

**CITY OF RIALTO  
FAITHFUL PERFORMANCE BOND**

Bond Number: 8246-34-10

**WHEREAS**, the City of Rialto, a municipal corporation, organized and existing in the County of San Bernardino, under and by virtue of the laws of the State of California (hereinafter designated as the "City"), and PROLOGIS, a Maryland real estate investment trust, (hereinafter designated as the "Principal"), have entered into Precise Plan of Design No. 2434, (the "Agreement"), whereby Principal agrees to install and complete certain designated public improvements as illustrated on the Conditions of Approval letter, of said Agreement, dated September 13, 2017, is hereby referred to and made a part hereof; and

**WHEREAS**, 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 Federal Insurance Company, a corporation duly authorized and admitted to transact business and issue surety bonds in the State of California, as Surety, are held firmly bound unto the City in the penal sum of Four Hundred Forty Four Thousand Seven Hundred Forty Six and 00/100----- dollars (\$444,746.00) 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.

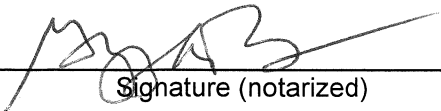
The condition of this obligation is such that if the above bounded Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the Agreement, and any alteration thereof made as therein provided, on his 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 the 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 therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees incurred by the 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 anyway affect its obligations on this Performance 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 Performance Bond has been duly executed by the Principal and Surety above named, on April 13, 2018.

**PRINCIPAL:** PROLOGIS, a Maryland real estate investment trust

By:   
Signature (notarized)

By: \_\_\_\_\_  
Signature (notarized)

Name: Gregory A. Bauer  
Title: Senior Vice President

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

(This Performance Bond must be signed in the above space by one that can show signature authority to bind the Principal for purposes of this Performance Bond.) \*\*See attached Colorado notary acknowledgement

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

This Performance Bond must be signed in the above space, by a person that can show signature authority to bind the Principal for purposes of this Performance Bond.)

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

On \_\_\_\_\_  
before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_  
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 signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

On \_\_\_\_\_  
before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_  
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 signatures(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.

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.

WITNESS my hand and official seal.

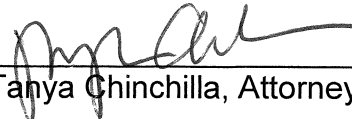
**Notary Signature:**

**Notary Signature:**

Notary Seal:

Notary Seal:

**SURETY:** Federal Insurance Company

By:   
Tanya Chinchilla, Attorney-in-Fact

State of \_\_\_\_\_)  
County of \_\_\_\_\_)

**\*\*\*\*PLEASE SEE ATTACHED CALIFORNIA  
ALL PURPOSE ACKNOWLEDGMENT\*\*\*\***

On \_\_\_\_\_ before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_,  
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 signatures(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.

Notary Signature: \_\_\_\_\_

Notary Seal:

IMPORTANT: Surety companies executing bonds must possess a certificate of authority from the California Insurance Commissioner authorizing them to write surety insurance defined in Section 105 of the California Insurance Code, and the Surety, if required, must also appear on the Treasury Department's most current list (Circular 570 as amended). THIS IS A REQUIRED FORM.

Any claims under this bond may be addressed to:

(Name and Address of Surety)

Federal Insurance Company

202B Hall's Mill Road

Whitehouse Station, NJ 08889

(Name and Address of Agent or  
Representative for service of  
process in California if  
different from above)

Edgewood Partners Insurance Center

3000 Executive Parkway, Suite 325

San Ramon, CA 94583

(Telephone Number of Surety and  
Agent or Representative for  
service of process in California)

(925) 598-6000 and (925) 244-7700

\_\_\_\_\_

\_\_\_\_\_

**CALIFORNIA ALL-PURPOSE 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 Contra Costa )On April 13, 2018 before me, Lisa M. Lucas, notary public,*Date**Here Insert Name and Title of the Officer*personally appeared Tanya Chinchilla*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 ~~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

*Signature of Notary Public**Place Notary Seal Above***OPTIONAL**

*Though this section is 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: \_\_\_\_\_

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

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

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

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

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

COLORADO ALL-PURPOSE ACKNOWLEDGEMENT

State of Colorado )  
County of Denver ) ss.

On April 16, 2018, before me, CAROL HUNTER, a Notary Public,  
in and for said state, personally appeared GREGORY A. BAUER, personally  
known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is  
subscribed to the within instrument and acknowledged to me that they executed the same in their  
authorized capacity, and that by their signature on the instrument, the person, or the entity upon  
behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Carol Hunter  
Signature of Notary Public

20084016459  
Notary Registration Number

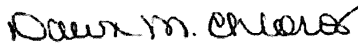
## Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company

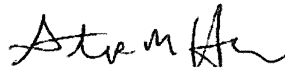
Know All by These Presents, That **FEDERAL INSURANCE COMPANY**, an Indiana corporation, **VIGILANT INSURANCE COMPANY**, a New York corporation, and **PACIFIC INDEMNITY COMPANY**, a Wisconsin corporation, do each hereby constitute and appoint **A.W. Brown, Tanya Chinchilla, Lisa M. Lucas, D. Richard Stinson and Nicholas Tan of San Ramon, California** -----

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY** have each executed and attested these presents and affixed their corporate seals on this 23<sup>rd</sup> day of **February**, 2017.



