SUBJECT: Christopher Estates Subdivision fka Casey Subdivision

DEPARTMENT: Development Review Division of Development Services Department

SECTION: Project Review & Processing

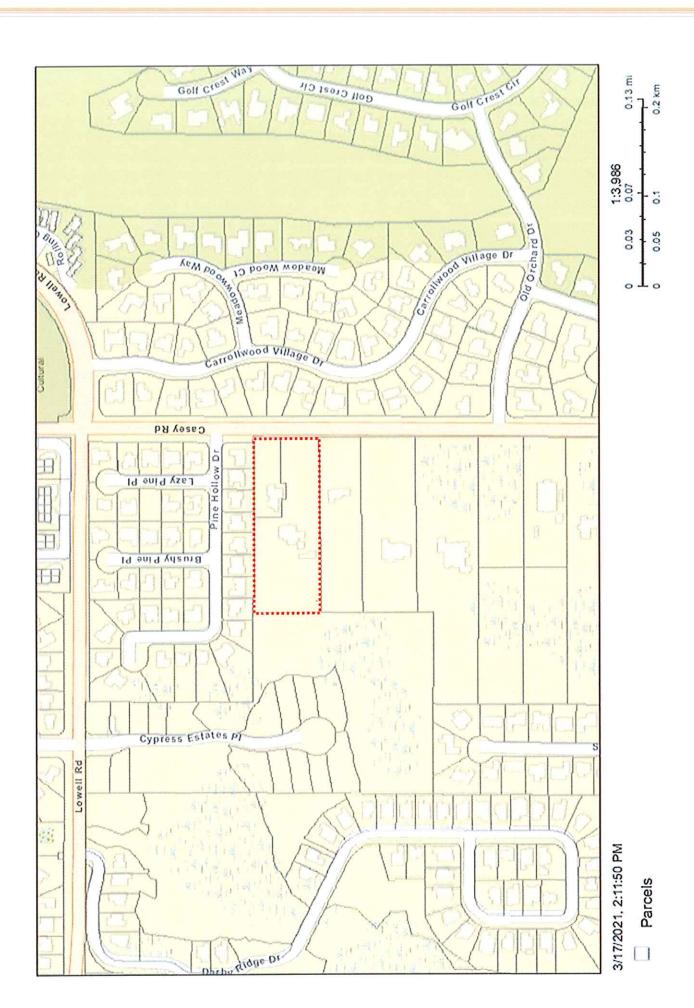
BOARD DATE: April 13, 2021 **CONTACT:** Lee Ann Kennedy

RECOMMENDATION:

Accept the plat for recording for Christopher Estates Subdivision fka Casey Subdivision, located in Section 08, Township 28, and Range 18. Accept a Performance Bond in the amount of \$308,117.50 and authorize the Chairman to execute the Subdivider's Agreement for Construction of Required Improvements. Lot corners are in place and placement has been certified by Edwin B. Keck, Professional Land Surveyor with Gateway Land Surveying.

BACKGROUND:

On October 5, 2020, Permission to Construct Prior to Platting was issued for Christopher Estates Subdivision fka Casey Subdivision. The developer has submitted the required Bond, which the County Attorney's Office has reviewed and approved. The developer is Brian H. Christopher and the engineer is Beacon Civil Engineering.



SUBDIVIDER'S AGREEMENT FOR CONSTRUCTION OF REQUIRED IMPROVEMENTS

between Brian H. Christopher, Pauli	ne Christopher, Marie Christopher, and Sean Patrick Christopher, ", and Hillsborough County, a political subdivision of the State of bunty".
	Witnesseth
	unty Commissioners of Hillsborough County has established a referred to as the "LDC", pursuant to authority contained in Statutes; and
WHEREAS, the LDC affects Hillsborough County; and	the subdivision of land within the unincorporated areas of
· · · · · · · · · · · · · · · · · · ·	LDC, the Subdivider has submitted to the Board of County nty, Florida, for approval and recordation, a plat of a subdivision
	subdivision within the unincorporated areas of Hillsborough orded until the Subdivider has guaranteed to the satisfaction of the ed by the LDC will be installed; and
	nts required by the LDC in the subdivision known as <u>Christopher</u> lation of said plat under guarantees posted with the County; and
Division of Development Services De relating to the construction, of roads, wastewater and reclaimed water syste accordance with the specifications for	has or will file with the Hillsborough County Development Review epartment drawings, plans, specifications and other information streets, grading, sidewalks, stormwater drainage systems, water, ems and easements and rights-of-way as shown on such plat, in und in the aforementioned LDC and as required by the County; and
WHEREAS, the Subdivider a identified as applicable to this project	agrees to build and construct the improvements as listed below and
X Roads/Streets Sanitary Gravity Sewer System Reclaimed Water Mains/Services	X Water Mains/Services X Stormwater Drainage Systems X Sanitary Sewer Distribution System Bridges X Sidewalks Other:
· · · · · · · · · · · · · · · · · · ·	nsideration of the intent and desire of the Subdivider as set forth unty to record said plat, the Subdivider and County agree as

