

ORDINANCE NO. 2363-24

AN ORDINANCE AUTHORIZING THE FINAL ACCEPTANCE AND RELEASE OF MAINTENANCE BOND FOR HIGH POINTE ESTATES – M/I HOMES OF CHICAGO, LLC

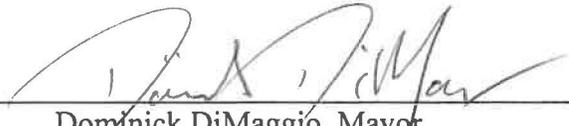
BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Hawthorn Woods, Lake County, Illinois, that the Mayor and Village Clerk, be and the same are, hereby authorized and directed to final accept High Pointe Estates and release Bond No. CMS0347270 in the amount of \$32,820.00, in substantially the form attached hereto as Exhibit "A", and, by this reference made a part hereof, with such changes as are approved by the Mayor and Village Attorney.

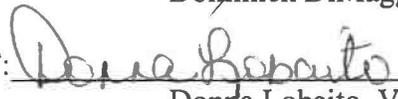
The foregoing Ordinance was adopted by the Board of Trustees of the Village of Hawthorn Woods, Illinois on June 24, 2024:

AYES: Kaiser, McCarthy, Lynch, Bayer, Herot, Roman

NAYS: 0

ABSENT AND NOT VOTING: 0

APPROVED: 
Dominick DiMaggio, Mayor

ATTEST: 
Donna Lobaito, Village Clerk

ADOPTED: June 24 2024

APPROVED: June 24 2024

MAINTENANCE BOND

Bond CMS0347270

KNOW ALL BY THESE PRESENTS, That we, M/I Homes of Chicago, LLC

2135 City Gate Lane, Suite 620 Naperville, IL 60563

as Principal, and RLI Insurance Company

a corporation organized under the laws of the State of Illinois and duly authorized to do business in

the State of IL, as Surety, are held and firmly bound unto Village of Hawthorn Woods

2 Lagoon Drive Hawthorn Woods, IL 60047

as Obligees, in the penal sum of Thirty-two Thousand Eight Hundred Twenty & 00/100

(\$32,820.00)
to which payment well and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal entered into a Contract with the

Village of Hawthorn Woods dated _____

for
High Pointe Estates - Improvements

WHEREAS, said Contract has been completed, and was approved on _____
day of _____

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the Principal shall guarantee that the work will be free of any defective materials or workmanship which became apparent during the period of One (1) year(s) following completion of the Contract then this obligation shall be void, otherwise to remain in full force and effect, provided however, any additional warranty or guarantee whether expressed or implied is extended by the Principal or Manufacturer only, and the Surety assumes no liability for such a guarantee.

Signed and sealed this 20th day of September, 2022

M/I Homes of Chicago, LLC (Seal)

Max Tugh (Seal)

(Seal)

RLI Insurance Company

By Denise Nelson
Denise Nelson Attorney-in-Fact

POWER OF ATTORNEY

RLI Insurance Company Contractors Bonding and Insurance Company

9025 N. Lindbergh Dr. Peoria, IL 61615
Phone: 800-645-2402

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company**, each an Illinois corporation, (separately and together, the "Company") do hereby make, constitute and appoint:

Denise Nelson, Julieann Johnston, Michele James, Deborah L. Williams, Stephanie McOuillen, Shelley M. Kuhn, jointly or severally

in the City of Columbus, State of Ohio its true and lawful Agent(s) and Attorney(s) in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds and undertakings in an amount not to exceed Twenty Five Million Dollars (\$25,000,000.00) for any single obligation.

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon the Company as if such bond had been executed and acknowledged by the regularly elected officers of the Company.

RLI Insurance Company and/or **Contractors Bonding and Insurance Company**, as applicable, have each further certified that the following is a true and exact copy of a Resolution adopted by the Board of Directors of each such corporation, and is now in force, to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The 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, Powers of Attorney 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 **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company**, as applicable, have caused these presents to be executed by its respective Vice President with its corporate seal affixed this 29th day of July, 2021.



RLI Insurance Company
Contractors Bonding and Insurance Company

By: B. W. Davis
Barton W. Davis Vice President

State of Illinois }
County of Peoria } SS

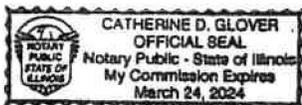
CERTIFICATE

On this 29th day of July, 2021, before me, a Notary Public, personally appeared Barton W. Davis, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company** and acknowledged said instrument to be the voluntary act and deed of said corporation.

I, the undersigned officer of **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company**, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the **RLI Insurance Company** and/or **Contractors Bonding and Insurance Company** this 20th day of September, 2022.

By: Catherine D. Glover
Catherine D. Glover Notary Public

RLI Insurance Company
Contractors Bonding and Insurance Company
By: Jeffrey D. Fick
Jeffrey D. Fick Corporate Secretary



RIDER

To be attached to and forming a part of Bond Number CMS0347270 issued by RLI Insurance Company, as Surety in the amount of Thirty Two Thousand Eight Hundred Twenty and 00/100 Dollars (\$32,820.00) effective the 20th day of September, 2022. on behalf of M/I Homes of Chicago, LLC, as Principal, and in favor of Village of Hawthorne Woods, as Obligee, said bond is hereby modified as follows:

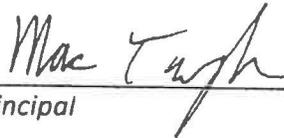
(A) An expiration date not less than one year from the date of issuance and an express provision that such surety or bond will not expire prior to completion and village board acceptance of said public improvements;

(B) That written notice shall be given by certified or registered mail to the village clerk of the expiration date, if any, of the surety bond not less than sixty (60) days before said expiration, and that the surety or bond shall not expire absent such notice

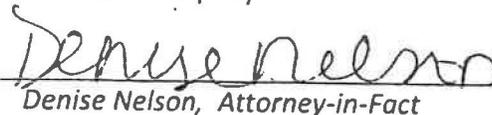
PROVIDED, HOWEVER, that the liability of the Surety under said bond and as changed by this rider shall not be cumulative.

Signed, Sealed and dated: September 20, 2022

M/I Homes of Chicago, LLC


Principal

RLI Insurance Company


Denise Nelson, Attorney-in-Fact

POWER OF ATTORNEY

RLI Insurance Company Contractors Bonding and Insurance Company

9025 N. Lindbergh Dr. Peoria, IL 61615
Phone: 800-645-2402

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RLI Insurance Company
Contractors Bonding and Insurance Company

By: Barton W. Davis
Barton W. Davis Vice President

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