

## AGREEMENT FOR THE INSTALLATION OF PUBLIC IMPROVEMENTS

THIS AGREEMENT, made and entered into this 14<sup>th</sup> day of March 2012, by and between the CITY OF SANTA ANA, a municipal corporation of the State of California and the CITY OF ORANGE, a municipal corporation of the State of California ("City") and Vista Del Rio Housing Partners, LP ("Developer")

### WITNESSETH

#### Recitals:

- A. Developer proposes to construct a development on property located generally at 1600 W. Memory Lane, Santa Ana, CA 92706 in the City of Santa Ana (the "Development").
- B. As a condition to the Development, the Developer is required by the City to install certain public improvements ("Required Improvements").
- C. The Developer, by execution of this Agreement, desires to provide assurances to the City that the Required Improvements will be completed in a timely manner following the City's issuance of a certificate of occupancy and approval of a utility release for the development.

WHEREFORE, in consideration of the foregoing, the parties hereby agree as follows:

1. Developer shall complete the construction of the Required Improvements, as described in Exhibit A attached hereto and incorporated herein by reference, at Developer's sole cost and expense, on or before **02-28-13**.

The estimated cost of the Required Improvements is \$ 400,000.00.

The Required improvements shall be deemed complete upon their acceptance by <sup>both of</sup> the City's Executive Director of Public Works or his designated representative, which acceptance shall not be unreasonably withheld.

2. Prior to the issuance of a building permit for the Development, the Developer shall provide the City with either of the following:

(a) bonds by a corporate surety duly authorized to transact business in the State of California as follows:

- (1) A performance bond in the form set forth in Section 66499.1 of the Subdivision Map Act of the State of California in an amount equal to 100% of the amount set forth in Section 1 of this Agreement; and
- (2) A labor and materials bond in the form set forth in Section 66499.2 of the Subdivision Map Act of the State of California in an amount equal to 50% of the amount set forth in Section 1 of this agreement;
- (3) A defective materials and workmanship bond in the form set forth in Section 66499.3 of the Subdivision Map Act of the State of California in an amount equal to 10% of the amount set forth in Section 1 of this agreement.

Or

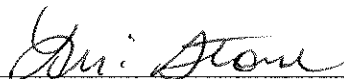
- (b) a cash deposit in the amount set forth in Section 1 of this Agreement.

Any such cash deposit or bonds shall be returned to Developer within thirty days following the City's acceptance of the Required Improvements as complete in accordance with City Standards. In the event the Required Improvements are not completed within the time specified herein above, the City may apply the cash deposit or bonds to the cost of completing the Required Improvements and shall return the balance, if any, to the Developer.

3. Prior to commencement of the work on the Required Improvements, either the Developer or the contractor performing the work, shall have filed with the City a policy of public liability insurance, or a certificate and additional insured endorsement thereof, naming the City and its officers, agents, volunteers and employees as insureds or additional insureds, insuring against loss of liability for bodily injury and/or property damage arising or resulting from any operations and activities in connection with the construction of any and all of the Required Improvements, in the amount of \$1,000,000 combined single limit or equivalent.
4. Developer agrees to indemnify, defend and hold harmless the City and its officers, agents, volunteers and employees, from and against any and all loss or damage, and from any and all suits, actions and claims filed or brought by any person or persons, arising out of the negligent acts or omissions of Developer or of its contractors or their subcontractors or of the officers, agents, employees of Developer or its contractors or their subcontractors in the performance of this Agreement.
5. Nothing herein shall be construed to be a limitation on other requirements which may be imposed by the City on Developer as conditions to the issuance of building permits or certificates of occupancy for the Development, or to the recordation of a parcel map for the Development, including, but not limited to, conditions which pertain to the installation of public improvements other than and in addition to the Required Improvements which are the subject of this Agreement
6. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this agreement.
7. This agreement shall be governed by and construed in accordance with the laws of the State of California.
8. This agreement may not be modified or amended except in writing signed by the Developer and City.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date and year last written below.

