

LDO2023-00215

SUR2023-00044

Ibis Landing - Model Home Parking ...
LDO2023-00215: \$5,500.00 Hartford...

STATUS

> Surety Approved
08/01/2023 by Belinda Odom

LOCATION

> 20810 COPPERHEAD DR
LEHIGH ACRES, FL 33936

CONTACT

> Jennifer Shep

Summary

Workflow

Comments (1)

Related Records

Inspections (0)

Fee (0)

Contacts (2)

Record

Custom Lists (0)

Custom Fields

Legacy Custom Fields

Documents

Professionals (0)

Parcel (1)

Menu

Save

Reset

Summary

View Log

Help

Record Type

DevServices/Surety/HAPSA

Status

Surety Approved

Record Number

SUR2023-00044

Project Name

Ibis Landing - Model Home Parking Lot

Description *

LDO2023-00215: \$5,500.00 Hartford Fire Insurance Bond #72BSBJA9173 for on-site approved 7/20/2023.

COST ESTIMATE: \$5,500.00 for on-site, Model Parking Lot only approved 7/7/2023. Est. date of completion: 8/31/2025.
-Utilities n/a

check spelling

RECORD DATES

Received Date

07/06/2023

Issued Date

06/27/2023

Expiration Date

08/31/2025

Finalized Date

RECORD DETAILS

Short Notes (ePlan / Paper Submittal)

ShortNotes Manual Override

-Select-

Initiated by Product

45066

Created By ACA

No

Created Date

07/06/2023

Access ID

DCD APN/NOTES/EMD/03

Assigned to Department

DCD Admin

Current Department

Assigned to Staff

Belinda Odom

Current User

Scheduled Time

12:00 AM



Lee County

Southwest Florida

Board of County Commissioners

(239) 533-8348

July 31, 2023

Kevin Ruane
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

Mr. David R. Underhill, Jr., P.E.
Banks Engineering, Inc.
10511 Six Mile Cypress Pkwy., Suite 101
Fort Myers, FL 33966

Re: LDO2023-00215/SUR2023-00044, Ibis Landing - Model Home Parking Lot

Dear Mr. Underhill, Jr.:

Attached for your records is a copy of the documentation from the Lee County Attorney's Office advising acceptance and approval of the Hartford Fire Insurance Company Performance Assurance Bond #72BSBJA9173 in the amount of \$5,500.00 as Assurance of Completion of on-site Improvements for the above referenced project.

In accordance with the terms and conditions of the Performance Assurance Bond, "...If the Developer promptly completes the improvements as required by the Development Order on or before the Estimated Date of Completion set forth in attached Exhibit A, then this obligation will be null and void; otherwise, it will remain in full force and effect, subject only to the following conditions:

1. If the improvements are not complete by the Estimated Date of Completion set forth in Exhibit A, the amount of this Bond will automatically increase by 10 percent compounded annually, for each year the Bond remains in effect."

Should you have any questions, please contact Belinda Odom of this office.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Section

Ohdet Kleinmann
Interim Development Services Manager

OHK/bgo
Attachment: Copy of Approval Documentation

cc: Surety File w/attachment
Project File w/attachment

s:\community development\general\surities\sur docs not in tidemark\ldo2023-00215 \$5,500 bond approval.docx

DEVELOPMENT SERVICES - SURETY RECEIVED ROUTING SHEET

July 19, 2023

CASE NUMBER & NAME: # LDO2023-00215/SUR2023-00044, Ibis Landing - Model Home Parking Lot

ACTION: Review for legal sufficiency Hartford Fire Insurance Company Performance Assurance Bond #72BSBJA9173 in the amount of \$5,500.00 for assurance of completion of required on-site project improvements.

ATTACHMENTS: Original Hartford Fire Insurance Company Performance Assurance Bond #72BSBJA9173 in the amount of \$5,500.00, original Approved Engineer's Cost Estimate in the amount of \$5,500.00.

=====
Development Services: Transmit documents by signing below.

Ohdet Kl 7/19/23
Manager or designee signature and date

=====
County Attorney's Office: Please review for legal sufficiency. If denied, return it to Dev. Services with explanation. If approved, sign the surety, sign below, email a copy of this routing sheet to Dev. Services to BOdom@leegov.com, and forward the packet to the County Manager's Office.