- 1. The terms, conditions and regulations contained in the LDC are hereby incorporated by reference and made a part of this Agreement.
- 2. The Subdivider agrees to well and truly build, construct and install in the platted area known as Christopher Estates Subdivision, within twelve (12) months from and after the date that the Board of County Commissioners approves the final plat and accepts the performance bond rendered pursuant to paragraph 3 below, any roads, streets, grading, sidewalks, bridges, stormwater drainage systems, water, wastewater and reclaimed water systems to be built and constructed in the platted area in accordance with the drawings, plans, specifications and other data and information filed with the Hillsborough County Development Review Division of Development Services Department by the Subdivider.
- 3. The Subdivider agrees to, and in accordance with the requirements of the LDC does hereby deliver to the County, an instrument ensuring the performance of the obligations described in paragraph 2 above, specifically identified as:

a.	Letter of Credit, number	, dated	
	,with		
	of		; or
b.	Performance Bond, dated February 26, 20 Christopher, and Marie Christopher as Pr Company as Surety; or		
c.	Escrow Agreement, dated, ber County or;	ween	and the
d.	Cashier/Certified Check numbershall be deposited by the County into a nereceipt. No interest shall be paid to the S County pursuant to this Agreement.	on-interest bearing escre	w account upon

- 4. Copies of said letter of credit, performance bond, escrow agreement, or cashier/certified check are attached hereto and by reference made a part hereof.
- 5. Should the Subdivider seek and the County grant, pursuant to the terms contained in the LDC, an extension of the time period established for construction of those improvements described in paragraph 2, the Subdivider shall provide the County with an instrument ensuring the completion of said improvements within the extended period. The instrument shall be in the form of a letter of credit, performance bond, escrow agreement, or cashier/certified check, as required by the LDC.
- 6. In the event the Subdivider shall fail or neglect to fulfill its obligations under this Agreement as and as required by the LDC, the Subdivider shall be liable to pay for the cost of construction and installation of the improvements to the final total cost including, but not limited to, engineering, legal and contingent costs, together with any damages,

either direct or consequential, which the County may sustain as a result of the failure of the Subdivider to carry out and execute all of the provisions of this Agreement and the provisions of the LDC.

- 7. The County agrees, pursuant to the terms contained in the LDC, to record the plat of the subdivision known as Christopher Estates at such time as the plat complies with the provisions of the LDC and has been approved in the manner prescribed therein.
- 8. If any article, section, clause or provision of this Agreement may be deemed or held invalid by any court of competent jurisdiction for any reason or cause, the same shall not affect or invalidate the remaining portions of this Agreement, which shall remain in full force and effect.
- 9. This document contains the entire agreement of these parties. It shall not be modified or altered except in writing signed by the parties.

SUBDIVIDER: BRIAN H. CHRISTOPHER

Date: Feb 26/21

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

LEE ROBERT PIERSON Notary Public - State of Florida Commission # HH 8001 My Comm. Expires Jun 23, 2024 Bonded through National Notary Assn.

(Print notary's name)

First Subscribing Witness:

Second Subscribing Witness:

PAULINE CHRISTOPHER

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

Christopher who is personally known to me or produced Valid Re De as identification.

LEE ROBERT PIERSON

Notary Public - State of Florida Commission # HH 8001 My Comm. Expires Jun 23, 2024 Bonded through National Notary Assn.

(Print notary's name)

Second Subscribing Witness:

First Subscribing Witness:

ATTEST:	
HILLSBOROUGH COUNTY CINDY STUART, CLERK OF THE CIRCUIT COURT	BOARD OF COUNTY COMMISSIONERS
Ву:	Ву:
Deputy Clerk	Chair

APPROVED BY THE COUNTY ATTORNEY

Approved As To Form And Legal Sufficiency.

