

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: _____

Meeting Type: Regular

Meeting Date: Nov 5, 2015

Action Requested By: Legal

Agenda Type: Resolution

Subject Matter:

Invoking Letter of Credit.

Exact Wording for the Agenda:

Resolution authorizing the Clerk-Treasurer to invoke Travelers Surety Bond Letter of Credit No. BE0931542 for Stonemark Subdivision.

Note: If amendment, Please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what council action will provide, allow and accomplish and; any other information that might be helpful.

Associated Cost: _____

Budgeted Item: Not Applicable

MAYOR RECOMMENDS OR CONCURS: Yes

Department Head:  _____

Date: 10.27.15

RESOLUTION NO. 15-_____

WHEREAS, Travelers Surety Bond issued a certain letter of credit (No. BE0931542), a copy of which is attached hereto and incorporated herein by reference, including any amendments thereto, in favor of the City of Huntsville, Alabama pursuant to Article 5 of the Subdivision Regulations for the City of Huntsville, Alabama; and

WHEREAS, the letter of credit is due to be invoked and the proceeds used in accordance with said subdivision regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the City of Huntsville Clerk-Treasurer be and is hereby authorized to present for payment to Travelers Surety Bond Letter of Credit No. BE0931542, prior to the expiration date thereof, with the language as specified in said Letter of Credit.

ADOPTED this the 5th day of November, 2015.

President of the City Council
of the City of Huntsville,
Alabama

APPROVED this the 5th day of November, 2015.

Mayor of the City of
Huntsville, Alabama

Stonemark

TRAVELERS

485 Lexington Avenue
New York, NY 10004

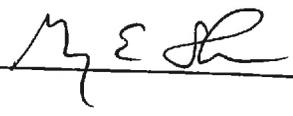
Continuation Certificate

To be attached to Bond described below, executed by **THE TRAVELERS INDEMNITY COMPANY**, as Surety,
Stonemark Development Corporation as Principal,
City of Huntsville, AL, as Oblige, on Bond No. BE0931542,
a Subdivision Maintenance Bond for Stonemark Subdivision, Sectors 3,5,6, and 8

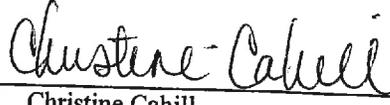
Said Principal and said Surety hereby agree that the term thereof be and hereby is extended
from the 23rd day of November, 2014, to the 23rd day of November, 2015
subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability
there under during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event
exceed the sum of Sixty Four Thousand Nine Hundred and 00/100 ----- \$ 64,900.00

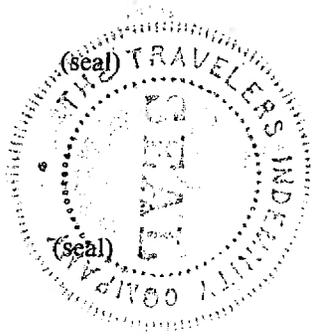
IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to be duly signed and their
respective seals to be hereto affixed this 29th day of October, 2014

Stonemark Development Corporation
Principal

By 

THE TRAVELERS INDEMNITY COMPANY

By 
Christine Cahill Attorney-In-Fact



MW 11-24-14

OK

12-4-14

OK
CENT
12/4/14

DB 11-25-14

STATE OF CONNECTICUT, COUNTY OF HARTFORD - SS:

On this 7th day of October in the year 2009 before me personally came George W. Thompson to me known, who, being by me duly sworn, did depose and say: that he resides in the State of Connecticut; that he is Senior Vice President (Bond & Financial Products) of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the above instrument; that he signed his name thereto by the above quoted authority; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, and that it was so affixed by authority of his office under the by-laws of said corporation.



Marie C Tetreault

My commission expires June 30, 2011 Notary Public Marie C. Tetreault

CERTIFICATION

I, Kori M. Johanson, Assistant Secretary (Bond & Financial Products) of THE TRAVELERS INDEMNITY COMPANY, certify that the foregoing power of attorney, and the above quoted Resolutions of the Board of Directors of November 1, 1985 have not been abridged or revoked and are now in full force and effect.

Signed and Sealed at Hartford, Connecticut, this 29th day of October 20 14.



Kori M. Johanson

Kori M. Johanson, Assistant Secretary Bond & Financial Products

State of New York County of New York SS:
On this 29th day of October, 20 14, before me personally came Christine Cahill to me

known, who, being by me duly sworn, did depose and say: that he/she resides in New York; that he/she is Attorney-in-Fact of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he/she signed his/her name thereto by the above quoted authority; that he/she knows the corporate seal of said company; that the seal affixed to said instrument is such corporate seal of said company; that it was so affixed by the authority granted in accordance with the by-laws of said corporation; that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the Laws of the State of New York for the year 1939 constituting Chapter 28 of the Consolidated Laws of the State of New York known as the Insurance Law, issued to THE TRAVELERS INDEMNITY COMPANY this certificate that said Company is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guarantees and other obligations required or permitted by law; and that such certificate has not been revoked.

[Signature]

Notary Public

My commission expires 1/22/15

THE TRAVELERS INDEMNITY COMPANY
HARTFORD, CONNECTICUT

If necessary, validation of this power of attorney is available at (860) 277-3911

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That THE TRAVELERS INDEMNITY COMPANY, a corporation of the State of Connecticut, does hereby make, constitute and appoint Christine Cahill, Stephen A. Timpone, and Daniel S. Frey, of New York, New York, its true and lawful Attorney(s)-in-Fact, with full power and authority, for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto, if a seal is required, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof, as follows:

Any and all bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof...

and to bind THE TRAVELERS INDEMNITY COMPANY thereby, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This appointment is made under and by authority of the following Resolutions adopted by the Board of Directors of THE TRAVELERS INDEMNITY COMPANY at a meeting duly called and held on the 1st day of November, 1985 which Resolutions are now in full force and effect:

VOTED: That the Chairman of the Board, the President, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Corporate Secretary or any Department Secretary may appoint attorneys-in-fact or agents with power and authority, as defined or limited in their respective powers of attorney, for and on behalf of the Company to execute and deliver, and affix the seal of the Company thereto, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof and any of said officers may remove any such attorney-in-fact or agent and revoke the power and authority given to him.

VOTED: That any bond, undertaking, recognizance, consent of surety or written obligation in the nature thereof shall be valid and binding upon the Company when signed by the Chairman of the Board, the President, any Executive Vice President, any Senior Vice President, any Vice President or any Second Vice President and duly attested and sealed, if a seal is required, by the Corporate Secretary or any Department Secretary or any Assistant Corporate Secretary or any Assistant Department Secretary, or shall be valid and binding upon the Company when duly executed and sealed, if a seal is required, by a duly authorized attorney-in-fact or agent, pursuant to and within the limits of the authority granted by his or her power of attorney.

This power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of THE TRAVELERS INDEMNITY COMPANY at a meeting duly called and held on the 1st day of November, 1985:

VOTED: That the signature of any officer authorized by Resolutions of this board and the Company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance 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.

IN WITNESS WHEREOF, THE TRAVELERS INDEMNITY COMPANY has caused these presents to be signed by its proper officer and its corporate seal to be hereunto affixed this 7th day of October in the year 2009.