Chmadel
Assistant County Attorney signature and date

=====
County Manager's Office: Accept documents on behalf of the Board of County Commissioners pursuant to Board direction taken March 18, 1987 by signing below, signing the surety and forward the packet to the Clerk's Office.

Mr 7/24/23
County Manager or designee signature and date

=====
Clerk of Circuit Court, Minutes Department: Please sign the approved surety document where indicated, then forward the original packet to:

Lee County Community Development
Development Services
c/o Ohdet Kleinmann, Interim Development Services Manager

=====
Development Services: If denied, inform the remitter immediately and prepare a denial letter to send with a copy of the Attorney denial memo and original surety (unless instructed to hold the surety for revised replacement pages). If approved, send an approval letter with a copy of the signed routing sheet to the applicant. Scan all into the KwikTag Sureties Drawer and the Dev. Review drawer, then send the original approved, signed surety w/a copy of the approval letter and the signed routing sheet to the vault.

=====
DCD Fiscal Officer:

☒ Please file this original approved bond by the case number.



Hartford Fire Insurance Company
One Hartford Plaza
Hartford, CT 06115
(860) 547-5000

EXHIBIT B

PERFORMANCE ASSURANCE BOND
NO: 72BSBJA9173

Beneficiary: Lee County, a Political Subdivision of the State of Florida

D.O. **[LDO2023-00215]**

Project Name: Ibis Landing - Model Parking Lot

Developer/Applicant: Lennar Homes, LLC

U.S. Funds **\$[5,500.00]**

KNOW ALL MEN BY THESE PRESENTS that we, Lennar Homes, LLC, 10481 Six Mile Cypress Parkway, Fort Myers, FL 33966, ("Developer") and Hartford Fire Insurance Company a corporation certified to do business in the State of Florida as a surety insurer and duly organized under the laws of the State of Connecticut, with its home office located at One Hartford Plaza Hartford, CT 06115 ("Surety") are held and firmly bound unto Lee County, a political subdivision of the State of Florida in the amount of \$5,500.00 USD.

NOW, THEREFORE, the Developer has agreed to complete certain improvements identified in the Project Engineer's Certified Cost Estimate attached as Exhibit A, and required as a condition of approval for the local development order identified above. If the Developer promptly completes the improvements required by the Development Order on or before the Estimated Date of Completion set forth in attached Exhibit A, then this obligation will be null and void; otherwise, it will remain in full force and effect, subject only to the following conditions:

1. If the improvements are not completed by the Estimated Date of Completion set forth in Exhibit A, demand for payment under the Bond may occur at the discretion of the County.
2. If the improvements are not completed by the Estimated Date of Completion and the County does not make a demand for payment under the Bond, the amount of the Bond will automatically increase by 10 percent compounded annually, for each year the Bond remains in effect.
3. Partial releases of the aggregate face value of this Bond will only be permitted when accompanied by written approval from the County verifying completion of a portion of the improvements. The effect of partial releases will be to reduce the face value of this Bond. No other terms will be affected or altered.
4. If the Developer fails to complete the required improvements in accordance with the Development Order, applicable regulations and this agreement, the Surety must, upon written demand by the County, promptly pay over to the County the unreleased portion of the Bond so that the County, or its agent, can complete the unfinished improvements in accordance with the terms and conditions of the Development Order.
5. The County may make a demand for payment by the Surety at the following Florida address:
Hartford Fire Insurance Company, 200 Colonial Center Pkwy Lake Mary, FL 32746 (407) 562-3300.

6. Action in response to Lee County's request for payment must be completed within three business days after the demand for payment is made at the location identified above.
7. No right of action will accrue on this Bond to or for the use of any person or entity other than Lee County.
8. The Surety waives prior notice of any alteration or extension of time for completion of the improvements that may be permitted or made by Lee County.
9. The venue for any action under this Bond is Lee County, Florida. Florida law will control any action taken under the terms of this Bond.
10. **OPTIONAL PROVISIONS FOR WORK WITHIN A COUNTY-MAINTAINED RIGHT OF WAY:**
The bond amount in the Engineer's Opinion of Probable Cost allocated for specific site-related improvements located within the limits of County-maintained right of way which are subject to a Lee County Department of Transportation Right-of-Way permit will remain in full force and effect for a period not to exceed 12 months subsequent to the date upon which a Certificate of Compliance for those improvements is issued by the Lee County Division of Development Services.