Dawn M. Chloros, Assistant Secretary



Stephen M. Haney, Vice President



STATE OF NEW JERSEY

County of Hunterdon

SS.

On this 23<sup>rd</sup> day of **February**, 2017 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros, to me known to be Assistant Secretary of **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY**, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros, being by me duly sworn, did depose and say that she is Assistant Secretary of **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY** and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that she signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that she is acquainted with Stephen M. Haney, and knows him to be Vice President of said Companies; and that the signature of Stephen M. Haney, subscribed to said Power of Attorney is in the genuine handwriting of Stephen M. Haney, and was thereto subscribed by authority of said Companies and in deponent's presence.

Notarial Seal



KATHERINE J. ADELAAR  
NOTARY PUBLIC OF NEW JERSEY  
No. 2318865  
Commission Expires July 16, 2019



Notary Public

## CERTIFICATION

Resolutions adopted by the Boards of Directors of **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY** on August 30, 2016:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

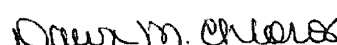
- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Dawn M. Chloros, Assistant Secretary of **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, and **PACIFIC INDEMNITY COMPANY** (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in the U.S. Virgin Islands, and Federal is licensed in Guam, Puerto Rico, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:  
Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

**CITY OF RIALTO**  
**LABOR & MATERIALS (PAYMENT) BOND**

Bond Number: 8246-34-10

**WHEREAS**, the City of Rialto, a municipal corporation, organized and existing in the County of San Bernardino, under and by virtue of the laws of the State of California (hereinafter designated as the "City"), and PROLOGIS, a Maryland real estate investment trust, (hereinafter designated as the "Principal"), have entered into Precise Plan of Design No. 2434 (the "Agreement"), whereby Principal agrees to install and complete certain designated public improvements as illustrated on the Conditions of Approval letter, of said Agreement, dated September 13, 2017, is hereby referred to and made a part hereof; and

**WHEREAS**, under the terms of the Agreement, Principal is required before entering upon the performance of the work to be undertaken to file a good and sufficient payment bond with the City to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code of the State of California.

**NOW, THEREFORE**, Principal and Federal Insurance Company, a corporation duly authorized and admitted to transact business and issue surety bonds in the State of California, as Surety, are held firmly bound unto the City and all contractors, subcontractors, laborers, material suppliers and other persons employed in the performance of the Agreement, and referred to in the aforesaid Civil Code in the sum of Four Hundred Forty Four Thousand Seven Hundred Forty Six and 00/100 dollars (\$444,746.00), 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 Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this Payment 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 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 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

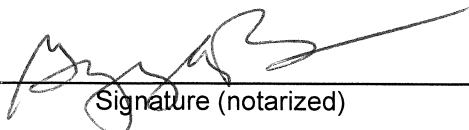
Should the condition of this Payment Bond be fully performed, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

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



**IN WITNESS WHEREOF**, this Payment Bond has been duly executed by the Principal and Surety above named, on April 13, 2018.

**PRINCIPAL:** PROLOGIS, a Maryland real estate investment trust

By: \_\_\_\_\_  
Signature (notarized)

By: \_\_\_\_\_  
Signature (notarized)

Name: Gregory A. Bauer

Name: \_\_\_\_\_

Title: Senior Vice President

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

(This Payment Bond must be signed in the above space by one that can show signature authority to bind the Principal for purposes of this Bond.)

This Payment Bond must be signed in the above space by one that can show signature authority to bind the Principal for purposes of this Bond.)

\*\*See attached Colorado notary acknowledgement

State of \_\_\_\_\_)

State of \_\_\_\_\_)

County of \_\_\_\_\_)

County of \_\_\_\_\_)

On \_\_\_\_\_

On \_\_\_\_\_

before me, \_\_\_\_\_

before me, \_\_\_\_\_

personally appeared \_\_\_\_\_

personally appeared \_\_\_\_\_

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 signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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 signatures(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.

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.

WITNESS my hand and official seal.

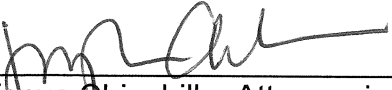
Notary Signature:

Notary Signature:

Notary Seal:

Notary Seal:

SURETY: Federal insurance Company

By:   
Tanya Chinchilla, Attorney-in-Fact

\*\*\*\*PLEASE SEE ATTACHED CALIFORNIA  
ALL-PURPOSE ACKNOWLEDGMENT\*\*\*\*

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_,  
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 signatures(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.