THE TRAVELERS INDEMNITY COMPANY

By:



Senior Vice President, Bond & Financial Products





Stonemark

485 Lexington Avenue
New York, NY 10004

Continuation Certificate

To be attached to Bond described below, executed by **THE TRAVELERS INDEMNITY COMPANY**, as Surety,

Stonemark Development Corporation as Principal,

City of Huntsville, AL, as Obligee, on Bond No. BE0931542,

a Subdivision Maintenance Bond for Stonemark Subdivision, Sectors 3,5,6, and 8

Said Principal and said Surety hereby agree that the term thereof be and hereby is extended from the 23rd day of November, 2013, to the 23rd day of November, 2014 subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability there under during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event exceed the sum of Sixty Four Thousand Nine Hundred and 00/100 -----\$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to be duly signed and their respective seals to be hereto affixed this 7th day of November, 2013

Stonemark Development Corporation

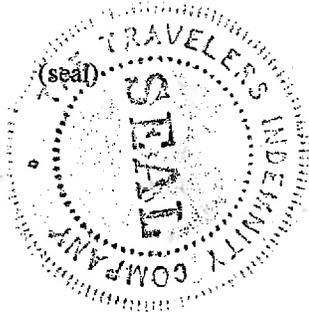
Principal

(seal)

By [Signature]

THE TRAVELERS INDEMNITY COMPANY

By Christine Cahill
Christine Cahill Attorney-In-Fact



Exid

MW 11-22-13
DS 11-25-13
or Kcd
11/27/13

THE TRAVELERS INDEMNITY COMPANY
HARTFORD, CONNECTICUT

If necessary, validation of this power of attorney is available at (860) 277-3911

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That THE TRAVELERS INDEMNITY COMPANY, a corporation of the State of Connecticut, does hereby make, constitute and appoint Christine Cahill, Stephen A. Timpone, and Daniel S. Frey, of New York, New York, its true and lawful Attorney(s)-in-Fact, with full power and authority, for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto, if a seal is required, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof, as follows:

Any and all bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof...

and to bind THE TRAVELERS INDEMNITY COMPANY thereby, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This appointment is made under and by authority of the following Resolutions adopted by the Board of Directors of THE TRAVELERS INDEMNITY COMPANY at a meeting duly called and held on the 1st day of November, 1985 which Resolutions are now in full force and effect:

VOTED: That the Chairman of the Board, the President, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Corporate Secretary or any Department Secretary may appoint attorneys-in-fact or agents with power and authority, as defined or limited in their respective powers of attorney, for and on behalf of the Company to execute and deliver, and affix the seal of the Company thereto, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof and any of said officers may remove any such attorney-in-fact or agent and revoke the power and authority given to him.

VOTED: That any bond, undertaking, recognizance, consent of surety or written obligation in the nature thereof shall be valid and binding upon the Company when signed by the Chairman of the Board, the President, any Executive Vice President, any Senior Vice President, any Vice President or any Second Vice President and duly attested and sealed, if a seal is required, by the Corporate Secretary or any Department Secretary or any Assistant Corporate Secretary or any Assistant Department Secretary, or shall be valid and binding upon the Company when duly executed and sealed, if a seal is required, by a duly authorized attorney-in-fact or agent, pursuant to and within the limits of the authority granted by his or her power of attorney.

This power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of THE TRAVELERS INDEMNITY COMPANY at a meeting duly called and held on the 1st day of November, 1985:

VOTED: That the signature of any officer authorized by Resolutions of this board and the Company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance 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.

IN WITNESS WHEREOF, THE TRAVELERS INDEMNITY COMPANY has caused these presents to be signed by its proper officer and its corporate seal to be hereunto affixed this 7th day of October in the year 2009.



THE TRAVELERS INDEMNITY COMPANY

By:

Senior Vice President, Bond & Financial Products

2100100100
100100100100
100100100100
100100100100
100100100100

TRAVELERS

Stonemark

485 Lexington Avenue
New York, NY 10004

Continuation Certificate

To be attached to Bond described below, executed by **THE TRAVELERS INDEMNITY COMPANY**, as Surety,

Stonemark Development Corporation as Principal,

City of Huntsville, AL, as Obligee, on Bond No. BE0931542,

a Subdivision Maintenance Bond for Stonemark Subdivision, Sectors 3,5,6, and 8

Said Principal and said Surety hereby agree that the term thereof be and hereby is extended from the 23rd day of November, 2012, to the 23rd day of November, 2013 subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability there under during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event exceed the sum of Sixty Four Thousand Nine Hundred and no/100 ----- \$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to be duly signed and their respective seals to be hereto affixed this 16th day of October, 2012

Stonemark Development Corporation
Principal

(seal) By *M. E. Sh...*, *Poes*

THE TRAVELERS INDEMNITY COMPANY

(seal) By *Christine Cahill*
Christine Cahill, Attorney-In-Fact

OK
CEA
11/20/12

MW 11-1-12
DS 11-5-12

PK CEA
11/20/12

OF CONNECTICUT, COUNTY OF HARTFORD - SS:

On this 7th day of October in the year 2009 before me personally came George W. Thompson to me known, who, by me duly sworn, did depose and say: that he resides in the State of Connecticut; that he is Senior Vice President (Bond & Financial Products) of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the instrument; that he signed his name thereto by the above quoted authority; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, and that it was so affixed by authority of his office under the by-laws of said corporation.



Marie C Tetreault

My commission expires June 30, 2011 Notary Public
Marie C. Tetreault

CERTIFICATION

I, Kori M. Johanson, Assistant Secretary (Bond & Financial Products) of THE TRAVELERS INDEMNITY COMPANY, certify that the foregoing power of attorney, and the above quoted Resolutions of the Board of Directors of November 1, 1985 have not been abridged or revoked and are now in full force and effect.

Signed and Sealed at Hartford, Connecticut, this 16th day of October 20 12 .



Kori M Johanson

Kori M. Johanson, Assistant Secretary
Bond & Financial Products

State of New York County of New York SS:
On this 16th day of October, 20 12, before me personally came
Christine CARILL to me

known, who, being by me duly sworn, did depose and say: that he/she resides in New York; that he/she is Attorney-in-Fact of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he/she signed his/her name thereto by the above quoted authority; that he/she knows the corporate seal of said company; that the seal affixed to said instrument is such corporate seal of said company; that it was so affixed by the authority granted in accordance with the by-laws of said corporation; that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the Laws of the State of New York for the year 1939 constituting Chapter 28 of the Consolidated Laws of the State of New York known as the Insurance Law, issued to THE TRAVELERS INDEMNITY COMPANY this certificate that said Company is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guarantees and other obligations required or permitted by law; and that such certificate has not been revoked.

Kyoko Heshimu

Notary Public

My commission expires 10-03-13

KYOKO HESHIMU
Notary Public - State of New York
No. 01HE6134757
Qualified in Richmond County
My Commission Expires October 3, 2013

THE TRAVELERS INDEMNITY COMPANY
HARTFORD, CONNECTICUT

If necessary, validation of this power of attorney is available at (860) 277-3911

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That THE TRAVELERS INDEMNITY COMPANY, a corporation of the State of Connecticut, does hereby make, constitute and appoint Christine Cahill, Stephen A. Timpone, and Daniel S. Frey, of New York, New York, its true and lawful Attorney(s)-in-Fact, with full power and authority, for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto, if a seal is required, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof, as follows:

Any and all bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof...

and to bind THE TRAVELERS INDEMNITY COMPANY thereby, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This appointment is made under and by authority of the following Resolutions adopted by the Board of Directors of THE TRAVELERS INDEMNITY COMPANY at a meeting duly called and held on the 1st day of November, 1985 which Resolutions are now in full force and effect:

VOTED: That the Chairman of the Board, the President, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Corporate Secretary or any Department Secretary may appoint attorneys-in-fact or agents with power and authority, as defined or limited in their respective powers of attorney, for and on behalf of the Company to execute and deliver, and affix the seal of the Company thereto, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof and any of said officers may remove any such attorney-in-fact or agent and revoke the power and authority given to him.

VOTED: That any bond, undertaking, recognizance, consent of surety or written obligation in the nature thereof shall be valid and binding upon the Company when signed by the Chairman of the Board, the President, any Executive Vice President, any Senior Vice President, any Vice President or any Second Vice President and duly attested and sealed, if a seal is required, by the Corporate Secretary or any Department Secretary or any Assistant Corporate Secretary or any Assistant Department Secretary, or shall be valid and binding upon the Company when duly executed and sealed, if a seal is required, by a duly authorized attorney-in-fact or agent, pursuant to and within the limits of the authority granted by his or her power of attorney.

This power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of THE TRAVELERS INDEMNITY COMPANY at a meeting duly called and held on the 1st day of November, 1985:

VOTED: That the signature of any officer authorized by Resolutions of this board and the Company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance 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.

IN WITNESS WHEREOF, THE TRAVELERS INDEMNITY COMPANY has caused these presents to be signed by its proper officer and its corporate seal to be hereunto affixed this 7th day of October in the year 2009.