The County will retain that portion of the bond to ensure the specified improvements located within the limits of County-maintained right-of-way remain free from deficiencies and is warranted for the specified period against such defects resulting from substandard workmanship; construction practices or materials.

At the conclusion of the 12 month period, if no deficiencies exist, the bond will be released in full upon receipt of written notice from the Lee County Department of Transportation that the constructed improvements remain free of construction defects, with the exception of normal wear and tear not associated with this project.

Lennar Homes, LLC,
a Florida limited liability company
10481 Six Mile Cypress Parkway
Fort Myers, FL 33966

[Signature]
1st Witness Signature

Matthew Shorey
1st Witness Printed Name

[Signature]
2nd Witness Signature

Walter Fluege
2nd Witness Printed Name

By: [Signature]
[Authorized Signature]

VP
[Title]

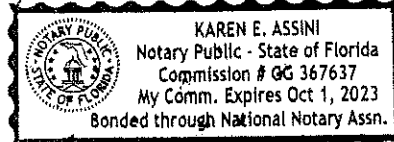
Scott Edwards
[Printed Name]

ACKNOWLEDGMENT

STATE OF ~~Florida~~
COUNTY OF ~~LEE~~

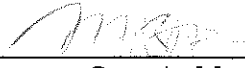
The foregoing instrument was acknowledged before me, by means
of ☒ physical presence or ☐ online notarization this 19th day of July,
20 23, by SCOTT EDWARDS [Name], [Title] VP.
He/She is personally known to me or has produced the following identification.

[Signature]
Notary Public



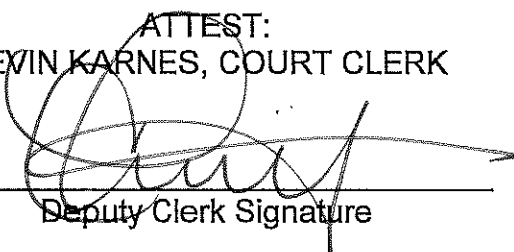
THIS PAGE COMPLETED BY LEE COUNTY OFFICIALS

COUNTY MANAGER ON BEHALF OF THE
BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: 
County Manager

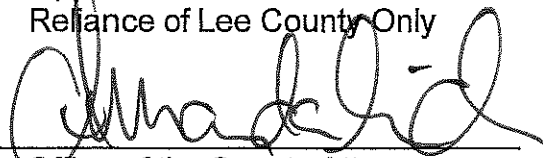
The foregoing Agreement is approved and accepted by, for and on behalf of Lee
County, Florida, this 24 day of July, 2018.

ATTEST:
KEVIN KARNES, COURT CLERK

By: 
Deputy Clerk Signature



Approved as to Form for the
Reliance of Lee County Only

By: 
Office of the County Attorney

SURETY ENDORSEMENT



Witness Signature

Brian Evans

Please Print Name

Hartford Fire Insurance Company



Surety Officer/Agent Signature

My Hua, Attorney-in-Fact

Printed Name



EVIDENCE OF AUTHORITY

PERFORMANCE ASSURANCE BOND

EVIDENCE OF AUTHORITY

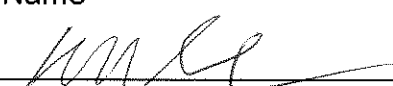
DATED: June 27, 2023

This document certifies that My Hua, Attorney-in-Fact for Hartford Fire Insurance Company, has the necessary authority to execute Performance Assurance Bond Number 72BSBJA9173, in the amount of \$5,500.00 USD issued on June 27, 2023 for benefit of Lee County, Florida, Board of County Commissioners and under the account of Lennar Homes, LLC.



Hartford Fire Insurance Company

Surety Name

By: 

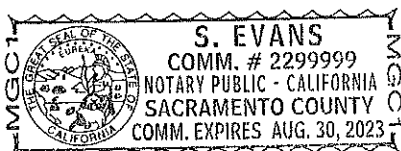
[Signature of Surety officer]

Mechelle Larkin, Attorney-in-Fact

ACKNOWLEDGMENT

STATE OF California
COUNTY OF Orange

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization this 27th day of June, 20 23, by My Hua, Attorney-in-Fact on behalf of Hartford Fire Insurance Company. He/She is personally known to me or has produced the following identification CA Driver's License.



