

096864
The Ohio Casualty Insurance Company

5238 Cal Ave
Hm 46320-1305

136 North Third Street, Hamilton, Ohio 45025

BOND

No 2449982-12

KNOW ALL MEN BY THESE PRESENTS That we, Rail Trak Construction Co, Inc. of Hammond, Indiana (hereinafter called the Principal) as Principal, and THE OHIO CASUALTY INSURANCE COMPANY, an Ohio corporation with principal offices at Hamilton, Ohio (hereinafter called the Surety) as Surety, are held and firmly bound unto Lake County, Indiana and all Cities and towns thereof (hereinafter called the Oblige), in the penal sum of Five Thousand and no/100 (\$5,000.00) Dollars, for the payment of which well and truly to be made we do hereby bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED AND SEALED this 13th day of April 1990

WHEREAS, the said Principal has made or is about to make application to said Oblige for a license as repair rail tracks for a term beginning on April 13, 1990 and ending on December 31, 1990

NOW, THEREFORE, If the Principal shall indemnify the Oblige against any loss directly arising by reason of the failure of said Principal to comply with the laws or ordinances under which such license or permit is granted, or any lawful rules or regulations pertaining thereto, then this obligation shall be void; otherwise to be remain in full force and effect.

PROVIDED, HOWEVER, AND UPON THE FOLLOWING EXPRESS CONDITIONS:

1. This bond shall be and remain in full force during the term of said license or permit unless cancelled in accordance with paragraph 2 below; but if said license or permit was issued for a specific term, and is renewed for one or more specific terms, this bond will be extended to cover such additional term(s) upon the execution, by the Surety, of a Continuation Certificate, provided such certificate is acceptable to the Oblige. In no event, however, shall the liability of the Surety be cumulative from year to year or from period to period, nor exceed the penal sum written in the first paragraph of this bond.

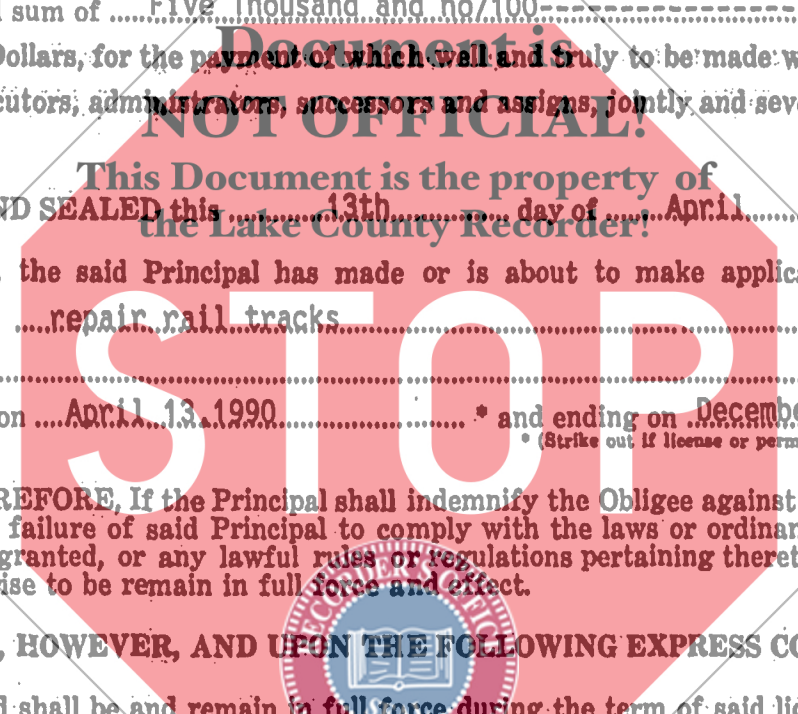
2. The Surety shall have the right to terminate its liability hereunder by notifying in writing

(Give name and address of department or official to whom notice should be addressed)

Lake County, Indiana ten (10) days in advance of its intention so to do.

Countersigned by Edgar A. Bowling Indianapolis Branch Office

Rail Trak Construction Co., Inc. by THE OHIO CASUALTY INSURANCE COMPANY By Martin S. Muikerrin Attorney-in-fact.



STATE OF INDIANA/S.S. NC. FILED APR 24 1990

7.00

AFFIDAVIT OF ATTORNEY-IN-FACT FOR SURETY

STATE OF Illinois }
COUNTY OF DuPage } ss.

