

Bond # MB-1314-64**MAINTENANCE BOND**

WHEREAS, THE UNDERSIGNED Z Floor Co., Ltd., hereinafter referred to as the Principal, has entered into a certain contract dated December 19, 2013 for the construction of:

12TH AVENUE RECREATION CENTER GYM FLOOR REPLACEMENT

WHEREAS, under the ordinances of said City of Norman the said Principal is required to furnish to the City a maintenance bond covering said construction, said bond to include the terms and provisions hereinafter set forth, as a condition precedent to final acceptance of said construction.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the said Principal and Oklahoma Surety Company, as a corporation organized under the laws of the State of Ohio and authorized to transact business in the State of Oklahoma, as surety, are jointly and severally, firmly held and bound unto said City in the penal sum of Sixty Seven Thousand Six Hundred Twenty Dollars (\$67,620), in lawful money of the United States of America, same being 100% of the cost of the construction herein referred to for the payment of which, well and truly to be made, we hereby bind ourselves, our heirs, executors, administrators, successors and assigns, firmly by these presents.

The condition of this bond is such that if the said Principal shall keep and maintain, subject to normal wear and tear, the said construction, except for defects not occasioned by improper workmanship, materials, or failure to protect new work until it is accepted, for a period of one year from the date of the written final acceptance thereof by the City, and shall promptly repair, without notice from the City, any and all defects or failures occurring or arising from improper workmanship, materials, or failure to protect new work until it is accepted within a period of one year without notice from said City, and without expense to said City, thence this obligation shall be null and void and of no force and effect; otherwise to be and remain in full force and effect at all times.

Provided further, however, that upon neglect, failure or refusal of the Principal to make any needed repairs upon said construction, or to maintain any part of the same, as set out in the preceding paragraph, within ten (10) days after the mailing of notice to the Principal by letter deposited in the United States Post Office at Norman, Oklahoma, addressed to the Principal at the address set forth below, then the Principal and surety shall jointly and severally be liable to the City, for the cost and expense for making such repairs, or otherwise maintaining the said construction.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said Contract and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said Principal has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its duly authorized officers, and the said Surety has

Bond # MB-1314-64

caused these presents to be executed in its name its corporate seal to be hereunto affixed by its attorney-in-fact, duly authorized to do so, the day and year first above written.

Executed and delivered this 20th day of December, 2013.

ATTEST: _____
Corporate Secretary Z Floor Co., Ltd
Company Name

Mailing Address of Principal: _____
BY _____
Principal

BY: Oklahoma Surety Company
John W. Schuler Surety Name
John W. Schuler Attorney-in-Fact

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, this _____ day of _____, 20____, personally appeared _____ to me known to be the identical person who executed the foregoing, and acknowledge to me that _____ executed the same as _____ free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

Notary Public
My Commission Expires: _____
Commission Number: _____

Approved as to form and legality this _____ day of _____, 20____.

City Attorney

Approved by the Council of the City of Norman, this _____ day of _____, 20____.

Mayor
ATTEST: _____
City Clerk

MID-CONTINENT CASUALTY COMPANY

OKLAHOMA SURETY COMPANY

STATE OF TEXAS

CLAIM NOTICE ENDORSEMENT

In accordance with Section 2253.021 (f) of the Texas Government Code and Section 53.202(6) of the Texas Property Code, any notice of claim to the named surety under this bond(s) should be sent to:

Mailing:

**MID-CONTINENT CASUALTY COMPANY
OKLAHOMA SURETY COMPANY
P.O. BOX 1409
TULSA, OK 74101**

TELEPHONE NO. 918-587-7221

Physical:

**1437 S. BOULDER
SUITE 200
TULSA, OKLAHOMA 74119**

ATTACH THIS NOTICE TO YOUR BOND

OKLAHOMA SURETY COMPANY

1437 SOUTH BOULDER, SUITE 200 • TULSA, OKLAHOMA 74119 • 918-587-7221 • FAX 918-588-1253

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the **OKLAHOMA SURETY COMPANY**, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof. **Lanny W. Larid, Tom Mulanax, John W. Schuler and Stephen R. Smith, individually of AUSTIN, TX**

IN WITNESS WHEREOF, the **OKLAHOMA SURETY COMPANY** has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **17** day of **October**, 2012



ATTEST

SARA ANDERSON

ASSISTANT SECRETARY

OKLAHOMA SURETY COMPANY

Todd Bazata

TODD BAZATA

VICE PRESIDENT

On this **17** day of **October**, 2012 before me personally appeared **TODD BAZATA**, to me known, being duly sworn, deposes and says that s/he resides in Tulsa, Oklahoma, that s/he is a Vice President of **Oklahoma Surety Company**, the company described in and which executed the above instrument, that s/he knows the seal of the said Company, that the seal affixed to the said instrument is such corporate seal, that it was so affixed by authority of her/his office under the By-Laws of said Company, and that s/he signed his name thereto by like authority

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS



Commission # 05000936

My Commission expires 01-26-13

L. FAY JESSEE

Notary Public

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of **Oklahoma Surety Company** by unanimous written consent dated September 25, 2009

RESOLVED: That the President, the Executive Vice President, the several Senior Vice Presidents and Vice Presidents or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof, to prescribe their respective duties and the respective limits of their authority, and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, SARA ANDERSON, Assistant Secretary of **Oklahoma Surety Company**, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of September 25, 2009 have not been revoked and are now in full force and effect

Signed and sealed this 20th day of December, 2013



SARA ANDERSON
Assistant Secretary

VOID IF BOX IS EMPTY