APPROVED AS TO FORM:


  
 \_\_\_\_\_  
 City Attorney

CITY OF SANTA ANA  
 A municipal corporation of the State of California

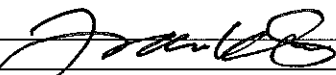
  
 \_\_\_\_\_  
 Raul Godinez II, Executive Director  
 Public Works Agency

Date: 3.14.2012

APPROVED AS TO FORM:


  
 \_\_\_\_\_  
 Asst. City Attorney

CITY OF ORANGE  
 A municipal corporation of the State of California

  
 \_\_\_\_\_, Executive Director  
 Public Works Agency

Date: 3/14/12

DEVELOPER:  
 Vista del Rio Housing Partners, L.P.

  
 \_\_\_\_\_  
 Dora Leong Galló, Chief Executive Officer  
 A Community of Friends, General Partner

Date: 2/22/12

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

State of California

County of Los Angeles }

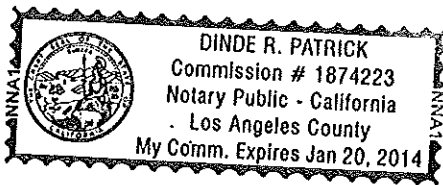
On 2/22/12 before me, Dinde R. Patrick, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Dora Leony Gallo  
Name(s) of Signer(s)

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

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another 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): \_\_\_\_\_

Individual  Individual

Partner —  Limited  General  Partner —  Limited  General

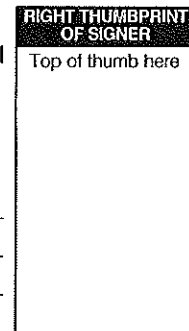
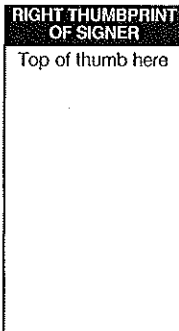
Attorney in Fact  Attorney in Fact

Trustee  Trustee

Guardian or Conservator  Guardian or Conservator

Other: \_\_\_\_\_  Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_ Signer Is Representing: \_\_\_\_\_



**PAYMENT BOND**

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the City of Santa Ana, a municipal corporation of the State of California, the City of Orange, a municipal corporation of the State of California, and Vista Del Rio Housing Partners, LP (hereinafter designated as "Principal") have entered into an Agreement whereby Principal agrees to install and complete certain designated public improvements, which said Agreement, dated February 22, 2012, is hereby referred to and made a part hereof; and

WHEREAS, under the terms of said Agreement, Principal is required before entering upon the performance of the work to file a good and sufficient payment bond with the City of Santa Ana and City of Orange to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, said Principal and International Fidelity Insurance Company are held firmly bound unto the City of Santa Ana and City of Orange and all contractors, subcontractors, laborers, materialmen and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of Four Hundred Thousand Dollars (\$400,000) for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City of Santa Ana and City of Orange in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this Bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the said Civil Code, so as to give a right of action to them and all their assigns in any suit brought upon this Bond.

Should the condition of this Bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

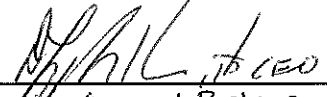
The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of said agreement or the specifications accompanying the same shall in any manner affect its obligations on this Bond, and it does hereby waive notice of any such change, extension, alteration or addition.

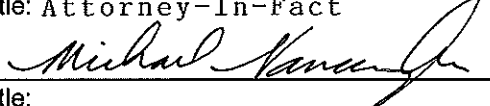
(Signatures on the following page)

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on February 22nd, 2012.

PRINCIPAL: Vista Del Rio Housing Partner, LP

International Fidelity  
SURETY: Insurance Company  
(Type Company Name)

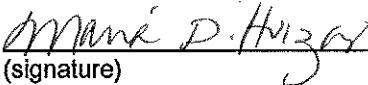
by   
Title: Managing General Partner,  
A Community of Friends  
by \_\_\_\_\_  
Title: \_\_\_\_\_

by Michael Vanasopha  
Title: Attorney-In-Fact  
by   
Title: \_\_\_\_\_

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures.)