Notary Signature: \_\_\_\_\_

Notary Seal:

IMPORTANT: Surety companies executing bonds must possess a certificate of authority from the California Insurance Commissioner authorizing them to write surety insurance defined in Section 105 of the California Insurance Code, and the Surety, if required, must also appear on the Treasury Department's most current list (Circular 570 as amended). THIS IS A REQUIRED FORM.

Any claims under this bond may be addressed to:

(Name and Address of Surety)

Federal Insurance Company

202B Hall's Mill Road

Whitehouse Station, NJ 08889

(Name and Address of Agent or  
Representative for service of  
process in California if  
different from above)

Edgewood partners Insurance Center

3000 Executive Parkway, Suite 325

San Ramon, CA 94583

(Telephone Number of Surety and  
Agent or Representative for  
service of process in California)

(925) 598-6000 and (925) 244-7700

\_\_\_\_\_

\_\_\_\_\_

**CALIFORNIA ALL-PURPOSE 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 Contra Costa )On April 13, 2018 before me, Lisa M. Lucas, notary public,  
Date Here Insert Name and Title of the Officerpersonally appeared Tanya Chinchilla  
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 Lisa M. Lucas  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is 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: \_\_\_\_\_

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

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

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

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

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

COLORADO ALL-PURPOSE ACKNOWLEDGEMENT

State of Colorado )  
County of Denver ) ss.

On April 16, 2018, before me, CAROL HUNTER, a Notary Public,  
in and for said state, personally appeared GREGORY A. BAUER, personally  
known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is  
subscribed to the within instrument and acknowledged to me that they executed the same in their  
authorized capacity, and that by their signature on the instrument, the person, or the entity upon  
behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Carol Hunter  
Signature of Notary Public

20084016459  
Notary Registration Number

**CITY OF RIALTO  
MAINTENANCE AND WARRANTY BOND**

Bond Number: 8246-34-10

**WHEREAS**, the City of Rialto, a municipal corporation, organized and existing in the County of San Bernardino, under and by virtue of the laws of the State of California (hereinafter designated as the "City"), and PROLOGIS, a Maryland real estate investment trust, (hereinafter designated as the "Principal"), have entered into a Precise Plan of Design Agreement for PPD No. 2434, (the "Agreement"), whereby Principal agrees to install and complete certain designated public improvements, which said Agreement, dated September 13, 2017, is hereby referred to and made a part hereof; and

**WHEREAS**, Principal is required under the terms of the Agreement to maintain and guarantee the costs or repair and/or replacement of defective materials or defective workmanship in the improvements constructed pursuant to the Agreement, which guarantee shall remain in effect for a period of one (1) year from date of acceptance of work by the City, and to furnish a Maintenance and Warranty Bond for the faithful performance of the Agreement, and the payment of all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of any such maintenance and warranty work.

**WHEREAS**, Principal has completed the work required by the Agreement, and the City has accepted, or substantially concurrently herewith is accepting, the work, subject to the requirement of delivery of this obligation.

**NOW, THEREFORE**, we, the Principal, and Federal Insurance Company, a corporation duly authorized and admitted to transact business and issue surety bonds in the State of California, as Surety, are held and firmly bound unto the City, and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the Agreement, for one (1) year from and after the date of completion and acceptance of the work required by the Agreement, in the penal sum of Forty Four Thousand Four Hundred Seventy Four and 00/100 dollars (\$ 44,474.00 ), lawful money of the United States, for replacement and repair of any and all defective materials or defective workmanship within said improvements, and the payment of all materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor in connection with any such maintenance or warranty, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, 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.

It is hereby expressly stipulated and agreed that this Maintenance and Warranty Bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

The condition of this obligation is such that if the Principal, shall well and truly make good and protect the City against the results of any work or labor done or materials or equipment furnished which are defective or not in accordance with the term of the Agreement having been used or incorporated in any part of the work performed under the Agreement, which shall have appeared or been discovered within said one-year period from final acceptance of the work done under the Agreement, then this obligation shall be 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 therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

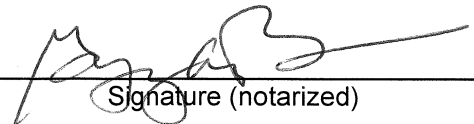
The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement, or to the work to be performed thereunder, or the specifications accompanying the same, shall in anyway affect its obligations on this Maintenance and Warranty Bond, and it 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.

\* \* \* \* \*

(Signatures on Next Page)

**IN WITNESS WHEREOF**, this Maintenance and Warranty Bond has been duly executed by the Principal and Surety above named, on April 13 , 2017 .