THE TRAVELERS INDEMNITY COMPANY

By:



Senior Vice President, Bond & Financial Products



Stonemark - sidewalk
S/W EXT

TRAVELERS

485 Lexington Avenue
New York, NY 10004

Continuation Certificate

To be attached to Bond described below, executed by **THE TRAVELERS INDEMNITY COMPANY**, as Surety,
Stonemark Development Corporation as Principal,
City of Huntsville, as Obligee, on Bond No. BE0931542

a Stonemark Development Corporation

Said Principal and said Surety hereby agree that the term thereof be and hereby is extended
from the 23rd day of November, 2011, to the 23rd day of November, 2012
subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability
there under during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event
exceed the sum of Sixty Four Thousand Nine Hundred and no/100 ----- \$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to be duly signed and their
respective seals to be hereto affixed this 2nd day of November, 2011

Stonemark Development Corporation
Principal

By [Signature], President

THE TRAVELERS INDEMNITY COMPANY

By [Signature]
Christine Cahill, Attorney-In-Fact

(seal)

(seal)

OK
PPG
11-18-11

OK
CEID
11/21/11

MW 11-18-11

DB 11-17-11

STATE OF CONNECTICUT, COUNTY OF HARTFORD - SS:

On this 7th day of October in the year 2009 before me personally came George W. Thompson to me known, who, being by me duly sworn, did depose and say: that he resides in the State of Connecticut; that he is Senior Vice President (Bond & Financial Products) of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the above instrument; that he signed his name thereto by the above quoted authority; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, and that it was so affixed by authority of his office under the by-laws of said corporation.



Marie C Tetreault

My commission expires June 30, 2011 Notary Public
Marie C. Tetreault

CERTIFICATION

I, Kori M. Johanson, Assistant Secretary (Bond & Financial Products) of THE TRAVELERS INDEMNITY COMPANY, certify that the foregoing power of attorney, and the above quoted Resolutions of the Board of Directors of November 1, 1985 have not been abridged or revoked and are now in full force and effect.

Signed and Sealed at Hartford, Connecticut, this 2nd day of November 20 11 .



Kori M Johanson

Kori M. Johanson, Assistant Secretary
Bond & Financial Products

State of New York County of New York SS:
On this 2nd day of November, 20 11, before me personally came
Christine Cahill to me

known, who, being by me duly sworn, did depose and say: that he/she resides in New York; that he/she is Attorney-in-Fact of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he/she signed his/her name thereto by the above quoted authority; that he/she knows the corporate seal of said company; that the seal affixed to said instrument is such corporate seal of said company; that it was so affixed by the authority granted in accordance with the by-laws of said corporation; that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the Laws of the State of New York for the year 1939 constituting Chapter 28 of the Consolidated Laws of the State of New York known as the Insurance Law, issued to THE TRAVELERS INDEMNITY COMPANY this certificate that said Company is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guarantees and other obligations required or permitted by law; and that such certificate has not been revoked.

Kyoko Heshimu

Notary Public

My commission expires 10-03-13

KYOKO HESHIMU
Notary Public - State of New York
No. 01HE0134757
Qualified in Richmond County
My Commission Expires October 3, 2013



TRAVELERS

485 Lexington Avenue, 4th FL
New York, NY 10017

S/W
MT
Kary
319-7911

Continuation Certificate

To be attached to Bond described below, executed by **THE TRAVELERS INDEMNITY COMPANY**, as Surety,
Stonemark Development Corporation as Principal,
City of Huntsville, as Oblige, on Bond No. BE0931542,
a Subdivision Maintenance Bond

Said Principal and said Surety hereby agree that the term thereof be and hereby is extended
from the 23rd day of November, 2010, to the 23rd day of November, 2011
subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability
there under during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event
exceed the sum of Sixty Four Thousand Nine Hundred and no/100 ----- \$ 64,900

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to be duly signed and their
respective seals to be hereto affixed this 10th day of November, 2010

Stonemark Development Corporation
Principal

(seal)

By [Signature]

THE TRAVELERS INDEMNITY COMPANY

(seal)

By Christine Cahill
Christine Cahill, Attorney-In-Fact

MW 11-22-10
DS 11-22-10
OK
CEB
11/22/10
OK KCA 11/22/10



485 Lexington Avenue, 4th FL
New York, NY 10017

*S/w
ent*

Continuation Certificate

To be attached to Bond described below, executed by **THE TRAVELERS INDEMNITY COMPANY**, as Surety,
Stonemark Development Corporation as Principal,
City of Huntsville, as Oblige, on Bond No. BE0931542,

a Subdivision Bond

Said Principal and said Surety hereby agree that the term thereof be and hereby is extended
from the 23rd day of November, 2009, to the 23rd day of November, 2010
subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability
there under during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event
exceed the sum of Sixty Four Thousand Nine Hundred and no/100 ----- \$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to be duly signed and their
respective seals to be hereto affixed this 18th day of November, 2009

Stonemark Development Corporation
Principal

(seal)

By *[Signature]*, President

THE TRAVELERS INDEMNITY COMPANY

(seal)

By *[Signature]*
Christine Cahill, Attorney-In-Fact

*OK OAC 11/23/09
OK ENT 11/23/09
OK KCA 11/23/09*



Assumption of Liability Certificate

Obligee: Stonemark Development Corporation

Principal: City of Huntsville

This certifies that, in consideration of the agreements and covenants herein contained and other good and valuable consideration, The Travelers Indemnity Company hereby assumes liability as Surety under Gulf Insurance Company Bond Number BE0931542 executed and previously filed by Gulf Insurance Company hereinafter referred to as the Company, in favor of the above-named Obligee.

By issuance of this Certificate, it is agreed:

1. That the liability of The Travelers Indemnity Company under said bond (a) shall be subject to all of the terms, conditions, limitations and warranties contained in said bond and any amendment thereto or agreement between the Obligee and the Company affecting the same; and (b) shall in no event be greater than would have been the liability of the Company had this Certificate not been issued.
2. That all rights of the Company, which would have been available to the Company by reason of its suretyship under the aforementioned bond, or otherwise, if this Certificate had not been executed, shall inure to the benefit of and be fully enforceable by The Travelers Indemnity Company
3. This assumption of liability by The Travelers Indemnity Company under the said bond is effective as of the date hereof and the liability of the Company under the said bond is simultaneously terminated hereby to the extent that such liability is assumed by The Travelers Indemnity Company.
4. Signed and dated this 18th day of November 2009.

The Travelers Indemnity Company

By: Christine Cahill
Christine Cahill, Attorney-In-Fact

____ Agent's Copy
____ Principal's Copy

OK OKC 11/23/09



IMPORTANT DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

On November 26, 2002, President Bush signed into law the Terrorism Risk Insurance Act of 2002 (the "Act"). The Act establishes a short-term program under which the Federal Government will share in the payment of covered losses caused by certain acts of international terrorism. We are providing you with this notice to inform you of the key features of the Act, and to let you know what effect, if any, the Act will have on your premium.

Under the Act, insurers are required to provide coverage for certain losses caused by international acts of terrorism as defined in the Act. The Act further provides that the Federal Government will pay a share of such losses. Specifically, the Federal Government will pay 90% of the amount of covered losses caused by certain acts of terrorism which is in excess of an insurer's statutorily established deductible for that year. The Act also caps the amount of terrorism-related losses for which the Federal Government or an insurer can be responsible at \$100,000,000,000.00, provided that the insurer has met its deductible.

Please note that passage of the Act does not result in any change in coverage under the attached policy or bond (or the policy or bond being quoted). Please also note that no separate additional premium charge has been made for the terrorism coverage required by the Act. The premium charge that is allocable to such coverage is inseparable from and imbedded in your overall premium, and is no more than one percent of your premium.

TRAVELERS

485 Lexington Avenue, 4th Floor
New York, NY 10004

*Sw
att*

Continuation Certificate

To be attached to Bond described below, executed by **THE TRAVELERS INDEMNITY COMPANY**, as Surety,

Stonemark Development Corporation as Principal,

City of Huntsville, as Obligee, on Bond No. BE0931542,

a Stonemark Development Corporation

Said Principal and said Surety hereby agree that the term thereof be and hereby is extended from the 23rd day of November, 2008, to the 23rd day of November, 2009 subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability there under during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event exceed the sum of Sixty Four Thousand Nine Hundred and no/100 -----\$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to be duly signed and their respective seals to be hereto affixed this 3rd day of November, 2008

Stonemark Development Corporation

Principal

(seal)

By *M. E. Sh...*

THE TRAVELERS INDEMNITY COMPANY

(seal)

By *Christine Cahill*
Christine Cahill, Attorney-In-Fact

*OK
CST
12/9/08*

JK OK 11/17/08

IK DM 11/19/08

AK 11/19/08

STATE OF CONNECTICUT, COUNTY OF HARTFORD - SS:

On this 21st day of March in the year 2007 before me personally came George W. Thompson to me known, who, being by me duly sworn, did depose and say: that he resides in the State of Connecticut; that he is Senior Vice President (Bond & Financial Products) of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he signed his name thereto by the above quoted authority; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, and that it was so affixed by authority of his office under the by-laws of said corporation.