Approved by the Council of the City of Santa Ana on the n/a day of \_\_\_\_\_, 2012:

  
(signature)

Maria D. Hvizar  
(print name) [Deputy] Clerk of the City Council  
and Ex-Officio Clerk of the City of Santa Ana

APPROVED AS TO FORM:

  
(signature)

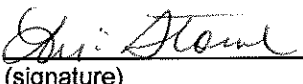
Gary A. Sheatz  
(print name) Deputy City Attorney  
Asst.

Approved by the City of Orange on the \_\_\_\_\_ day of \_\_\_\_\_, 2012:

  
(signature)

FRANK SUN  
(print name) City of Orange

APPROVED AS TO FORM:

  
(signature)

LISA STORCH  
(print name)

# POWER OF ATTORNEY

## INTERNATIONAL FIDELITY INSURANCE COMPANY ALLEGHENY CASUALTY COMPANY

ONE NEWARK CENTER, 20TH FLOOR NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY, corporations organized and existing laws of the State of New Jersey, and having their principal office in the City of Newark, New Jersey, does hereby constitute and appoint

WILLIAM T. KIEFFER, KENT T. ROBERTS, SHANE WOLF, MICHAEL VANASOPHA

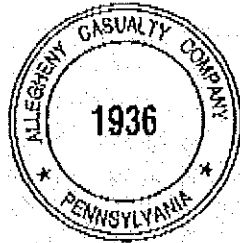
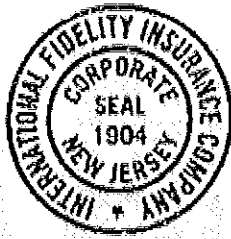
Santa Monica, CA.

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 20th day of July, 2010 and by the Board of Directors of ALLEGHENY CASUALTY COMPANY at a meeting duly held on the 15th day of August, 2000:

"RESOLVED, that (1) the President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation'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 seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY have each executed and attested these presents on this 30th day of June, 2010.

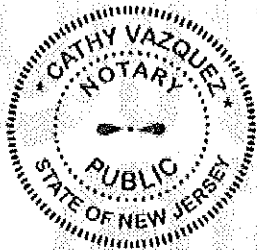


STATE OF NEW JERSEY  
County of Essex

ROBERT W. MINSTER  
Executive Vice President/Chief Operating Officer  
(International Fidelity Insurance Company)  
and President (Allegheny Casualty Company)

On this 30th day of June 2010, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.



A NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Mar. 27, 2014

### CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 22nd day of February, 2012

MARIA BRANCO, Assistant Secretary

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

STATE OF CALIFORNIA

County of Los Angeles

On February 22, 2012 before me, Lena Melkonian  
Date Here Insert Name and Title of the Officer

personally Appeared Michael Vanasopha  
Name(s) of Signer(s)

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

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Payment Bond no. 0492776

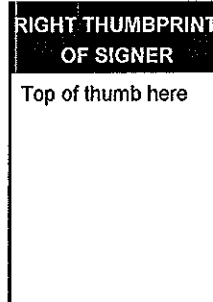
Document Date: February 22, 2012 Number of Pages: 3

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Michael Vanasopha

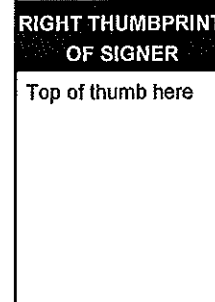
- Individual
- Corporate Officer - Title(s): \_\_\_\_\_
- Partner -  Limited  General
- Attorney In Fact
- Trustee
- Guardian or Conservator
- Other:



Signer Is Representing:  
International Fidelity Insurance Company

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer - Title(s): \_\_\_\_\_
- Partner -  Limited  General
- Attorney In Fact
- Trustee
- Guardian or Conservator
- Other:



Signer Is Representing:



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

State of California

County of Los Angeles

On 2/22/12  
Date

before me,

Dinde R. Patrick, Notary Public  
Here Insert Name and Title of the Officer

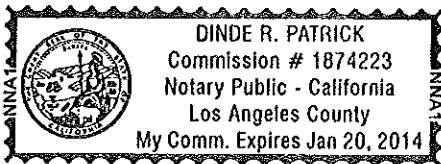
personally appeared

Dora Leony Gallo  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies); and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another 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: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