**PRINCIPAL:** PROLOGIS, a Maryland real estate investment trust

By:   
Signature (notarized)

By: \_\_\_\_\_  
Signature (notarized)

Name: Gregory A. Bauer

Name: \_\_\_\_\_

Title: Senior Vice President

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

(This Maintenance and Warranty Bond must be signed in the above space by one that can show signature authority to bind the Principal for purposes of this Bond.)\*\*See attached Colorado notary acknowledgement  
State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

This Maintenance and Warranty Bond must be signed in the above space by one that can show signature authority to bind the Principal for purposes of this Bond.)

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

On \_\_\_\_\_  
before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_  
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 signatures(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

On \_\_\_\_\_  
before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_  
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 signatures(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.

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.

WITNESS my hand and official seal.

Notary Signature:

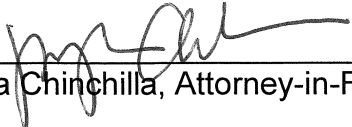
Notary Signature:

Notary Seal:

Notary Seal:



**SURETY:** Federal Insurance Company

By:   
Tanya Chinchilla, Attorney-in-Fact

\*\*\*\*PLEASE SEE ATTACHED CALIFORNIA  
ALL-PURPOSEACKNOWLEDGMENT\*\*\*\*

State of \_\_\_\_\_)  
County of \_\_\_\_\_)

On \_\_\_\_\_ before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_,  
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 signatures(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.

Notary Signature: \_\_\_\_\_

Notary Seal:

IMPORTANT: Surety companies executing bonds must possess a certificate of authority from the California Insurance Commissioner authorizing them to write surety insurance defined in Section 105 of the California Insurance Code, and the Surety, if required, must also appear on the Treasury Department's most current list (Circular 570 as amended). THIS IS A REQUIRED FORM.

Any claims under this bond may be addressed to:

(Name and Address of Surety)	<u>Federal Insurance Company</u>
	<u>202B Hall's Mill Road</u>
	<u>Whitehouse Station, NJ 08889</u>
(Name and Address of Agent or Representative for service of process in California if different from above)	<u>Edgewood Partners Insurance Center</u>
	<u>202B Hall's Mill Road</u>
	<u>Whitehouse Station, NJ 08889</u>
(Telephone Number of Surety and Agent or Representative for service of process in California)	<u>(925) 598-6000 and (925) 244-7700</u>
	<u></u>
	<u></u>

**CALIFORNIA ALL-PURPOSE 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 Contra Costa )  
 On April 13, 2018 before me, Lisa M. Lucas, notary public,  
 Date Here Insert Name and Title of the Officer  
 personally appeared Tanya Chinchilla  
 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 Lisa M. Lucas  
 Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is 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: \_\_\_\_\_  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Individual ☒ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_  
 Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Individual ☐ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_  
 Signer Is Representing: \_\_\_\_\_

COLORADO ALL-PURPOSE ACKNOWLEDGEMENT

State of Colorado )  
County of Denver ) ss.

On April 16, 2018, before me, CAROL HUNTER, a Notary Public,  
in and for said state, personally appeared GREGORY A. BAWER, personally  
known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is  
subscribed to the within instrument and acknowledged to me that they executed the same in their  
authorized capacity, and that by their signature on the instrument, the person, or the entity upon  
behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Carol Hunter  
Signature of Notary Public

20084016459  
Notary Registration Number

Check Date: Apr/17/2018

Check No: 405747

Invoice Number	Invoice Date	Business Unit	Voucher ID	Gross Amount	Paid Amount
INE00895 PPD 2434	Apr/12/2018	03000	00951504	2,800.00	2,800.00

Vendor Number	Vendor Name			Total Discounts	
0000001792	CITY OF RIALTO			\$0.00	
Check Number	Date	Payment Handling	Total Amount	Discounts Taken	Total Paid Amount
405747	Apr/17/2018	ON	\$2,800.00	\$0.00	\$2,800.00

P-003 (11/02)

THIS MULTI-TONE AREA OF THE DOCUMENT CHANGES COLOR GRADUALLY AND EVENLY FROM, DARK TO LIGHT WITH DARKER AREAS BOTH TOP AND BOTTOM

PROLOGIS

1800 Wazee Street, Suite 500  
Denver, CO 80202

BANK OF AMERICA

405747

64-1278/611

Date Apr/17/2018

Pay Amount \$2,800.00\*\*\*

Pay \*\*\*\*TWO THOUSAND EIGHT HUNDRED AND XX/100 DOLLAR \*\*\*\*

To The  
Order OfCITY OF RIALTO  
150 SOUTH PALM AVENUE  
RIALTO, CA 92376

⑈405747⑈

⑈061112788⑈

3299064743⑈

THE ORIGINAL DOCUMENT HAS A WATERMARK ON THE BACK.

HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.