Marie C Tetreault

My commission expires June 30, 2011 Notary Public
Marie C. Tetreault

CERTIFICATION

I, Kori M. Johanson, Assistant Secretary (Bond & Financial Products) of THE TRAVELERS INDEMNITY COMPANY, certify that the foregoing power of attorney, and the above quoted Resolutions of the Board of Directors of November 1, 1985 have not been abridged or revoked and are now in full force and effect.

Signed and Sealed at Hartford, Connecticut, this 3rd day of November 20 08 .



Kori M Johanson

Kori M. Johanson, Assistant Secretary
Bond & Financial Products

State of New York County of New York SS:

On this 3rd day of November, 20 08, before me personally came Christine Cahill to me

known, who, being by me duly sworn, did depose and say: that he/she resides in New York; that he/she is Attorney-in-Fact of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he/she signed his/her name thereto by the above quoted authority; that he/she knows the corporate seal of said company; that the seal affixed to said instrument is such corporate seal of said company; that it was so affixed by the authority granted in accordance with the by-laws of said corporation; that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the Laws of the State of New York for the year 1939 constituting Chapter 28 of the Consolidated Laws of the State of New York known as the insurance Law, issued to THE TRAVELERS INDEMNITY COMPANY this certificate that said Company is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guarantees and other obligations required or permitted by law; and that such certificate has not been revoked.

Kyoko Heshimu

Notary Public

My commission expires 10-03-09



IMPORTANT DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

On November 26, 2002, President Bush signed into law the Terrorism Risk Insurance Act of 2002 (the "Act"). The Act establishes a short-term program under which the Federal Government will share in the payment of covered losses caused by certain acts of international terrorism. We are providing you with this notice to inform you of the key features of the Act, and to let you know what effect, if any, the Act will have on your premium.

Under the Act, insurers are required to provide coverage for certain losses caused by international acts of terrorism as defined in the Act. The Act further provides that the Federal Government will pay a share of such losses. Specifically, the Federal Government will pay 90% of the amount of covered losses caused by certain acts of terrorism which is in excess of an insurer's statutorily established deductible for that year. The Act also caps the amount of terrorism-related losses for which the Federal Government or an insurer can be responsible at \$100,000,000,000.00, provided that the insurer has met its deductible.

Please note that passage of the Act does not result in any change in coverage under the attached policy or bond (or the policy or bond being quoted). Please also note that no separate additional premium charge has been made for the terrorism coverage required by the Act. The premium charge that is allocable to such coverage is inseparable from and imbedded in your overall premium, and is no more than one percent of your premium.

Gulf Insurance Group
A member of Citigroup

2636 Elm Hill Pike, Suite 500
Nashville, Tennessee 37214

BOND RIDER

To be attached to and form a part of Subdivision Maintenance Bond

Bond No. 67077 Dated 13th of November, 1995

Stonemark Development Corporation, as Principal, and

GULF INSURANCE COMPANY, as Surety, in favor of City of Huntsville

_____ as Obligee.

It is understood and agreed that the Bond is changed or revised in the particulars as indicated below:

The surety company has hereby been changed from: Frontier Insurance Company

to

Gulf Insurance Company

The bond number has hereby been changed from 67077 to BE 0931542

Said Bond shall be subject to all its terms, conditions, and limitations, except as herein expressly modified.

This Bond Rider shall become effective: November 13, 2000

IN WITNESS WHEREOF, GULF INSURANCE COMPANY has caused its corporate seal to be hereunto affixed

this: November 17th, 2000

GULF INSURANCE COMPANY

Suzanne Y. Sittler (Seal)
Suzanne Y. Sittler Attorney-in-Fact

FOR RC 02/01

2/16-01

2/9-01
Suzanne Y. Sittler



Sw
AT

One State Street Plaza, 9th FL
New York, NY 10004

Continuation Certificate

To be attached to Bond described below, executed by **THE TRAVELERS INDEMNITY COMPANY**, as Surety,
Stonemark Development Corporation as Principal,

City of Huntsville, as Oblige; on Bond No. BE0931542,

a Stonemark Development Corporation

Said Principal and said Surety hereby agree that the term thereof be and hereby is extended
from the 23rd day of November, 2007, to the 23rd day of November, 2008
subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability
there under during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event
exceed the sum of Sixty Four Thousand Nine Hundred and no/100 ----- \$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to be duly signed and their
respective seals to be hereto affixed this 16th day of November, 2007

Stonemark Development Corporation
Principal

(seal) By [Signature]

THE TRAVELERS INDEMNITY COMPANY

(seal) By [Signature]
Christine Cahill, Attorney-In-Fact

OK MK 12/17/07
OK TR 1-7-08

OK
CEI
1/11/08

**THE TRAVELERS INDEMNITY COMPANY
HARTFORD, CONNECTICUT**

If necessary, validation of this power of attorney is available at (860) 2773911

POWER OF ATTORNEY

MA COUNTY EXCHANGE...
CONNECTICUT...
HARTFORD...
MORNING...
KACIKO...
KACIKO...
KACIKO...

KNOW ALL MEN BY THESE PRESENTS:

That THE TRAVELERS INDEMNITY COMPANY, a corporation of the State of Connecticut, does hereby make, constitute and appoint **Christine Cahill, Nicholas J. Licato and Paul H. Eddy, of New York, New York**, its true and lawful Attorney(s)-in-Fact, with full power and authority, for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto, if a seal is required, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof, as follows:

Any and all bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof...

and to bind THE TRAVELERS INDEMNITY COMPANY thereby, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This appointment is made under and by authority of the following Resolutions adopted by the Board of Directors of THE TRAVELERS INDEMNITY COMPANY at a meeting duly called and held on the 1st day of November, 1985 which Resolutions are now in full force and effect:

VOTED: That the Chairman of the Board, the President, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Corporate Secretary or any Department Secretary may appoint attorneys-in-fact or agents with power and authority, as defined or limited in their respective powers of attorney, for and on behalf of the Company to execute and deliver, and affix the seal of the Company thereto, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof and any of said officers may remove any such attorney-in-fact or agent and revoke the power and authority given to him.

VOTED: That any bond, undertaking, recognizance, consent of surety or written obligation in the nature thereof shall be valid and binding upon the Company when signed by the Chairman of the Board, the President, any Executive Vice President, any Senior Vice President, any Vice President or any Second Vice President and duly attested and sealed, if a seal is required, by the Corporate Secretary or any Department Secretary or any Assistant Corporate Secretary or any Assistant Department Secretary, or shall be valid and binding upon the Company when duly executed and sealed, if a seal is required, by a duly authorized attorney-in-fact or agent, pursuant to and within the limits of the authority granted by his or her power of attorney.

This power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of THE TRAVELERS INDEMNITY COMPANY at a meeting duly called and held on the 1st day of November, 1985:

VOTED: That the signature of any officer authorized by Resolutions of this board and the Company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance 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.

IN WITNESS WHEREOF, THE TRAVELERS INDEMNITY COMPANY has caused these presents to be signed by its proper officer and its corporate seal to be hereunto affixed this 21st day of March in the year 2007.



THE TRAVELERS INDEMNITY COMPANY

By:

Senior Vice President, Bond & Financial Products

STATE OF CONNECTICUT, COUNTY OF HARTFORD - SS:

On this 21st day of March in the year 2007 before me personally came George W. Thompson to me known, who, being by me duly sworn, did depose and say: that he resides in the State of Connecticut; that he is Senior Vice President (Bond & Financial Products) of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he signed his name thereto by the above quoted authority; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, and that it was so affixed by authority of his office under the by-laws of said corporation.



Marie C Tetreault

My commission expires June 30, 2011 Notary Public
Marie C. Tetreault

CERTIFICATION

I, Kori M. Johanson, Assistant Secretary (Bond & Financial Products) of THE TRAVELERS INDEMNITY COMPANY, certify that the foregoing power of attorney, and the above quoted Resolutions of the Board of Directors of November 1, 1985 have not been abridged or revoked and are now in full force and effect.

