 3rd day of February, 2021,
by James J Stahl and Andrew M Peterson
the President and Director of Construction of
Gallant Construction Co., Inc. a Illinois corporation
and Principal herein.Allison L Ruckoldt
Notary Public

Fidelity and Deposit Company of Maryland

SURETY -

Its

By

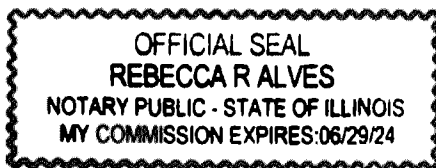
Its

William Reidinger

Attorney-in-Fact

Karen E. Bogard

Attorney-in-Fact

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS.The foregoing was acknowledged before me this 3rd day of February, 2021,
by William Reidinger and Karen E. Bogard
the Attorney-in-Fact and Attorney-in-Fact of
Fidelity and Deposit Company of Maryland a Maryland corporation
and Surety herein.Rebecca R. Alves
Notary Public
Rebecca R. Alves

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **BRIAN M. HODGES, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Donna M. TYLER, Hina AZAM, Karen E. BOGARD, William REIDINGER, Matthew V. BUOL, Joseph HALLERAN, Rebecca R. ALVES and Thomas GREEN, all of Schaumburg, Illinois, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 5th day of December, A.D. 2018.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: _____

*Assistant Secretary
Dawn E. Brown*

Brian M. Hodges

*Vice President
Brian M. Hodges*

**State of Maryland
County of Baltimore**

On this 5th day of December, A.D. 2018, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **BRIAN M. HODGES, Vice President, and DAWN E. BROWN, Assistant Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Constance A. Dunn

Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2019