**RIGHT THUMBPRINT OF SIGNER**  
Top of thumb here

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

**RIGHT THUMBPRINT OF SIGNER**  
Top of thumb here

Signer Is Representing: \_\_\_\_\_

PERFORMANCE BOND

Bond No.  
0492776

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the City of Santa Ana, a municipal corporation of the State of California, the City of Orange, a municipal corporation of the State of California, and Vista Del Rio Housing Partners, LP (hereinafter designated as "Principal"), have entered into an Agreement whereby Principal agrees to install and complete certain designated public improvements, which said Agreement, dated February 22, 2012, is hereby referred to and made a part hereof; and

WHEREAS, said Principal is required under the terms of said Agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and International Fidelity Insurance Company, as Surety, are held and firmly bound unto the City of Santa Ana, California and the City of Orange, CA (hereinafter called "City"), in the penal sum of Four Hundred Thousand Dollars (\$400,000) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bounded principal, his, hers, or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said Agreement and any alteration thereof made as therein provided, on his, hers, or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless City, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such

change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on February 22nd, 2012.

PRINCIPAL: Vista Del Rio Housing Partners, LP

SURETY: International Fidelity Insurance Company

by [Signature]  
Title: Managing General Partner, A Community of Friends

by Michael Vanasopha  
Title: Attorney-In-Fact

by \_\_\_\_\_  
Title: \_\_\_\_\_

by [Signature]  
Title: \_\_\_\_\_

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures.)

Approved by the Council of the City of Santa Ana on the n/a day of \_\_\_\_\_, 20  :

[Signature]  
(signature)

María D. Hizar  
(print name) [Deputy] Clerk of the City Council and Ex-Officio Clerk of the City of Santa Ana

APPROVED AS TO FORM:

[Signature]  
(signature)

Gary A. Sheatz  
(print name) Deputy City Attorney Asst.

Approved by the City of Orange on the \_\_\_\_\_ day of \_\_\_\_\_, 20  :

[Signature]  
(signature)

FRANK SUN  
(print name) City of Orange

APPROVED AS TO FORM:

[Signature]  
(signature)

LISA STONCK  
(print name)

# POWER OF ATTORNEY

## INTERNATIONAL FIDELITY INSURANCE COMPANY ALLEGHENY CASUALTY COMPANY

ONE NEWARK CENTER, 20TH FLOOR NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY, corporations organized and existing laws of the State of New Jersey, and having their principal office in the City of Newark, New Jersey, does hereby constitute and appoint

WILLIAM T. KIEFFER, KENT T. ROBERTS, SHANE WOLF, MICHAEL VANASOPHA

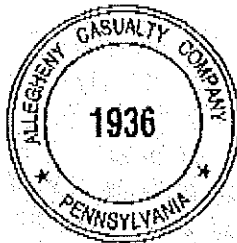
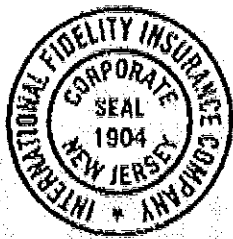
Santa Monica, CA.

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 20th day of July, 2010 and by the Board of Directors of ALLEGHENY CASUALTY COMPANY at a meeting duly held on the 15th day of August, 2000:

"RESOLVED, that (1) the President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation'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 seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY have each executed and attested these presents on this 30th day of June, 2010.

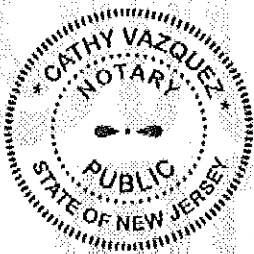


STATE OF NEW JERSEY  
County of Essex

ROBERT W. MINSTER  
Executive Vice President/Chief Operating Officer  
(International Fidelity Insurance Company)  
and President (Allegheny Casualty Company)

On this 30th day of June 2010, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.



A NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Mar. 27, 2014

### CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 22nd day of February, 2012

MARIA BRANCO, Assistant Secretary

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

STATE OF CALIFORNIA

County of Los Angeles

On February 22, 2012 before me, Lena Melkonian, Notary Public  
Date Here Insert Name and Title of the Officer

personally Appeared Michael Vanasopha  
Name(s) of Signer(s)

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

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Performance Bond no. 0492776

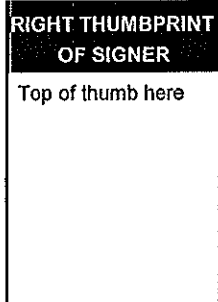
Document Date: February 22, 2012 Number of Pages: 2

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Michael Vanasopha

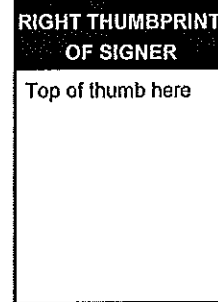
- Individual
- Corporate Officer - Title(s): \_\_\_\_\_
- Partner -  Limited  General
- Attorney In Fact
- Trustee
- Guardian or Conservator
- Other:



Signer Is Representing:  
International Fidelity Insurance Company

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer - Title(s): \_\_\_\_\_
- Partner -  Limited  General
- Attorney In Fact
- Trustee
- Guardian or Conservator
- Other:



Signer Is Representing:

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

State of California

County of Los Angeles }

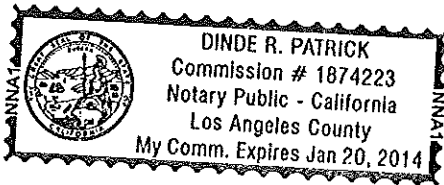
On 2/22/12 before me, Dinde R. Patrick, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Alera Leon Gallo  
(Name(s) of Signer(s))

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies); and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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: Dinde R. Patrick  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another 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: \_\_\_\_\_

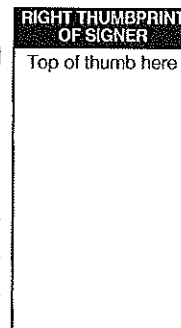
- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

**DEFECTIVE MATERIALS AND WORKMANSHIP BOND**

KNOW ALL MEN BY THESE PRESENTS:

That we Vista Del Rio Housing Partners, LP as Principal and International Fidelity Insurance Company, a corporation organized and existing under the laws of the State of, and authorized to do a general surety business in the State of California, as surety, are held and firmly bound unto the CITY OF SANTA ANA, a municipal corporation of the State of California, and the CITY OF ORANGE, a municipal corporation of the State of California, in the just and full sum of Four Hundred Thousand DOLLARS (\$400,000), lawful money of the United States of America, for which sum, well and truly to be paid, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

The condition of this obligation is such that, whereas the Principal entered into a certain contract with the City of Santa Ana and the City of Orange entitled Agreement for The Installation of Public Improvements located generally at 1600 W. Memory Lane, Santa Ana, CA 92706 and whereas the Principal contracted to give the City of Santa Ana and the City of Orange a Surety Bond in the sum of Four Hundred Thousand DOLLARS (\$400,000) conditioned that the Principal would make good and protect the said City of Santa Ana and City of Orange against the results of any work or labor done or materials furnished which are defective or not in accordance with the terms of said contract having been used or incorporated in any part of the work so contracted for, which shall have appeared or been discovered, within the period of one (1) year from and after the completion and final acceptance of the work done under said contract.

NOW, THEREFORE, if the Principal shall well and truly make good and protect the said City of Santa Ana and City of Orange against the results of any work or labor done or materials furnished which are defective or not in accordance with the terms of said contract having been used or incorporated in any part of the work performed under said contract, which shall have appeared or been discovered within said one-year period from and after completion and final acceptance of said work, then this obligation shall be null and void; otherwise to remain in full force and effect.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on February 22nd, 2012.

PRINCIPAL: Vista Del Rio Housing Partners, LP  
(Type Company Name)

International  
SURETY: Fidelity Insurance  
(Type Company Name) Company

by [Signature]  
Title: Managing General Partner,  
A Community of Friends

by Michael Vanasopha  
Title: Attorney-In-Fact

by \_\_\_\_\_  
Title: \_\_\_\_\_

by [Signature]  
Title: \_\_\_\_\_

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures.)