Signed and Sealed at Hartford, Connecticut, this 16th day of November 20 07



Kori M Johanson

Kori M. Johanson, Assistant Secretary
Bond & Financial Products

State of New York County of New York SS:

On this 16th day of November, 20 07, before me personally came Christine Cahill to me

known, who, being by me duly sworn, did depose and say: that he/she resides in New York; that he/she is Attorney-in-Fact of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he/she signed his/her name thereto by the above quoted authority; that he/she knows the corporate seal of said company; that the seal affixed to said instrument is such corporate seal of said company; that it was so affixed by the authority granted in accordance with the by-laws of said corporation; that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the Laws of the State of New York for the year 1939 constituting Chapter 28 of the Consolidated Laws of the State of New York known as the Insurance Law, issued to THE TRAVELERS INDEMNITY COMPANY this certificate that said Company is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guarantees and other obligations required or permitted by law; and that such certificate has not been revoked.

Kyoko Heshimu

Notary Public

My commission expires 10-03-09

KYOKO HESHIMU
Notary Public - State of New York
01HE6134757
Qualified in RICHMOND County
My Comm. Expires OCTOBER 03, 2009

THE TRAVELERS INDEMNITY COMPANY

HARTFORD, CONNECTICUT

If necessary, validation of this power of attorney is available at (860) 277-3911

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That THE TRAVELERS INDEMNITY COMPANY, a corporation of the State of Connecticut, does hereby make, constitute and appoint

Christine Cahill, Mark Fitzgerald and Daniel S. Frey of New York, New York

its true and lawful Attorney(s)-in-Fact, with full power and authority, for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto, if a seal is required, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof, as follows:

Any and all bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof...

and to bind THE TRAVELERS INDEMNITY COMPANY thereby, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This appointment is made under and by authority of the following Resolutions adopted by the Board of Directors of THE TRAVELERS INDEMNITY COMPANY at a meeting duly called and held on the 1st day of November, 1985 which Resolutions are now in full force and effect:

VOTED: That the Chairman of the Board, the President, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Corporate Secretary or any Department Secretary may appoint attorneys-in-fact or agents with power and authority, as defined or limited in their respective powers of attorney, for and on behalf of the Company to execute and deliver, and affix the seal of the Company thereto, bonds, undertakings, recognizances, consents of surety or other written obligations in the nature thereof and any of said officers may remove any such attorney-in-fact or agent and revoke the power and authority given to him.

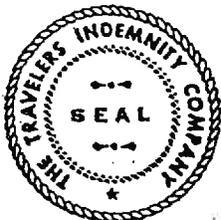
VOTED: That any bond, undertaking, recognizance, consent of surety or written obligation in the nature thereof shall be valid and binding upon the Company when signed by the Chairman of the Board, the President, any Executive Vice President, any Senior Vice President, any Vice President or any Second Vice President and duly attested and sealed, if a seal is required, by the Corporate Secretary or any Department Secretary or any Assistant Corporate Secretary or any Assistant Department Secretary, or shall be valid and binding upon the Company when duly executed and sealed, if a seal is required, by a duly authorized attorney-in-fact or agent, pursuant to and within the limits of the authority granted by his or her power of attorney.

This power of attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of THE TRAVELERS INDEMNITY COMPANY at a meeting duly called and held on the 1st day of November, 1985:

VOTED: That the signature of any officer authorized by Resolutions of this board and the Company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance 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.

IN WITNESS WHEREOF, THE TRAVELERS INDEMNITY COMPANY has caused these presents to be signed by its proper officer and its corporate seal to be hereunto affixed this 6th day of June in the year 2005.

THE TRAVELERS INDEMNITY COMPANY



Handwritten signature of Paul H. Eddy

By: Paul H. Eddy, Senior Vice President



IMPORTANT DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

On November 26, 2002, President Bush signed into law the Terrorism Risk Insurance Act of 2002 (the "Act"). The Act establishes a short-term program under which the Federal Government will share in the payment of covered losses caused by certain acts of international terrorism. We are providing you with this notice to inform you of the key features of the Act, and to let you know what effect, if any, the Act will have on your premium.

Under the Act, insurers are required to provide coverage for certain losses caused by international acts of terrorism as defined in the Act. The Act further provides that the Federal Government will pay a share of such losses. Specifically, the Federal Government will pay 90% of the amount of covered losses caused by certain acts of terrorism which is in excess of an insurer's statutorily established deductible for that year. The Act also caps the amount of terrorism-related losses for which the Federal Government or an insurer can be responsible at \$100,000,000,000.00, provided that the insurer has met its deductible.

Please note that passage of the Act does not result in any change in coverage under the attached policy or bond (or the policy or bond being quoted). Please also note that no separate additional premium charge has been made for the terrorism coverage required by the Act. The premium charge that is allocable to such coverage is inseparable from and imbedded in your overall premium, and is no more than one percent of your premium.



SW
gt

One State Street Plaza, 9th FL
New York, NY 10004

Continuation Certificate

To be attached to Bond described below, executed by **THE TRAVELERS INDEMNITY COMPANY**, as Surety,
Stonemark Development Corporation as Principal,
City of Huntsville, as Obligee, on Bond No. BE0931542

a Stonemark Development Corporation

Said Principal and said Surety hereby agree that the term thereof be and hereby is extended
from the 23rd day of November, 2006, to the 23rd day of November, 2007
subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability
there under during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event
exceed the sum of Sixty Four Thousand Nine Hundred and no/100 -----\$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to be duly signed and their
respective seals to be hereto affixed this 10th day of October, 2006

Stonemark Development Corporation

Principal

(seal)

MS
10/30/06

By [Signature]

THE TRAVELERS INDEMNITY COMPANY

(seal)

By Christine Cahill
Christine Cahill, Attorney-In-Fact

OK
CJR
11/20/06

OK
[Signature]
11-15-06

Triad Properties
100 Church Street
Suite 700
Hsv, AL 35801

2007
address

On this 6th day of June in the year 2005 before me personally came Paul H. Eddy to me known, who, being by me duly sworn, did depose and say: that he resides in the State of Connecticut; that he is Senior Vice President of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the above instrument; that he signed his name thereto by the above quoted authority; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, and that it was so affixed by authority of his office under the by-laws of said corporation.



Marie C Tetreault

My commission expires June 30, 2006 Notary Public
Marie C. Tetreault

CERTIFICATION

I, Kori M. Johanson, Assistant Secretary (Bond) of THE TRAVELERS INDEMNITY COMPANY, certify that the foregoing power of attorney, and the above quoted Resolutions of the Board of Directors of November 1, 1985 have not been abridged or revoked and are now in full force and effect.

Signed and Sealed at Hartford, Connecticut, this 10th day of October 20 06



Kori M Johanson

Kori M. Johanson, Assistant Secretary, Bond

State of New York County of New York SS:
On this 10th day of October, 20 06, before me personally came
Christine Cahill

to
me known, who, being by me duly sworn, did depose and say: that he/she resides in New York
; that he/she is Attorney-in-Fact of THE TRAVELERS INDEMNITY
COMPANY, the corporation described in and which executed the foregoing instrument; that he/she signed his/her name
thereto by the above quoted authority; that he/she knows the corporate seal of said company; that the seal affixed to said
instrument is such corporate seal of said company; that it was so affixed by the authority granted in accordance with the by-
laws of said corporation; that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the
Laws of the State of New York for the year 1939 constituting Chapter 28 of the Consolidated Laws of the State of New York
known as the Insurance Law, issued to THE TRAVELERS INDEMNITY COMPANY this certificate that said Company is
qualified to become surety or guarantor on all bonds, undertakings, recognizances, guarantees and other obligations required
or permitted by law; and that such certificate has not been revoked.

Kyoko Heshimu

Notary Public

My commission expires 10-03-09

KYOKO HESHIMU
Notary Public - State of New York
01HE8134757
Qualified in RICHMOND County
My Comm. Expires OCTOBER 03, 2009



IMPORTANT DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

On November 26, 2002, President Bush signed into law the Terrorism Risk Insurance Act of 2002 (the "Act"). The Act establishes a short-term program under which the Federal Government will share in the payment of covered losses caused by certain acts of international terrorism. We are providing you with this notice to inform you of the key features of the Act, and to let you know what effect, if any, the Act will have on your premium.

