

CONTRACT ROUTING FORM

1. Complete the information below BEFORE printing and completing items 2 through 7. Items in red are required.

Department: Planning Department

Department contract file name (use effective date): Legacy at Jordan Lake Phase 4A3_Planning_20240212

Project Code: Click here to enter text.

Contract type: Contract

Contracted Services/Goods: Financial Guarantee for Infrastructure

Contract Component: Payment and Performance Bond

Change Order Number/Addendum Number: Click here to enter text.

Vendor Name: F-L Legacy Owner, LLC

Effective Date: 02/12/2024

Approved by: County Manager

Date approved by the BOC: Click here to enter text.

Ending Date: 10/16/2024

Total Amount: Financial Guarantee - \$27,369.00

Please Return Contract to:
Name: Hunter Glenn
Email:
hunter.glenn@chathamcountync.gov
Special Instructions for Clerks
Office:

2. Department Head or his/her designee has read the contract in its entirety.

By: Jason Sull (Department Head signature required)

3. County Attorney has reviewed and approved the contract

County Attorney has reviewed and rejects the contract Reason: _____

This is an automatic renewal and does not require approval from the County Attorney: Yes No

If this box is checked the County Attorney's Office has reviewed the contract but has not made needed changes to protect the County because the contract is a sole source contract and the services required by the County are not available from another vendor.

4. Technical/MIS Advisor has reviewed the contract if applicable. Yes No

5. Vendor has signed the contract. Yes No

6. A budget amendment is necessary before approval. Yes No

If budget amendment is necessary, please attach to this form.

7. Approval

Requires approval by the BOC - contracts over \$100,000.00. Follow Board submission guidelines.

Requires approval by the Manager – contracts \$100,000 or less.

8. Submit to Clerk.

Clerk's Office Only

Finance Officer has signed the contract
 The Finance Officer is not required to sign the contract

NORTH CAROLINA

RESTATED CONTRACT

CHATHAM COUNTY

THIS RESTATED CONTRACT FOR SUBDIVISION IMPROVEMENTS (this “Restated Contract”) made and entered into this the 12th day of February, 2024 by and between F-L Legacy Owner, LLC with a mailing address of 500 Boylston Street, Suite 2010, Boston, Massachusetts 02116, (the “Developer”) and Chatham County (the “County”), a body politic and corporate of the State of North Carolina, with a mailing address of Post Office Box 54, Pittsboro, North Carolina 27312 (the “County”);

WITNESSETH:

WHEREAS, the Developer and the County entered into a series of prior contracts for subdivision improvements, the last of which was dated April 20, 2022 (all such prior contracts are hereinafter collectively referred to as the “Previous Contracts”) with respect to the satisfactory construction, installation, and completion of all improvements (the “Improvements”) required by the County for a subdivision located in Chatham County, North Carolina known as The Legacy at Jordan Lake Phase 4A3 (the “Subdivision”); and

WHEREAS, the contract dated April 20, 2022, extended the date that the Developer would complete all such County Improvements to November 15, 2022 (the “Completion Date”).

WHEREAS, the Developer has requested, and the County has agreed, that the Completion Date be extended to October 16, 2024; and

NOW, THEREFORE, the Developer and the County agree as follows:

- 1. The Completion Date for the Improvements is extended to October 16, 2024.

Except as provided in this Restated Contract, all terms and conditions of the previous Contracts shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed as of the day and year first above written.

CHATHAM COUNTY

DEVELOPER

F-L Legacy Owner, LLC

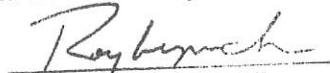
By: F-L Legacy Holdings, LLC, its Sole Member

By: FCA Legacy, LLC, its Manager

By: 
Dan LaMontagne
County Manager

By:  2/18/24
Jesse R. Baker; Its Authorized Signatory

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.


Roy Lynch, Finance Officer



CONTINUATION CERTIFICATE

Philadelphia Indemnity Insurance Company, Surety on Bond Number PB03020106490 in the penal sum of Twenty Seven Thousand Three Hundred Sixty Nine and 00/100 (\$27,369.00) on behalf of F-L Legacy Owner, LLC, Principal, in favor of Chatham County, Obligee, hereby certifies that this Bond is continued in full force and effect from the 15th day of November 2022 to the 15th day of November 2024, subject to all covenants and conditions of said Bond.

