

Bond No. 09268375

### PERFORMANCE BOND

Know all men by these presents that Crossland Heavy Contractors, Inc., as PRINCIPAL, and Fidelity and Deposit Company of Maryland, a corporation organized under the laws of the State of Maryland, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto NORMAN UTILITIES AUTHORITY, a Public Trust of the State of Oklahoma, herein called AUTHORITY, in the sum of Six hundred thirty-nine thousand, five hundred fifty-three and no/100 Dollars (\$639,553.00), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the successful bidder on the following PROJECT:

LIFT STATION MODIFICATIONS FY17  
NORMAN, OKLAHOMA

has entered into a written CONTRACT (K-1718-6) with the AUTHORITY, dated \_\_\_\_\_ to perform and complete said PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if PRINCIPAL shall, in all particulars, well and truly perform and abide by the CONTRACT and all specifications and covenants thereto; and if the PRINCIPAL shall promptly pay or cause to be paid all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of this PROJECT, whether incurred by the PRINCIPAL or subcontractors; and if the PRINCIPAL shall protect and hold harmless the AUTHORITY from all loss, damage, and expense to life or property suffered or sustained by any person, firm, or corporation caused by the PRINCIPAL or his or its agents, servants, or employees in the construction of the PROJECT, or by or in consequence of any negligence, carelessness or misconduct in guarding and protecting the same, or from any act or omission of the PRINCIPAL or his or its agents, servants, or employees; and if the PRINCIPAL shall protect and save the AUTHORITY harmless from all suits and claims of infringement or alleged infringement or patent rights or processes, then this obligation shall be null and void. Otherwise this obligation shall remain in full force and effect.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in the 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.

It is further expressly agreed that the PRINCIPAL'S obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor and by the Secretary of the U.S. Department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the \_\_\_\_ day of \_\_\_\_\_, 2018, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative(s) on the \_\_\_\_ day of \_\_\_\_\_, 2018.

(Corporate Seal) (where applicable)

ATTEST

Holly Rhodes  
Corporate Secretary (where applicable)  
Holly Rhodes

Crossland Heavy Contractors, Inc.

PRINCIPAL

Signed: [Signature]  
Authorized Representative

Mark Sell, President

Name and Title

Address: P.O. Box 350, 501 S. East Avenue  
Columbus, KS 66725

Telephone: 620-429-1410

(Corporate Seal)

ATTEST

Carolyn J. Johnson  
Corporate Secretary Carolyn J. Johnson, Witness

Fidelity and Deposit Company of Maryland

SURETY

Signed: [Signature]  
Authorized Representative

Larissa Smith, Attorney-in-Fact

Name and Title

Address: 1299 Zurich Way, 5th Floor  
Schaumburg, IL 60196

Telephone: 847-605-6000

**CORPORATE ACKNOWLEDGEMENT**

STATE OF Kansas)  
COUNTY OF Cherokee) §

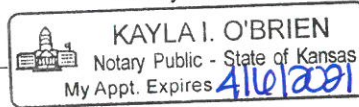
The foregoing instrument was acknowledged before me this 15 day of February, 2018, by  
Mark Sell, President of Crossland Heavy Contractors  
Name and Title Contractor

a Kansas corporation, on behalf of the corporation.  
(State)

WITNESS my hand and seal this 15 day of February, 2018.

Kayla I O'Brien  
Notary Public

My Commission Expires: 4/16/2021



NORMAN UTILITIES AUTHORITY

APPROVED as to form and legality this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
AUTHORITY Attorney

Approved by the Trustees of the NORMAN UTILITIES AUTHORITY this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

NORMAN UTILITIES AUTHORITY

ATTEST

By: \_\_\_\_\_

Title: Chairman

\_\_\_\_\_

Secretary