Under the Act, insurers are required to provide coverage for certain losses caused by international acts of terrorism as defined in the Act. The Act further provides that the Federal Government will pay a share of such losses. Specifically, the Federal Government will pay 90% of the amount of covered losses caused by certain acts of terrorism which is in excess of an insurer's statutorily established deductible for that year. The Act also caps the amount of terrorism-related losses for which the Federal Government or an insurer can be responsible at \$100,000,000.00, provided that the insurer has met its deductible.

Please note that passage of the Act does not result in any change in coverage under the attached policy or bond (or the policy or bond being quoted). Please also note that no separate additional premium charge has been made for the terrorism coverage required by the Act. The premium charge that is allocable to such coverage is inseparable from and imbedded in your overall premium, and is no more than one percent of your premium.



Assumption of Liability Certificate

See att

Obligee: City of Huntsville

Principal: Stonemark Development Corporation

This certifies that, in consideration of the agreements and covenants herein contained and other good and valuable consideration, The Travelers Indemnity Company hereby assumes liability as Surety under Gulf Insurance Company Bond Number BE0931542 executed and previously filed by Gulf Insurance Company hereinafter referred to as the Company, in favor of the above-named Obligee.

By issuance of this Certificate, it is agreed:

1. That the liability of under said bond (a) shall be subject to all of the terms, conditions, limitations and warranties contained in said bond and any amendment thereto or agreement between the Obligee and the Company affecting the same; and (b) shall in no event be greater than would have been the liability of the Company had this Certificate not been issued.
2. That all rights of the Company, which would have been available to the Company by reason of its suretyship under the aforementioned bond, or otherwise, if this Certificate had not been executed, shall inure to the benefit of and be fully enforceable by The Travelers Indemnity Company
3. The termination of liability under the Company's bond is a condition precedent to the assumption of liability by The Travelers Indemnity Company under this Certificate.
4. Signed and dated this 11th day of October 2005.

The Travelers Indemnity Company

By: Christine Cahill
Christine Cahill, Attorney-In-Fact

____ Agent's Copy
____ Principal's Copy

OK JMB 11/1/05
ML
[Signature]
10-31-05

OK CEJ
Clerk-Treas.
10/1/05

On this 6th day of June in the year 2005 before me personally came Paul H. Eddy to me known, who, being by me duly sworn, did depose and say: that he resides in the State of Connecticut; that he is Senior Vice President of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the above instrument; that he signed his name thereto by the above quoted authority; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal, and that it was so affixed by authority of his office under the by-laws of said corporation.



Marie C Tetreault

My commission expires June 30, 2006 Notary Public
Marie C. Tetreault

CERTIFICATION

I, Kori M. Johanson, Assistant Secretary (Bond) of THE TRAVELERS INDEMNITY COMPANY, certify that the foregoing power of attorney, and the above quoted Resolutions of the Board of Directors of November 1, 1985 have not been abridged or revoked and are now in full force and effect.

Signed and Sealed at Hartford, Connecticut, this 11th day of October 2005



Kori M. Johanson

Kori M. Johanson, Assistant Secretary, Bond

State of New York County of New York SS:

On this 11th day of October, 2005, before me personally came Christine Cahill to

me known, who, being by me duly sworn, did depose and say: that he/she resides in New York; that he/she is Attorney-in-Fact of THE TRAVELERS INDEMNITY COMPANY, the corporation described in and which executed the foregoing instrument; that he/she signed his/her name thereto by the above quoted authority; that he/she knows the corporate seal of said company; that the seal affixed to said instrument is such corporate seal of said company; that it was so affixed by the authority granted in accordance with the by-laws of said corporation; that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the Laws of the State of New York for the year 1939 constituting Chapter 28 of the Consolidated Laws of the State of New York known as the Insurance Law, issued to THE TRAVELERS INDEMNITY COMPANY this certificate that said Company is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guarantees and other obligations required or permitted by law; and that such certificate has not been revoked.

[Signature]
Notary Public

My commission expires 7-2009

KATHLEEN WATSON
Notary Public, State of New York
No. 01WH5012131
Qualified in New York County
Commission Expires 7-2009



One State Street Plaza, 9th FL
New York, NY 10004

RECEIVED
OCT 17 2005
J. Smith Lantor & Co.
Huntsville, AL

Continuation Certificate

To be attached to Bond described below, executed by **THE TRAVELERS INDEMNITY COMPANY**, as Surety,
Stonemark Development Corporation as Principal,
City of Huntsville, as Obligee, on Bond No. BE0931542,

a Stonemark Development Corporation

Said Principal and said Surety hereby agree that the term thereof be and hereby is extended from the 23rd day of November, 2005, to the 23rd day of November, 2006 subject to all other provisions, conditions and limitations of said bond, upon the express condition that the Surety's liability there under during the original term of said bond and during any extended term thereof shall not be cumulative and shall in no event exceed the sum of Sixty Four Thousand Nine Hundred and no/100 -----\$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to be duly signed and their respective seals to be hereto affixed this 11th day of October, 2005

Stonemark Development Corporation

Principal

(seal)

By [Signature]

THE TRAVELERS INDEMNITY COMPANY

(seal)

By Christine Cahill
Christine Cahill, Attorney-In-Fact

Sidewalk
RT

Gulf Insurance Company
3055 Lebanon Road, Ste 3-1100, Bldg. 3
Nashville, TN 37214

Continuation Certificate

To be attached to Bond described below, executed by GULF INSURANCE COMPANY, as Surety,
Stonemark Development Corporation, as Principal,
City of Huntsville, Alabama, as Obligee, on Bond No. BE 0931542,
a Subdivision Maintenance Bond
(type of bond)

Said principal and said Surety hereby agree that the term thereof be and hereby is extended
from the 23rd day of November, 2004, to the 23rd day of November,
2005, subject to all other provisions, conditions and limitations of said bond, upon the express condition that
the Surety's liability thereunder during the original term of said bond and during any extended term thereof
shall not be cumulative and shall in no event exceed the sum of \$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to
be duly signed and their respective seals to be hereto affixed. 18th day November, 2003.

Stonemark Development Corporation

Principal

(seal)

By X [Signature]

OK TTTT
12/20/04
Antoon
MRC
12/16/04

GULF INSURANCE COMPANY

(seal)

By Christine Cahill

Christine Cahill

, Attorney-In-Fact

OK
Kok 12/21/04

OK
Clerk
Clerk - Treas.
12/23/04

Premium \$ 1,822.00

GULF-CON-CERT (7/00)

**GULF INSURANCE COMPANY
HARTFORD, CONNECTICUT
POWER OF ATTORNEY**

ORIGINALS OF THIS POWER OF ATTORNEY ARE PRINTED ON BLUE SAFETY PAPER WITH TEAL INK.

KNOW ALL MEN BY THESE PRESENTS: That the Gulf Insurance Company, a corporation duly organized under the laws of the State of Connecticut, having its principal office in the city of Irving, Texas, pursuant to the following resolution, adopted by the Finance & Executive Committee of the Board of Directors of the said Company on the 10th day of August, 1993, to wit:

"RESOLVED, that the President, Executive Vice President or any Senior Vice President of the Company shall have authority to make, execute and deliver: Power of Attorney constituting as Attorney-in-Fact, such persons, firms, or corporations as may be selected from time to time; and any such Attorney-in-Fact may be removed and the authority granted him revoked by the President, or any Executive Vice President, or any Senior Vice President, or by the Board of Directors or by the Finance and Executive Committee of the Board of Directors.

RESOLVED, that nothing in this Power of Attorney shall be construed as a grant of authority to the attorney(s)-in-fact to sign, execute, acknowledge, deliver or otherwise issue a policy or policies of insurance on behalf of Gulf Insurance Company.

RESOLVED, that the signature of the President, Executive Vice President or any Senior Vice President, and the Seal of the Company may be affixed to any such Power of Attorney or any certificate relating thereto by facsimile, and any such powers so executed and certified by facsimile signature and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond and documents relating to such bonds to which they are attached.

Gulf Insurance Company does hereby make, constitute and appoint

~Christine Cahill, Mark Fitzgerald~

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred in its name, place and stead, to sign, execute, acknowledge and deliver in its behalf, as surety, any and all bonds and undertakings of suretyship, and to bind Gulf Insurance Company thereby as fully and to the same extent as if any bonds, undertakings and documents relating to such bonds and/or undertakings were signed by the duly authorized officer of the Gulf Insurance Company and all the acts of said attorney(s)-in-fact, pursuant to the authority herein given, are hereby ratified and confirmed.