Approved by the Council of the City of Santa Ana on the n/a day of \_\_\_\_\_, 2012:

[Signature]  
(signature)

Maria D. Hizar  
(print name) [Deputy] Clerk of the City Council  
and Ex-Officio Clerk of the City of Santa Ana

APPROVED AS TO FORM:

[Signature]  
(signature)

Cary A. Sheatz  
(print name) Deputy City Attorney  
Asst.

Approved by the City of Orange on the \_\_\_\_\_ day of \_\_\_\_\_, 2012:

[Signature]  
(signature)

FRANK SUN  
(print name) City of Orange

APPROVED AS TO FORM:

[Signature]  
(signature)

LISA STORCK  
(print name)



# POWER OF ATTORNEY

## INTERNATIONAL FIDELITY INSURANCE COMPANY ALLEGHENY CASUALTY COMPANY

ONE NEWARK CENTER, 20TH FLOOR NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY, corporations organized and existing laws of the State of New Jersey, and having their principal office in the City of Newark, New Jersey, does hereby constitute and appoint

WILLIAM T. KIEFFER, KENT T. ROBERTS, SHANE WOLF, MICHAEL VANASOPHA

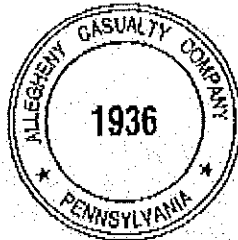
Santa Monica, CA.

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 20th day of July, 2010 and by the Board of Directors of ALLEGHENY CASUALTY COMPANY at a meeting duly held on the 15th day of August, 2000:

"RESOLVED, that (1) the President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation'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 seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY have each executed and attested these presents on this 30th day of June, 2010.

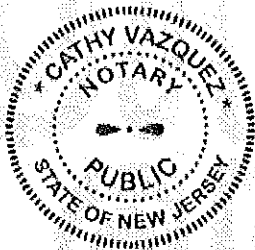


STATE OF NEW JERSEY  
County of Essex

ROBERT W. MINSTER  
Executive Vice President/Chief Operating Officer  
(International Fidelity Insurance Company)  
and President (Allegheny Casualty Company)

On this 30th day of June 2010, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.



A NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Mar. 27, 2014

### CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 22nd day of February, 2012

MARIA BRANCO, Assistant Secretary

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

STATE OF CALIFORNIA

County of Los Angeles

On February 22, 2012 before me, Lena Melkonian, Notary Public  
Date Here Insert Name and Title of the Officer

personally Appeared Michael Vanasopha  
Name(s) of Signer(s)

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

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: Materials & Workmanship Bond no. 0492776

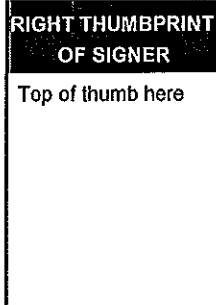
Document Date: February 22, 2012 Number of Pages: 2

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Michael Vansopha

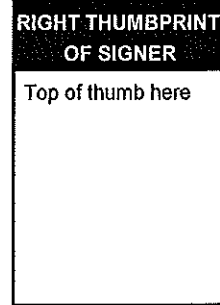
- Individual
- Corporate Officer - Title(s): \_\_\_\_\_
- Partner -  Limited  General
- Attorney In Fact
- Trustee
- Guardian or Conservator
- Other:



Signer Is Representing:  
International Fidelity Insurance Company

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer - Title(s): \_\_\_\_\_
- Partner -  Limited  General
- Attorney In Fact
- Trustee
- Guardian or Conservator
- Other:



Signer Is Representing:

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

State of California

County of Los Angeles

On 2/22/12

Date

before me,

Dinde R. Patrick, Notary Public  
Here Insert Name and Title of the Officer

personally appeared

Dina Georg Gallo  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) 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: Dinde R. Patrick  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

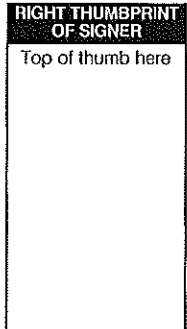
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

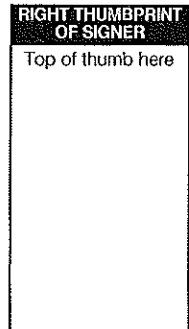
- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_