SUBDIVISION PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS, That we, <u>Brian Christopher and Sean Patrick Christopher and Marie Christopher</u> called the Principal, and <u>Great Midwest Insurance Company</u> called the Surety, are held and firmly bound unto the BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, in the sum of <u>Three Hundred Eight Thousand One Hundred Seventeen and 50/100</u> (\$308,117.50) Dollars for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

WHEREAS, the Board of County Commissioners of Hillsborough County has established subdivision regulations pursuant to authority in Chapter 163 and Chapter 177, Florida Statutes, and Hillsborough County Land Development Code, as amended, Ordinance 92-05, which regulations are by reference, hereby incorporated into and made a part of this Subdivision Performance Bond; and

WHEREAS, these subdivision regulations affect the subdivision of land within the unincorporated areas of Hillsborough County; and

WHEREAS, the Principal has filed with the Development Services Department of Hillsborough County, Florida, drawings, plans and specifications and other data and information relating to construction, roads, drainage, water, wastewater and other necessary facilities, in accordance with the specifications found in the aforementioned subdivision regulations and required by the Board of County Commissioners of Hillsborough County, Florida, and the County Engineer; and

WHEREAS, said improvements are to be built and constructed in the aforementioned platted area; and WHEREAS, the aforementioned subdivision regulations require the Principal to submit an instrument ensuring completion of construction of the aforementioned improvements within a time period established by said regulations; and

WHEREAS, the Principal, pursuant to the terms of the aforementioned subdivision regulations has entered into a Subdivider's Agreement for Construction of Required Improvements, the terms of which Agreement require the Principal to submit an instrument ensuring completion of construction of required improvements.

WHEREAS, the terms of said Subdivider's Agreement are by reference, hereby, incorporated into and made a part of this Subdivision Performance Bond.

NOW THEREFORE, the conditions of this obligation are such, that:

- A. If the Principal shall well and truly build, construct, and install in the platted area known as <u>Christopher Estates</u> subdivision all roads, drainage, water, wastewater and other necessary facilities, to be built and constructed in the platted area in exact accordance with the drawings, plans, specifications, and other data and information filed with the Development Services Department of Hillsborough County by the Principal, and shall complete all of said building, construction, and installation within twelve (12) months from the date that the Board of County Commissioners accepts this performance bond; and
- B. If the Principal shall faithfully perform the Subdivider's Agreement at the times and in the manner prescribed in said Agreement;

THEN THIS OBLIGATION SHALL BE NULL AND VOID; OTHERWISE, TO REMAIN IN FULL FORCE AND EFFECT UNTIL February 26, 2022.

SIGNED, SEALED AND DATED this 26th day of February, 2021.

Per Per Puly

Brian Christopher PRINCIPAL

Sean Patrick Christopher

ATTEST:

Marie Christopher

PRINCIPAL

PRINCIPAL

Fauluchustyho

Great Midwest Insurance Company

SURETY

(SEAL)

Arrest Man

ATTORNEY-IN FACT

Mary M Langley

Florida Licensed Resident Agent

APPROXED BY THE COUNTY ATTORNEY

Approved As To Form And Legal

Sufficiency.

as dwerded

POWER OF ATTORNEY

GM-203354

Great Midwest Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **GREAT MIDWEST INSURANCE COMPANY**, a Texas Corporation, with its principal office in Houston, TX, does hereby constitute and appoint:

Frederic M. Archerd Jr., Dorene Ann Blake, Mary M. Langley, Richard P. Russo Jr., Tanya L. Russo

its true and lawful Attomey(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of GREAT MIDWEST INSURANCE COMPANY, on the 1st day of October, 2018 as follows:

Resolved, that the President, or any officer, be and hereby is, authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed Ten Million dollars (\$10,000,000.00), which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed in the Company's sole discretion and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, GREAT MIDWEST INSURANCE COMPANY, has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 15th day of October, 2018.

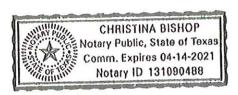


GREAT MIDWEST INSURANCE COMPANY

Peter B. Smith

ACKNOWLEDGEMENT

On this 15th day of October, 2018, before me, personally came Peter B. Smith to me known, who being duly sworn, did depose and say that he is the President of GREAT MIDWEST INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



Christina Bishop Notary Public

CERTIFICATE

I, the undersigned, Secretary of GREAT MIDWEST INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Houston, TX this

ST INSURAN

CORPORATE SEAL

AS CORPORT

26th

Day of February , 20 21

Leslie K. Shaunty

Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

CONSENT OF SURETY BOND RIDER

To be attached and made part of Bond:

D	D	Chairta	-1
Principals:	brian	Christo	one

r and Sean Patrick Christopher and Marie Christopher

Obligees:

Hillsborough County Board of County Commissioners

Surety:

Great Midwest Insurance Company

Bond Number: GM 203354

SUBJECT:

Christopher Estates

KNOW ALL MEN BY THESE PRESENTS, that the Surety acknowledges and agrees to the following:

The aforesaid Bond shall be and it is hereby amended as follows:

Extending the expiration date of the bond from February 26, 2021 to May 13, 2022

The referenced bond shall be subject to all its agreements, limitations and conditions, except as herein modified, said Bond shall be and remain in full force and effect.