The obligation of the Company shall not exceed five million (5,000,000) dollars.

IN WITNESS WHEREOF, the Gulf Insurance Company has caused these presents to be signed by any officer of the Company and its Corporate Seal to be hereto affixed.

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS



GULF INSURANCE COMPANY

Lawrence P. Minter

Lawrence P. Minter
Executive Vice President

On this 1st day of October, AD 2001, before me came Lawrence P. Minter, known to me personally who being by me duly sworn, did depose and say that he resides in the County of Bergen, State of New Jersey; that he is the Executive Vice President of the Gulf Insurance Company, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instruments is such corporate seal that it was so affixed by order of the Board of Directors of said corporation and that he signed his name, thereto by like order.

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS



Angie Mahabir-Begazo

ANGIE MAHABIR-BEGAZO
Notary Public, State of New York
No. 01MA6019988
Qualified in Kings County
Commission Expires February 16, 2007

I, the undersigned, Senior Vice President of the Gulf Insurance Company, a Connecticut Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force.

Signed and Sealed at the City of New York.



Dated the 18th day of November, 2004

George Biancardi

George Biancardi
Senior Vice President



Gulf Insurance Group
One State Street Plaza 9th Floor
New York, NY 10004
Phone: 917 320-4400

IMPORTANT DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

On November 26, 2002, President Bush signed into law the Terrorism Risk Insurance Act of 2002 (the "Act"). The Act establishes a short-term program under which the Federal Government will share in the payment of covered losses caused by certain acts of international terrorism. We are providing you with this notice to inform you of the key features of the Act, and to let you know what effect, if any, the Act will have on your premium.

Under the Act, insurers are required to provide coverage for certain losses caused by international acts of terrorism as defined in the Act. The Act further provides that the Federal Government will pay a share of such losses. Specifically, the Federal Government will pay 90% of the amount of covered losses caused by certain acts of terrorism that is in excess of Gulf Insurance Group's statutorily established deductible for that year. The Act also caps the amount of terrorism-related losses for which the Federal Government or an insurer can be responsible at \$100,000,000.00, provided that the insurer has met its deductible.

Please note that passage of the Act does not result in any change in coverage under the attached policy or bond (or the policy or bond being quoted). Please also note that no separate additional premium charge has been made for the terrorism coverage required by the Act. The premium charge that is allocable to such coverage is inseparable from and imbedded in your overall premium, and is no more than one percent of your premium.

Gulf Insurance Company
3055 Lebanon Road, Ste 3-1100, Bldg. 3
Nashville, TN 37214

Continuation Certificate

To be attached to Bond described below, executed by **GULF INSURANCE COMPANY**, as Surety,
Stonemark Development Corporation, as Principal,
City of Huntsville, Alabama, as Obligee, on Bond No. BE 0931542,
a Subdivision Maintenance Bond
(type of bond)

Said principal and said Surety hereby agree that the term thereof be and hereby is extended
from the 23rd day of November, 2003, to the 23rd day of November,
2004, subject to all other provisions, conditions and limitations of said bond, upon the express condition that
the Surety's liability thereunder during the original term of said bond and during any extended term thereof
shall not be cumulative and shall in no event exceed the sum of \$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to
be duly signed and their respective seals to be hereto affixed 23rd day November, 2003

Stonemark Development Corporation

Principal

(seal)

By X [Signature]

GULF INSURANCE COMPANY

(seal)

By [Signature]

Shirley F. Dukes

, Attorney-In-Fact

Premium \$ 1,822.00

OK MR 12/16/03 OK FND 12/18/03
OK [Signature] 12/16/03

GULF-CON-CERT (7/00)

Gulf Insurance Group 
A member of crigroup

2636 Elm Hill Pike, Suite 500
Nashville, Tennessee 37214

Continuation Certificate

To be attached to Bond described below, executed by **GULF INSURANCE COMPANY**, as Surety,
Stonemark Development Corporation, as Principal,
City of Huntsville, Alabama, as Obligee, on Bond No. BE 0931542,
a Subdivision Maintenance Bond
(type of bond)

Said principal and said Surety hereby agree that the term thereof be and hereby is extended
from the 23rd day of November, 2002, to the 23rd day of November,
2003, subject to all other provisions, conditions and limitations of said bond, upon the express condition that
the Surety's liability thereunder during the original term of said bond and during any extended term thereof
shall not be cumulative and shall in no event exceed the sum of \$ 64,900.00

IN WITNESS THEREOF, the said Principal and said Surety have signed or caused this Certificate to
be duly signed and their respective seals to be hereto affixed. 16th day October, 2002.

Stonemark Development Corporation
Principal

(seal)

By X [Signature]

GULF INSURANCE COMPANY

(seal)

By [Signature]
Suzanne Y. Siller, Attorney-In-Fact

Premium \$ 1,822.00

GULF-CON-CERT (7/00)

OK MB 12/6/02
Antok MRC 12/01/02
pa legal rest 12/6/02

CONTINUATION CERTIFICATE

IN CONSIDERATION of the sum of One Thousand Eight Hundred Twenty Two and 00/100 DOLLARS (\$ 1,822.00),
the undersigned company hereby continues in force its Bond No. BE 0931542
in the amount of Sixty Four Thousand Nine Hundred and 00/100 DOLLARS (\$ 64,900.00)
on behalf of Stonemark Development Corporation
and in favor of City of Huntsville, AL
as Obligee, for the period beginning at 12:01 A.M. with an effective date, 11/23/01
Standard Time at the address of the Obligee, above given, and ending at 12:01 A.M. 11/23/02
Standard Time at the said address, subject to all covenants and conditions as set forth and expressed in said
bond heretofore issued, effective on 11/19/93.

This Continuation Certificate is executed upon the express condition that the undersigned company's liability under said bond and under this and all Continuation Certificates issued in connection therewith shall not be cumulative and shall not in any event exceed the amount of said bond as hereinbefore set forth.

Current editions of forms will be substituted at each renewal date for the earlier editions if revised during the previous bond term, and if the company extends or renews the bond designated in this certificate.

SIGNED and DATED October 9, 2001

Gulf Insurance Company
Company

Shirley F. Dukes
Attorney-in-Fact Shirley F. Dukes

*Antoin
MRE
11/20/01*

*OK
IMB
11/20/01*

*OK
CEK
Clerk - Treas.
11/20/01*

*OK
KCA
11/20/01*

CONTINUATION CERTIFICATE

IN CONSIDERATION of the sum of One Thousand Eight Hundred Twenty Two DOLLARS (\$ 1,822.00),
the undersigned company hereby continues in force its Bond No. 67077
in the amount of Sixty Four Thousand Nine Hundred and no/100 DOLLARS (\$ 64,900.00)
on behalf of Stonemark Development
and in favor of City of Huntsville
as Obligee, for the period beginning at 12:01 A.M. with an effective date, 11/23/99,
Standard Time at the address of the Obligee, above given, and ending at 12:01 A.M. 11/23/2000,
Standard Time at the said address, subject to all covenants and conditions as set forth and expressed in said
bond heretofore issued, effective on 11/19/93.

This Continuation Certificate is executed upon the express condition that the undersigned company's liability under said bond and under this and all Continuation Certificates issued in connection therewith shall not be cumulative and shall not in any event exceed the amount of said bond as hereinbefore set forth.

Current editions of forms will be substituted at each renewal date for the earlier editions if revised during the previous bond term, and if the company extends or renews the bond designated in this certificate.

SIGNED and DATED November 24th, 1999

Company Frontier Insurance Company

Suzanne Y. Bitler
Attorney-in-Fact Suzanne Y. Bitler

Handwritten notes:
3/20/00
12/15/99
OK
WJ
12/15/99

Handwritten notes:
OIC
CEK
12/15/99



ROCK HILL, NEW YORK 12775-8000
(A Stock Company)

POWER OF ATTORNEY

Know All Men By These Presents: That FRONTIER INSURANCE COMPANY, a New York Corporation, having its principal office in Rock Hill, New York, pursuant to the following resolution, adopted by the Board of Directors of the Corporation on the 4th day of November, 1985:

"RESOLVED, that the Chairman of the Board, the President, or any Vice President be, and hereby is, authorized to appoint Attorneys-in-Fact to represent and act for and on behalf of the Company to execute bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, and to attach thereto the corporate seal of the Company, in the transaction of its surety business;

"RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed with respect to any bond, undertaking, recognizance or other contract of indemnity or writing obligatory in the nature thereof;

"RESOLVED, that any such Attorney-in-Fact delivering a secretarial certification that the foregoing resolutions still be in effect may insert in such certification the date thereof, said date to be not later than the date of delivery thereof by such Attorney-in-Fact."

