

**EXHIBIT D**  
**MAINTENANCE BOND**

Bond No. HICSW-10-A7-0181

Principal Amount \$231,501.00

**KNOWN ALL MEN BY THESE PRESENTS**, That we **T-DYNE Contractors, LLC** as Principal, and **Hudson Insurance Company** as Surety, are held and firmly bound unto the County of El Paso, Texas, through El Paso County Judge Ruben John Vogt in his official Capacity, or her successor-in office, as Obligee, in the penal sum of **Two Hundred Thirty One Thousand Five Hundred One and NO/100ths \$231,501.00** to which payment will 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 Principal entered into an agreement by Subdivision Construction Agreement with the County of El Paso, Texas through El Paso County Judge Ruben John Vogt in his official capacity or her successor-in-office dated **DECEMBER 4, 2017** for **GATEWAY ESTATES UNIT ONE REPLAT "F" SUBDIVISION**,

**WHEREAS**, Said contract provides that the Principal will furnish a bond conditioned to guarantee for the period of **ONE** year(s) after County approval of the Maintenance Bond Estimate (Exhibit E) on said job, by the owner, against all defects in workmanship and materials which may become apparent during said period,

**WHEREAS**, The Certified "As-Built" drawings were received by the County on **OCTOBER 24, 2018**. Upon completion of all of the improvements, the Owner/Developer provided to the County a complete set of "as built " certified by the engineer responsible for preparing the approved construction plans and specifications,

**WHEREAS**, The Complete Acceptance Inspection for **GATEWAY ESTATES UNIT ONE REPLAT "F" SUBDIVISION** improvements was performed on **August 31, 2018**,

**WHEREAS**, This Maintenance Bond will begin on **October 24, 2018** and expire on **October 24, 2019**.

**WHEREAS**, The Principal will notify the Obligee in writing on **July 21, 2019**, 270 (two hundred and seventy) calendar days, after the effective date of this Maintenance Bond to perform a final inspection of all improvements dedicated to the County of El Paso associated with the subdivision,

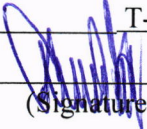
**WHEREAS**, The Principal is responsible for all repairs and replacements identified by, and to the satisfaction of the Obligee. Said repairs and replacements must be accomplished to the satisfaction of the Obligee by the expiration date of this Maintenance Bond. At the County's discretion, the expiration date may be extended to accommodate

**WHEREAS**, The Principal is responsible for all repairs and replacements identified by, and to the satisfaction of the Obligee. Said repairs and replacements must be accomplished to the satisfaction of the Obligee by the expiration date of this Maintenance Bond. At the County's discretion, the expiration date may be extended to accommodate the accomplishment of these repairs. Failure to complete the repairs within the required time shall be considered a condition of default under this bond.

**NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH** that, The Obligee after final acceptance of the work, and after acceptance by the Commissioner's Court of the said property will provide a letter to the Principal along with the original Maintenance Bond identifying full and complete acceptance of the said property.

SIGNED, SEALED, AND DATED 11/08/2018

Principal: T-DYNE Contractors, LLC

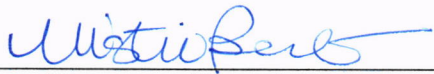
  
(Signature of Principal's Representative)

Albert Gamboa  
(Name of Principal's Representative)

President  
(Title of Principal's Representative)



Surety: Hudson Insurance Company

  
(Signature of Surety's Representative)

Mistie Beck  
(Name of Surety's Representative)

Attorney-in-Fact  
(Title of Surety's Representative)





HICSW-10-A7-0181

**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That HUDSON INSURANCE COMPANY, a corporation of the State of Delaware, with offices at 100 William Street, New York, New York, 10038, has made, constituted and appointed, and by these presents, does make, constitute and appoint **Tony Fierro, Jay Jordan, Johnny Moss, Mistie Beck, Jade Porter, Jeremy Barnett, Robert J. Shuya,**

**Robert G. Kanuth, Jarrett Willson, Jack Nottingham**  
of the State of Texas

its true and lawful Attorney(s)-in-Fact, at New York, New York, each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety, bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking shall obligate said Company for any portion of the penal sum thereof in excess of the sum of **Ten Million Dollars (\$10,000,000.00)**.

Such bonds and undertakings when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary.

In Witness Whereof, HUDSON INSURANCE COMPANY has caused these presents to be of its Senior Vice President thereunto duly authorized on this 20th day of November, 20 17 at New York, New York.



Attest.....  
**Dina Daskalakis**  
Corporate Secretary

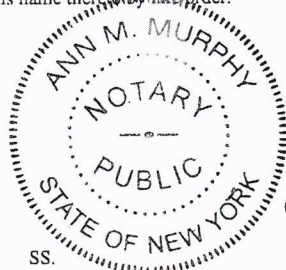
HUDSON INSURANCE COMPANY

By.....  
**Michael P. Cifone**  
Senior Vice President

STATE OF NEW YORK  
COUNTY OF NEW YORK. SS.

On the 20th day of November, 20 17 before me personally came Michael P. Cifone to me known, who being by me duly sworn did depose and say that he is a Senior Vice President of HUDSON INSURANCE COMPANY, the corporation described herein and which executed the above instrument, that he knows the seal of said Corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto by like order.

(Notarial Seal)



ANN M. MURPHY  
Notary Public, State of New York  
No. 01MU6067553  
Qualified in Nassau County  
Commission Expires December 10, 2021

STATE OF NEW YORK  
COUNTY OF NEW YORK

SS.

**CERTIFICATION**

The undersigned **Dina Daskalakis** hereby certifies:

That the original resolution, of which the following is a true and correct copy, was duly adopted by unanimous written consent of the Board of Directors of Hudson Insurance Company dated July 27<sup>th</sup>, 2007, and has not since been revoked, amended or modified:

"RESOLVED, that the President, the Executive Vice Presidents, the Senior Vice Presidents and the Vice Presidents shall have the authority and discretion, to appoint such agent or agents, or attorney or attorneys-in-fact, for the purpose of carrying on this Company's surety business, and to empower such agent or agents, or attorney or attorneys-in-fact, to execute and deliver, under this Company's seal or otherwise, bonds obligations, and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, contracts and certificates, and any and all other contracts and undertakings made in the course of this Company's surety business, and renewals, extensions, agreements, waivers, consents or stipulations regarding undertakings so made; and

FURTHER RESOVLED, that the signature of any such Officer of the Company and the Company's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed."

THAT the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked, and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney is now in force.

Witness the hand of the undersigned and the seal of said Corporation this 8th day of November, 20 18.



By.....  
**Dina Daskalakis**  
Corporate Secretary

