

# Western Surety Company

## NOTARY PUBLIC BOND

THE STATE OF ALABAMA,

Shelby County

KNOW ALL MEN BY THESE PRESENTS:

Bond No. N13378105

# 1993-26579

09/01/1993-26579

04:07 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

That we, Vincent A. Tortorici, Jr.

as Principal, and WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Alabama, as Surety, are held and firmly bound unto the State of Alabama, in the sum of TEN THOUSAND DOLLARS (\$ \$10,000.00), for the payment of which well and truly to be made and done, we bind ourselves, our heirs, executors, administrators and assigns, firmly by these presents, and we hereby waive our right to claim personal property exempt under the laws of Alabama.

Sealed with our seals and dated this 15th day of july, 1993.

The condition of the above obligation, That whereas the above bound Principal was duly appointed to the office of Notary Public on the 28th day of August, \_\_\_\_\_; for the term of 4 years from the 28th day of August 93 in Precinct No. \_\_\_\_\_ in and for said County.

Now, if the said Principal shall faithfully perform and discharge all the duties of said office during his continuance therein then the above obligation to be void, otherwise to remain in full force and effect.

A. R. L. L.  
Countersigned by Alabama Resident Agent

Alabama Ins. Exchange, Inc.

Name of Agent or Agency 35236-6878

P.O. Box 36878, Birmingham, Alabama  
Street City State

Vincent A. Tortorici, Jr. (L.S.)  
Principal

\_\_\_\_\_  
Principal

WESTERN SURETY COMPANY  
By Joe Kirby (L.S.)  
President

Taken and approved this 1 day of \_\_\_\_\_

September, 1993  
Thomas A. Brandon, Jr.  
Judge of Probate

THE STATE OF ALABAMA,

Jefferson County

## OATH OF OFFICE

I, Vincent A. Tortorici, Jr. do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

Subscribed and sworn to before me this 24th day of August, 1993.

Michie M. Cozzie

NOTARY PUBLIC STATE OF ALABAMA AT LARGE Notary Public

Form 1312-A-92 MY COMMISSION EXPIRES: Sept. 16, 1996.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

Vincent A. Tortorici, Jr.  
Principal

AUG 18 1993

ACKNOWLEDGMENT OF SURETY  
(Corporate Officer)

STATE OF SOUTH DAKOTA }  
County of Minnehaha } ss

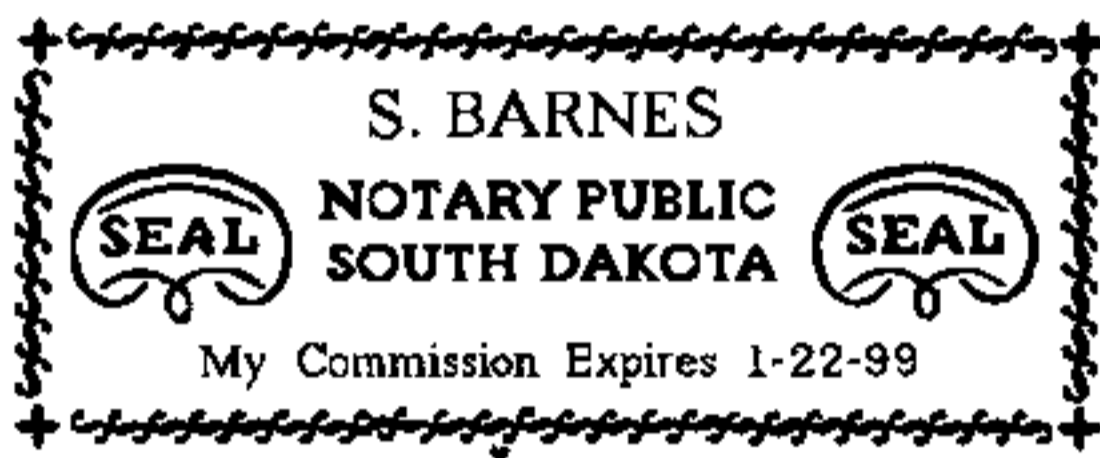
On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and

for said County, personally appeared Joe P. Kirby personally known to me, who being by me duly sworn, did say that he is the aforesaid officer of WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that the said instrument was signed, sealed and executed on behalf of said corporation by authority of its Board of Directors, and further acknowledge that the said instrument and the execution thereof to be the voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year last above written.

S. Barnes

Notary Public





# Western Surety Company

## POWER OF ATTORNEY

### KNOW ALL MEN BY THESE PRESENTS:

That the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming and the United States of America, does hereby make, constitute and appoint

Joe P. Kirby of Sioux Falls

State of South Dakota, its regularly elected President,  
as Attorney in Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of documents to-wit:

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; policies indemnifying employers against loss or damage caused by the misconduct of their employees; official, bail and surety and fidelity bonds. Indemnity in all cases where Indemnity may be lawfully given; and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company, and to compromise and settle any and all claims or demands made or existing against said Company.

The Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the By-laws of the Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings or other obligations of the corporation shall be executed in the corporate name of the Company by the Chairman of the Board, President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The Chairman of the Board, President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, or other obligations of the corporation — the signature of any such officer and the corporate seal may be printed by facsimile."

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its

President with the corporate seal affixed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

ATTEST

WESTERN SURETY COMPANY

L. Nelson  
Assistant Secretary

By

Joe P. Kirby, President

STATE OF SOUTH DAKOTA

ss.

COUNTY OF MINNEHAHA

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ before me, a Notary Public, personally appeared

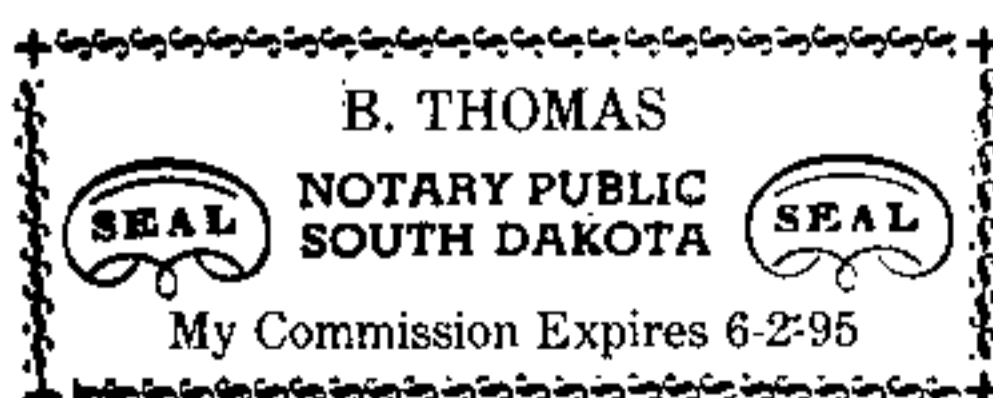
Joe P. Kirby

and

L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

Inst # 1993-26579



09/01/1993-26579  
04:07 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 17.00

Notary Public

AUG 18 1993