S. Evans, Notary Public

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-11

One Hartford Plaza

Hartford, Connecticut 06155

Bond.Claims@thehartford.com

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

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MARSH RISK & INSURANCE SERVICES

Agency Code: 72-254827

- ☒ 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 :

My Hua of Irvine CA, Tenzer V. Cunningham, Sokha Evans, Martha Gonzales, Joaquin Perez, Brenda Wong of LOS ANGELES, California

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 May 23, 2016 the Companies have caused these presents to be signed by its Assistant 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.



Shelby Wiggins

Shelby Wiggins, Assistant Secretary

Joelle L. LaPierre

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

ss. Lake Mary

On this 20th day of May, 2021, before me personally came Joelle LaPierre, to me known, who being by me duly sworn, did depose and say: that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)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 (s)he signed his/her name thereto by like authority.



Jessica Ciccone

Jessica Ciccone
My Commission HH 122280
Expires June 20, 2025

I, the undersigned, Assistant 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 June 27, 2023

Signed and sealed in Lake Mary, Florida.



Keith D. Dozois

Keith D. Dozois, Assistant Vice President



Board of County Commissioners

(239) 533-8348

July 7, 2023

Kevin Ruane
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

Mr. David R. Underhill, Jr., P.E.
Banks Engineering, Inc.
10511 Six Mile Cypress Pkwy., Suite 101
Fort Myers, FL 33966

Re: LDO2023-00215/SUR2023-00044, Ibis Landing - Model Home Parking Lot

Dear Mr. Underhill, Jr.:

Attached for your records is a copy of the approved Engineer's Certified Cost Estimate in the amount of \$5,500.00 for the construction of on-site improvements at the above referenced project. If a surety instrument is required pursuant to the Land Development Code (LDC) Section 10-154(26), please submit same to Belinda G. Odom at this office for review and transmittal.

NOTE: The use of County Attorney approved formats will expedite the approval of your surety documents. The Bond company must hold an A.M. Best rating of A- or better as to the general policy holders rating, and Class VII or better as to the financial category. The A.M. Best rating will be determined based upon the information provided at the following website "www.ambest.com". The Bank issuing the letter of credit must have a rating of A or higher from Moody's Investors Service, Fitch Ratings, or Standard & Poor's. The applicant must provide satisfactory evidence that the issuing bank meets these criteria. Please contact Belinda G. Odom at (239) 533-8348 or BOdom@leegov.com to obtain revised formats, if needed, prior to securing the surety instrument. (AC-13-19)

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services

Ohdet Kleinmann
Interim Development Services Manager

OHK/cab
Attachment: Copy of Approved Estimate

cc: Project File w/original

s:\community development\general\sureties\sur docs not in tidemark\ldo2023-00215 \$5,500 cost estimate approval.docx

BANKS

ENGINEERING

On-Site

PRELIMINARY ENGINEER'S OPINION OF PROBABLE REMOVAL COST FOR MODEL HOMESITE PARKING REMOVAL AND RESTORATION

IBIS LANDING

LDO2023-00215

June 2023

Estimated Date of Completion: August 2025✓

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
A.	EARTHWORK				
1	Removal of Parking Lot	1	EA	\$3,000.00	\$3,000.00 ✓
2	Site Restoration	1	EA	\$2,000.00	\$2,000.00 ✓
Sub Total					\$5,000.00 ✓
Contingency 10%					\$500.00 ✓
Grant Total					\$5,500.00 (C)

Note: The above "Engineer's Opinion of Probable Costs" includes all labor and material.

Prepared By:

Digitally signed

by David R

Underhill Jr

Date: 2023.06.20

11:50:09 -04'00'



This seal has been
digitally signed and sealed
by David R. Underhill, Jr.,
P.E. on the date adjacent
to the text. Printed copies
of this document are not
considered signed and
sealed and the signature
shall be verified on any
electronic copies.

APPROVED

Chole + KL

Date 7/7/23

David R. Underhill, Jr., P.E. #47029
Banks Engineering