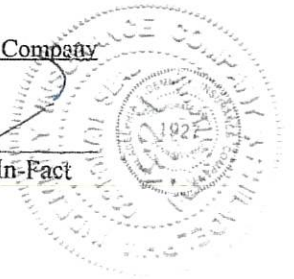
This Bond has been continued in force upon the express condition that the full extent of the Surety's liability under said Bond and all continuations thereof for any loss or series of losses occurring during the entire time the Surety remains on said Bond shall in no event exceed the penal sum of the Bond.

In witness whereof Surety has caused this instrument to be duly signed, sealed and dated as of the 30th day of January 2024.

Philadelphia Indemnity Insurance Company

By:

Sarah Campbell Attorney-In-Fact



CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of LOS ANGELES }

On JAN 30 2024 before me, ETHAN SPECTOR, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared SARAH CAMPBELL
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(x) whose name(x) is/~~is~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~it~~/they executed the same in ~~his~~/her/~~its~~/their authorized capacity(~~ies~~), and that by ~~his~~/her/~~its~~/their signature(~~s~~) on the instrument the person(x), or the entity upon behalf of which the person(x) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]

Place Notary Seal and/or Stamp Above

Signature of Notary Public
ETHAN SPECTOR, NOTARY PUBLIC

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____

Partner – Limited General Partner – Limited General

Individual Attorney in Fact Individual Attorney in Fact

Trustee Guardian or Conservator Trustee Guardian or Conservator

Other: _____ Other: _____

Signer is Representing: _____ Signer is Representing: _____

PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint Timothy J. Noonan, Jennifer Ochs, Charles R. Teter III, B. Aleman, Erin Brown, D. Garcia, Simone Gerhard, Edward C. Spector, Ethan Spector, Marina Tapia, KD Wapato and Sarah Campbell of Lockton Companies Inc., its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$50,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5TH DAY OF MARCH, 2021.



(Seal)

John Glomb, President & CEO
Philadelphia Indemnity Insurance Company

On this 5th day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

Notary Public:

Vanessa McKenzie

Commonwealth of Pennsylvania - Notary Seal
Vanessa McKenzie, Notary Public
Montgomery County
My commission expires November 3, 2024
Commission number 1366394
Member, Pennsylvania Association of Notaries

residing at: Bala Cynwyd, PA

My commission expires: November 3, 2024

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5th day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 30th day of January, 2024



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY



CE GROUP

January 10, 2024

Mr. Jason Sullivan c/o
Chatham County Planning Department
P.O. Box 87
Pittsboro, NC 27312

RE: **The Legacy at Jordan Lake Phase 4A3 (Lots 266-288, 291-300 & 319)**
Surety Bond Estimate

Dear Mr. Sullivan:

I have inspected the construction for Phase 4A3 – which consists of 34 lots located along Stone Bridge Crossing, Sweet Briar Lane and Legacy Club Drive. I hereby certify construction is approximately **95%** complete. Below is a list of the estimated remaining Probable Construction Costs and the corresponding Bond Amounts required to complete the horizontal construction. A 25% contingency has been added to each item per County requirements.

TYPE OF IMPROVEMENT	COST TO COMPLETE	COMPLETED TO DATE	AMOUNT REMAINING	BOND AMOUNT
Clearing, Grubbing & Grading, Erosion Control	\$ 49,601	\$ 49,601	\$ 0	\$ 0
Storm Drainage	\$ 82,343	\$ 82,343	\$ 0	\$ 0
Water System	\$ 104,966	\$ 100,446	\$ 4,519	\$ 5,649
Sanitary Sewer System	\$ 126,203	\$ 122,886	\$ 3,317	\$ 4,147
Street Construction	\$ 90,112	\$ 76,054	\$ 14,058	\$ 17,572
Total				

Phase 4A3 Total Bond Estimate Value: \$ 27,369

All roadways within the subdivision are private and have been constructed to NCDOT standards. **The roads have been paved and are fully accessible for emergency operations.** The Water system construction has met all Chatham County Water System standards and specifications as well as the State Public Water Supply Standards. The Sanitary Sewerage system for the project is handled by common forcemain and has been constructed in accordance with Aqua North Carolina and NCDENR standards and specifications. Final certifications for water and sewer have been completed and forwarded to the respective State agencies. I would anticipate that these costs will be valid for 2 years from this date.

If you should have any questions regarding the information outlined above, please do not hesitate to call me at (919)-467-8790 ext. 108 or email me at mitch@cegroupinc.com.

Respectfully Submitted,
CE Group, Inc.



1/11/2024

Mitch Craig, PE
Principal/Project Manager