This Power of Attorney is signed and sealed in facsimile under and by the authority of the above Resolution.

DOES HEREBY MAKE, CONSTITUTE AND APPOINT: **GREG KELLER** **SUZANNE Y. SITLER**

of **NEWNAN**, in the State of **GEORGIA**, is true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred in its name, place and stead to sign, execute, acknowledge and deliver in its behalf, and as its act and deed, without power of redelegation, as follows:

Bonds guaranteeing the fidelity of persons holding places of public or private trust; guaranteeing the performance of contracts other than insurance policies; and executing or guaranteeing bonds and undertakings required or permitted in all actions or proceedings or by law allowed; IN AN AMOUNT NOT TO EXCEED THREE MILLION FIVE HUNDRED THOUSAND (\$3,500,000.00) DOLLARS; and to bind FRONTIER INSURANCE COMPANY thereby as fully and to the same extent as if such bond or undertaking was signed by the duly authorized officers of FRONTIER INSURANCE COMPANY, and all the acts of said Attorney(s)-in-Fact pursuant to the authority herein given are hereby ratified and confirmed.

In Witness Whereof, FRONTIER INSURANCE COMPANY of Rock Hill, New York, has caused this Power of Attorney to be signed by its President as Corporate seal to be affixed this **29TH** day of **April**, 19 **97**.

FRONTIER INSURANCE COMPANY



BY: **HARRY W. RHULEN, President**

State of New York
County of Sullivan
ss.:
On this **29TH** day of **April**

, 19 **97**, before the subscriber, a Notary Public of the State of New York in and for the County of Sullivan, duly commissioned and qualified, came **HARRY W. RHULEN** of FRONTIER INSURANCE COMPANY to me personally known to be the individual and officer described herein, and who executed the preceding instrument, and acknowledged the execution of the same, and being by me duly sworn, deposed and said, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of the Company, and the Corporate Seal and signature as an officer were duly affixed and subscribed to the said instrument by the authority and direction of the Corporation, and that the resolution of the Company, referred to in the preceding instrument, is now in force.

In Testimony Whereof, I have hereunto set my hand, and affixed my official seal at Rock Hill, New York, the day and year above written.



NANCY V. PIERRO
Notary Public State of New York
Sullivan County Clerk's No. 2395
Commission Expires July 8, 1998

CERTIFICATION

I, **JOSEPH P. LOUGHLIN**, Secretary of FRONTIER INSURANCE COMPANY of Rock Hill, New York, do hereby certify that the foregoing Resolution adopted by the Board of Directors of this Corporation and the Powers of Attorney issued pursuant thereto, are true and correct, and that both the Resolution and the Powers of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the facsimile seal of the corporation this **24th** day of **November**, 19 **99**.


JOSEPH P. LOUGHLIN, Secretary

CONTINUATION CERTIFICATE

IN CONSIDERATION of the sum of One Thousand Eight Hundred Twenty Two DOLLARS (\$ 1,822.00),
 the undersigned company hereby continues in force its Bond No. 67077
 in the amount of Sixty Four Thousand Nine Hundred and no/100 DOLLARS (\$ 64,900.00)
 on behalf of Stonemark Development
 and in favor of City of Huntsville
 as Obligee, for the period beginning at 12:01 A.M. with an effective date, 11/23/98
 Standard Time at the address of the Obligee, above given, and ending at 12:01 A.M. 11/23/99
 Standard Time at the said address, subject to all covenants and conditions as set forth and expressed in said
 bond heretofore issued, effective on 11/19/93

This Continuation Certificate is executed upon the express condition that the undersigned company's liability under said bond and under this and all Continuation Certificates issued in connection therewith shall not be cumulative and shall not in any event exceed the amount of said bond as hereinbefore set forth.

Current editions of forms will be substituted at each renewal date for the earlier editions if revised during the previous bond term, and if the company extends or renews the bond designated in this certificate.

SIGNED and DATED November 20, 1998

Company Frontier Insurance Company

Claudia McCoy
 Attorney-in-Fact - Claudia McCoy

*OK to Extend
 ARC 12/21/98
 OK [Signature]
 12/28/98
 OK Cook
 Client - Treasurer
 12/29/98*

Stonemark

REPLACES CONTINUATION CERTIFICATE ISSUED FEBRUARY 4, 1998

**CONTINUATION CERTIFICATE
FOR BONDS WHICH
DEFINITELY EXPIRE**

One Thousand Eight Hundred Twenty Two
IN CONSIDERATION of the sum of _____ DOLLARS (\$ 1,822.00) the
Undersigned company hereby continues in force its Subdivision Maintenance Bond No.
67077 in the amount of Sixty Four Thousand Nine Hundred DOLLARS
(\$ 64,900.00) on behalf of Stonemark Development Corp and in favor of no/100
City of Huntsville as Insured/Obligee, for the period beginning at 12:01
A.M. with an effective date 11/23/97, Standard Time at the address of the
Insured/Obligee, above given, and ending at 12:01 A.M. 11/23/98, Standard Time at the
said address, subject to all covenants and conditions as set forth and expressed in said bond heretofore
issued, effective on 11/19/93.

This Continuation Certificate is executed upon the express condition that the Undersigned company's liability under said bond and under this and all Continuation Certificates issued in connection therewith shall not be cumulative and shall not in any event exceed the amount of said bond as hereinbefore set forth.

Current editions of forms will be substituted at each renewal date for the earlier editions if revised during the previous policy term, and if the company extends or renews the policy designated in this certificate.

SIGNED, SEALED and DATED February 12, 1998

Surety: Frontier Insurance Company

Suzanne Y. Sittler
Suzanne Y. Sittler, Attorney-in-Fact

*Amc ok
MPC 2/24/98
OK
100/Level
2/24/98
OK JMS
2/24/98
CEH
2/25/98
Clerk-treas.*

2/27

Stonemark

SURETY RIDER

DUPLICATE ORIGINAL

To be attached to and form a part of Bond No. 67077 in the amount of
 \$ 72,880.00***** on behalf of Stonemark Development Corporation
 as Principal and executed by Frontier Insurance Company as Surety
 in favor of City of Huntsville
 effective date of change 12/24/96

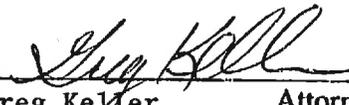
In consideration of the mutual agreements herein contained the Principal and the Surety hereby
 consent to changing
 Amount of Bond

From: \$72,880.00

To: \$64,900.00

Nothing herein contained shall vary, alter or extend any provision or condition of this bond except
 as herein expressly stated. Signed, Sealed & Dated this 11th day of February 1997

Frontier Insurance Company

By 
 Greg Keller Attorney-in-Fact

SUBDIVISION IMPROVEMENT AND MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS: the Stonemark Development Corporation as Principal, hereinafter called Contractor, and Frontier Insurance Company, as Surety, hereinafter called Surety, are held and firmly bound unto City of Huntsville as Obligee, hereinafter called Owner, in the penal sum of Seventy Two Thousand Eight Hundred Eighty and No/100 Dollars (\$72,880.00), for the payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Contractor and Surety shall be bound unto Owner hereunder, and this bond shall be duly honored, until such time as the City of Huntsville has released this bonds upon the written recommendation of the City of Huntsville Engineer upon his findings that all subdivision sidewalks, have been completed in accordance with the City of Huntsville approved plans, specifications and regulations for Stonemark Subdivision, Sectors 3, 5, 6, and 8.

NOW, THEREFORE, the condition of this obligation is such that, if Contractor shall complete or cause to be completed, all such subdivision sidewalks in accordance with the City of Huntsville approved plans, specifications and regulations within a period of twelve (12) months from November 1, 1995, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED HOWEVER, that Owner shall give Contractor and Surety notice of observed defects with reasonable promptness.

SIGNED and sealed this 13th day of November, 1995.

ATTEST:

W. W. D.

STONEMARK DEVELOPMENT CORPORATION

Mary E. Johnson

Its:

PERIODIC

FRONTIER INSURANCE COMPANY

Greg Keller

Its:

Greg Keller, Attorney-in-Fact