Effective, signed, sealed and dated this 10th day of March, 2021

Brian Christopher

Principal

Sean Patrick Christopher

Principal

(SEAL)

Marie Christopher

Principal

(SEAL)

APPROVED BY THE COUNTY ATTORNEY

Approved As To Form And Legal

Sufficiency.

Great Midwest Insurance Company

Surety

(SEAL)

Mary M Langley, Attorney-in-fact

and Florida Licensed Resident Agent

Baldwin Krystyn Sherman Partners 4211 W Boy Scout Blvd #800 Tampa, FL 33607

POWER OF ATTORNEY

GM-203354

Great Midwest Insurance Company

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Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

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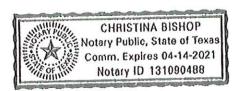


GREAT MIDWEST INSURANCE COMPANY

Peter B. Smith President

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Signed and Sealed at Houston, TX this 10th Day of March , 20 21

CORPORATE SEAL S

Leslie K. Shaunty

Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

WILLIAMSON & ASSOCIATES, INC.

PROFESSIONAL SURVEYING & MAPPING
5020 GUNN HIGHWAY SUITE 220A, TAMPA, FLORIDA 33618
813-265-4795, FAX.=813-264-6062
WILLIAMSONSURVEYING@VERIZON.NET
CHRISTOPHER ESTATES SUBDIVISION

I, DONALD L. WILLIAMSON THE UNDERSIGNED SURVEYOR FOR CHRISTOPHER ESTATES SUBDIVISION, HEREBY CERTIFY THAT ALL OF THE LOT CORNERS AND PERMANENT REFERENCE MONUMENTS (PRMS) WERE SET AT CHRISTOPHER ESTATES SUBDIVISIONS. ALL PERMANENT CONTROLS POINTS (PCPS) WILL BE SET WHEN CHRISTOPHER COURT IS COMPLETED.

DONALD L. WILLIAMSON RLS#5649

3-9-202

CHRISTOP	CHRISTOPHER ESTATES SUBDIVISION	PLAT BOOK PAGE
SECTION S. I.	SECTIONS, LOWISTIA TO SOCIAL MANOE IN MANOE HILLSBOROUGH COUNTY, FLORIDA	
	MORTOMOED: CONSONT TO DEDICATION THE UNDERSCOND, B.C., TAMPA, PROPERTIES, INC. AS HOLDER OF THAT CERTAIN HOPERCAGE RECORDED IN OFFICIAL, RECORD BOOK 26114, PAGE 1881 OF THE PUBLIC RECORDES OF HILLSBORDLCH COUNTY, FLORIDA, WHICH ENCLINBERS THE LANDS BEING SUBJANDED AND CHRISTOPHER ESTATES SUBDIVISION, AND FURTHER HEREBY STATES AND DECLARES THE FOLLOWING:	
	TILE:	
	WITNESSS	
	MTNESS: GCKKIQIN, EDGMENT:	
	count of HILISBOROUGH STATE OF FLORID. The foregoing instrument was acknowledged before me by The foregoing instrument was acknowledged before me by means of □ physical presence or □ online notarization, this day of , 2020, by known to me or produced Driver License as identification."	
	ry Public.	
FINERAL NOTES:	SIGN: (SENL)	
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REVIEWED BY: READ BY: RECESSIONLE SURFING AND MOPER, LICENSE # SURFIC SCENIC CESSIONLE & UND AGDISSTION SERVICES DEPARTMENT HILLSONGENER COUNTY	means of Dhysical presence or Conline notarization, this day of , 2020, by Mean License as identification."	
Surveyor's Certification	SIGN: (SEAL)	
i, the undersigned surveyor, hereby energify that this yottade Subdivision is a confect representation of the land being subdivided; that this piet was prepared under my direction and supervision; that this piet compiles with all the survey requirements of direction and supervision; that falls piet compiles with all the survey requirements of Chapter 177 Part i, Fancia Statutes, and the illusibocough County Lamb		SHEET 2 OF 3
Leanabhrain Cade, Tan Tata, Contrainer, vere view, instantial points the 20 day of SEPTLAHER, 2020, as shown harvon; and that permanent contral points the 20 day of SEPTLAHER, 2020, as shown harvon; and that permanents of Florida Septlands with contrainers with conditions of bonding.	SERVAL NUMBER:	DOIN WILLIAMSOIN &
distribution and the state of t	COMMISSION EXPIRES:	ASSOCIATES, INC. PROFESSIONAL SURVEYORS
COS GINN HIGHAX SILL SSON WANTESON SWEDON PSAFERS DOULD L. WILLIAGON PSAFERS DOULD	Notice:	MAPPERS 1.8#6945 5020 GUNY, HIGHWAY SUITE 220A (RM) 265-4795 WAISURVEYING®GMAIL.COM