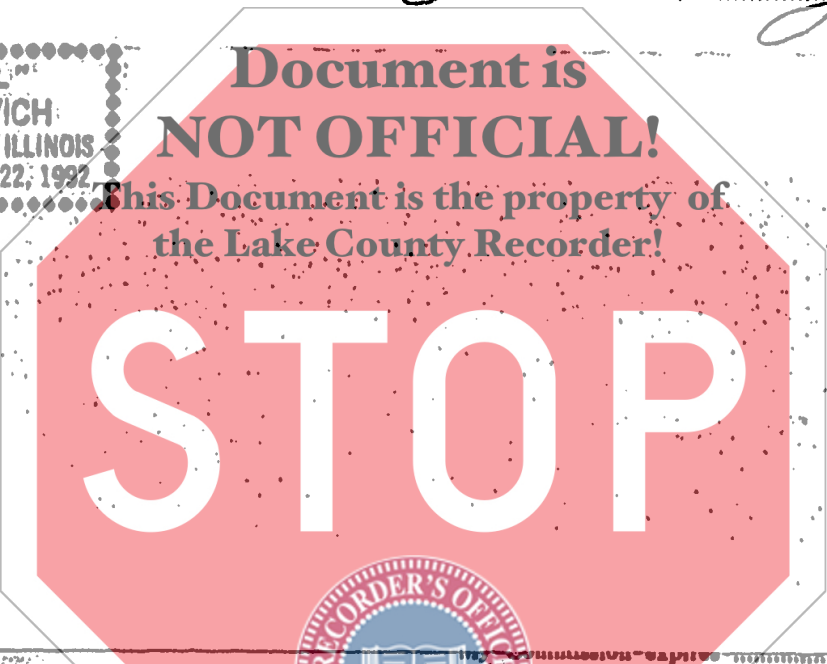
On this 13th day of april 1990, before me personally appeared Martin S. Mulkerrin, Attorney-in-fact, of The Ohio Casualty Insurance Company, with whom I am personally acquainted, who being by me duly sworn, did depose and say, that he resides in Lombard, Illinois; that he is the Attorney-in-fact of The Ohio Casualty Insurance Company, the corporation named in and which executed the within instrument; that he knows the corporate seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed and executed the said instrument as Attorney-in-fact of said corporation by like order.

My Commission expires July 22, 1992

Donna M. Zeravich
Notary Public

Form 5-170

OFFICIAL SEAL
DONNA M. ZERAVICH
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires July 22, 1992



This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of the Company, adopted by its directors on April 2, 1954, extracts from which read:

Section 7: Appointment of Attorney-in-Fact, etc. The chairman of the board, the president, any vice-president, the secretary or any assistant secretary shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Company as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision.

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the directors of the Company on May 27, 1970:

RESOLVED that the signature of any officer of the Company authorized by Article VI Section 7 of the by-laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, Article VI Section 7 of the by-laws of the Company and the above Resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this 13th day of april A. D. 19 90



Handwritten signature of the Assistant Secretary.

Assistant Secretary

CERTIFIED COPY OF POWER OF ATTORNEY
THE OHIO CASUALTY INSURANCE COMPANY

HOME OFFICE, HAMILTON, OHIO

No. 10-584

Know All Men by These Presents: That THE OHIO CASUALTY INSURANCE COMPANY, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of said Company, does hereby nominate, constitute and appoint:

Martin S. Mulkerrin - - - - - of Lombard, Illinois - - - -
its true and lawful agent and attorney -in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed Any and all bonds, recognizances, stipulations or undertakings excluding, however, any bonds or undertakings guaranteeing the payment of loans, notes or the interest thereon. - - - - -

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Hamilton, Ohio, in their own proper persons.



In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company, this 2nd day of April 19 80.

NOT OFFICIAL

STATE OF OHIO,
COUNTY OF BUTLER

ss. This Document is the property of the Lake County Recorder!
On this 2nd day of April A. D. 19 80 before

the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came Richard T. Hoffman, Asst. Secretary - - - of THE OHIO CASUALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposes and saith, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.



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



Dorothy Bilee
Notary Public in and for County of Butler, State of Ohio
My Commission expires December 11, 1981...

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[Signature]
Assistant Secretary