

Bond No. 21BCSGL1361  
PERFORMANCE BOND  
Exhibit "A" to the General Conditions

20130827000349500 1/3 \$20.00  
Shelby Cnty Judge of Probate, AL  
08/27/2013 08:01:30 AM FILED/CERT

RECEIVED  
7/8/13

KNOW ALL MEN BY THESE PRESENTS, That NationView, LLC

(hereinafter called the "Principal"), as Principal and Hartford Casualty Insurance Company  
AL a corporation, duly authorized to do business in  
(project state) (hereinafter called the "Surety"), are held and  
firmly bound unto WAL-MART STORES, INC. (hereinafter called the "Obligee"), and its  
representatives, successors and assigns, in the sum of  
Two Million Three Hundred Thirty Four Thousand Seven Hundred Twenty One and 00/100 Dollars (\$ 2,334,721.00) for the  
payment of which sum well and truly to be made the said Principal and Surety bind themselves,  
and their respective heirs, administrators, executors, successors and assigns, jointly and  
severally, firmly by these presents.

WHEREAS, the Principal has been awarded a contract with Obligee for #4189-00, Helena, Alabama  
Walmart Neighborhood Market (WNM) Take Over (T/O), SAP Project Def #USTO-000559 (hereinafter called the "Contract") and  
which Contract is hereby referred to and incorporated by express reference as if fully set forth  
herein.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound  
Principal shall well and truly perform all the work, undertakings, covenants, terms, conditions,  
and agreements of said Contract within the time provided therein and any extensions thereof  
that may be granted by Obligee, and during the life of any maintenance obligation, guaranty or  
warranty required under said Contract, and shall also well and truly perform all the  
undertakings, covenants, terms, conditions, and agreements of any and all modifications of said  
Contract that may hereafter be made, and shall indemnify and save harmless said Obligee of  
and from any and all loss, damage, and expense, including costs and attorneys' fees, which the  
said Obligee may sustain by reason of Principal's failure to do so, then this obligation shall be  
null and void; otherwise it shall remain in full force and effect.

The said Surety agrees that no change, extension of time, alteration, addition, omission, waiver,  
or other modification of the terms of either the said Contract or in the said work to be  
performed, or in the specifications, or in the plans, or in the Contract documents, or any  
forbearance on the part of either the Obligee or Surety to the other, shall in any way affect said  
Surety's obligation on this Bond, and said Surety does hereby waive notice of any such changes,  
extensions of time, alterations, additions, omissions, waivers, or other modifications.

The parties executing this Bond on behalf of Principal and Surety represent and warrant that  
they are duly authorized to bind the Principal and Surety, respectively.

IN WITNESS WHEREOF, the above bound parties have executed this instrument under their several seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

PRINCIPAL: NationView, LLC

By: David P. Martin

Title: President

1608 13th Avenue South, Suite 160  
Birmingham, AL 35205

(Principal's Address)

Jason Carter  
Witness:

Or Secretary's Attest

[SEAL]

SURETY: Hartford Casualty Insurance Company

By: Alisa B. Pounders  
Alisa B. Pounders

Title: Attorney-in-Fact

One Hartford Plaza, Hartford, CT 06155 - 0001  
(Surety's Address)

Witness:

Heatherly Harlan  
Or Secretary's Attest

[SEAL]

Attach Power of Attorney if executed by attorney-in-fact on behalf of Surety

# POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-4

One Hartford Plaza

Hartford, Connecticut 06155

call: 888-266-3488 or fax: 860-757-5835

Agency Code: 21-250036

KNOW ALL PERSONS BY THESE PRESENTS THAT:

- ☒ **Hartford Fire Insurance Company**, a corporation duly organized under the laws of the State of Connecticut  
☒ **Hartford Casualty Insurance Company**, a corporation duly organized under the laws of the State of Indiana  
☒ **Hartford Accident and Indemnity Company**, a corporation duly organized under the laws of the State of Connecticut  
☐ **Hartford Underwriters Insurance Company**, a corporation duly organized under the laws of the State of Connecticut  
☐ **Twin City Fire Insurance Company**, a corporation duly organized under the laws of the State of Indiana  
☐ **Hartford Insurance Company of Illinois**, a corporation duly organized under the laws of the State of Illinois  
☐ **Hartford Insurance Company of the Midwest**, a corporation duly organized under the laws of the State of Indiana  
☐ **Hartford Insurance Company of the Southeast**, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, **up to the amount of unlimited:**

*R. E. Daniels, Shelby E. Daniels of Pensacola FL, Robert M. Verdin of Metairie LA, Robert Read Davis of Atlanta GA,*

*Mark W. Edwards II, Jeffrey M. Wilson, Ronald B. Giadrosich,*

*Alisa B. Pounders, Robert R. Freel, Evondia H. Woessner of Birmingham, AL*

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

**In Witness Whereof**, and as authorized by a Resolution of the Board of Directors of the Companies on August 1, 2009 the Companies have caused these presents to be signed by its Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



*Wesley W. Cowling*

Wesley W. Cowling, Assistant Secretary

*M. Ross Fisher*

M. Ross Fisher, Vice President

STATE OF CONNECTICUT

COUNTY OF HARTFORD

ss. Hartford

On this 12<sup>th</sup> day of July, 2012, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

*Kathleen T. Maynard*

Kathleen T. Maynard

Notary Public

My Commission Expires July 31, 2016

I, the undersigned, Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of

Signed and sealed at the City of Hartford.



*Gary W. Stumper*

Gary W. Stumper, Vice President



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