

## SURETY BOND

BOND NO. 18199823

KNOW ALL MEN BY THESE PRESENTS:

That we, Alabaster Water & Gas Board PRINCIPAL,  
(Permittee)

and Western Surety Company as SURETY,  
are held and firmly bound unto the Highway Department of the State of Alabama to  
construct the improvements on the State highway right-of-way at the location and  
in the manner shown on the Permit and the Plans attached to the Permit dated the  
day of \_\_\_\_\_, 19\_\_\_\_, issued by the  
highway Department of the State of Alabama to the PRINCIPAL herein, and are further  
held and firmly bound to comply with all other condition, requirements, restriction,  
and provisions of said Permit and plans, which are attached hereto. We do hereby  
further agree that we will restore to its original condition any portion of the  
pavement, shoulders or other parts of the public highway, except as otherwise  
shown on said plans, in the event that same is damaged by the PRINCIPAL or his  
agents during the construction of said improvement and that we will maintain said  
improvements upon said right-of-way in such manner and for such period of time as  
provided in said permit. In the event such Construction, repairs, and maintenance  
are not carried out in a manner satisfactory to the Highway Department of the  
State of Alabama, we hereby agree to reimburse the said Department for the cost of  
such repairs.

We do bind ourselves unto the Highway Department of the State of Alabama for  
the aforesaid purpose in the sum of Five Thousand and No/100---- Dollars

For a term beginning the 12th  
day of February, 19 88, and ending twelve (12) months  
subsequent to the completion of construction of the facility as is more specifically  
described below, as provided in said Permit and the rules and Regulations, as pro-  
mulgated by the Highway Director.

NOW, THEREFORE, the PRINCIPAL and SURETY assume all obligations and liabilities  
as set forth above for the purpose of Right of Way

SIGNED, SEALED and dated this 12th day of February,  
19 88.

Alabaster Water & Gas Board  
(Principal)

By: [Signature]

Resident Agent:

James D. [Signature]

Western Surety Company  
(Surety)

By: [Signature]  
N. McLEAN - Asst. Secretary

(A copy of the Power of Attorney properly executed by the Company authorizing the  
agent signing above to bind the Company as Surety on this Bond must be attached  
hereto. Said Power of Attorney must be dated so as to correspond with the  
execution date of the bond.)

P. O. Box 528  
Alabaster, AL

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KNOW ALL MEN BY THESE PRESENTS:

This Power of Attorney authorizes the execution of one instrument to which it should be attached.

That the Western Surety Company, a corporation, does hereby make, constitute and appoint each of the following officers of Dallas, Texas, Attorney in Fact, with full power and authority conferred upon him or her to sign, execute, acknowledge and deliver for and on its behalf as Surety and its act and deed, any one bond, indemnity or undertaking, consent or agreement which this Company may be authorized to write:

RON WILLIAMS, Vice President  
J. FULTON, Vice President  
J. CAMPBELL, Assistant Vice President  
M. MORGAN, Assistant Vice President  
M. SHAMBAUGH, Assistant Vice President  
G. JOHNSON, Assistant Vice President  
G. TILLEUX, Assistant Vice President  
K. KLARAS, Assistant Vice President  
M. OYLER, Assistant Secretary

J. NELSON, Assistant Secretary  
L. BROWN, Assistant Secretary  
A. WOODS, Assistant Secretary  
W. HUNT, Assistant Secretary  
L. CROUCH, Assistant Secretary  
N. McLEAN, Assistant Secretary  
B. GILBREATH, Assistant Secretary  
J. PARKER, Assistant Secretary  
C. ROUGET, Assistant Secretary  
L. MOONEY, Assistant Secretary

The Western Surety Company further certifies that the following is a true and correct 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, the 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 of 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 its corporate seal affixed this 12th day of February, 1988.

ATTEST

WESTERN SURETY COMPANY

K. O. McLean, Assistant Secretary

By Joe Kirby, President

I CERTIFY THIS INSTRUMENT WAS FILED

STATE OF SOUTH DAKOTA

88 APR 15 AM 8:03

County of Minnehaha

ss

On this 12th day of February, 1988, before me, a Notary Public, personally appeared Joe E. Kirby, President, and K. O. McLean, Assistant Secretary, 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.

My commission expires November 30, 1992.

A. Krell, Notary Public

Form 474-B - 3-86

STATE OF TEXAS }  
County of Dallas } ss

ACKNOWLEDGMENT OF SURETY  
(Corporate Officer)

On this 12th day of February, 1988, before me, a Notary Public in

and for said County, personally appeared

N. McLEAN - Asst. Secretary

personally known to me, who being by me duly sworn, did say that he is the aforesaid officer of the WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, 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 at Dallas, Texas, the day and year last above written.

My commission expires

June 11, 1991

C. J. Johnson

Notary Public

Form 103-C