

The St Paul

Surety

J

Bond No. 400JY7611

2000 031621

2000 MAY -9 PM 2:03

STATE
LAKE
FILED

Seaboard Surety Company
St. Paul Fire and Marine Insurance Company
St. Paul Mercury Insurance Company
St. Paul Guardian Insurance Company
St. Paul Medical Liability Insurance Company
United States Fidelity & Guaranty Company
Fidelity & Guaranty Insurance Company
Fidelity & Guaranty Insurance Underwriters, Inc.

CONTINUATION CERTIFICATE

MORRIS W. CARTER
RECORDER

Attached to **BOND No. 400JY7611** issued by the **ST. PAUL FIRE AND MARINE INSURANCE COMPANY**

(hereinafter called the Company), in favor of **Merrillville Conservation District**

on behalf of **D&M Excavating, Inc.**

Document is NOT OFFICIAL!

This Document is the property of the Lake County Recorder!

in the amount of

FIVE THOUSAND DOLLARS

\$5,000.00

In Consideration of an Agreed Premium of:

SEVENTY-FIVE DOLLARS

\$75.00

the Company hereby agrees, subject to the terms, conditions and limitations, of said bond and that said bond shall continue in force for the period beginning on the 13th day of APRIL 2000 for an additional one year term.

This Continuation Certificate is executed upon the express condition that the Company's liability under said bond and this and all continuation certificates issued in connection therewith shall not be cumulative and shall not in any event exceed the amount as set forth in said bond or in any additions, riders, or endorsements properly issued by the Company as supplements thereto.

SIGNED, SEALED, and DATED this 21st day MARCH 2000

ST. PAUL FIRE AND MARINE INSURANCE COMPANY

by

Steve J...

Attorney-In-Fact

1200
E.P.
CS

St Paul

Surety

ST. PAUL MERCURY INSURANCE COMPANY
385 Washington Street, St. Paul, Minnesota 55102

CERTIFICATE OF AUTHORITY NO.

POWER OF ATTORNEY NO.

For verification of the authenticity of this Power of Attorney, you may telephone toll free 1-800-421-3880 and ask for the Power of Attorney Clerk. Please refer to the Power of Attorney No. and the named individual(s).

M-16218

GENERAL POWER OF ATTORNEY - CERTIFIED COPY
(Original on File at Home Office of Company. See Certification.)

434743

KNOW ALL MEN BY THESE PRESENTS: That **St. Paul Mercury Insurance Company**, a corporation organized and existing under the laws of the State of Minnesota, having its principal office in the City of St. Paul, Minnesota, does hereby constitute and appoint:

Thomas A. Cipares, Steve Jacox, Daniel D. Kaminski, individually, Michigan City, Indiana

its 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, recognizances, 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,

NOT TO EXCEED IN PENALTY THE SUM OF FIVE MILLION DOLLARS(\$5,000,000)EACH

and the execution of all such instrument(s) in pursuance of these presents, shall be as binding upon said **St. Paul Mercury Insurance Company**, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal office.

This Power of Attorney is executed, and may be certified to and may be revoked, pursuant to and by authority of Article V, Section 6(C), of the By-Laws adopted by the Shareholders of **ST. PAUL MERCURY INSURANCE COMPANY** at a meeting called and held on the 28th day of April, 1978, of which the following is a true transcript of said Section 6 (C):

"The President or any Vice President, Assistant Vice President, Secretary or Service Center General Manager shall have power and authority

- (1) To appoint Attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and
- (2) To appoint special Attorneys-in-fact, who are hereby authorized to certify to copies of any power-of-attorney issued in pursuance of this section and/or any of the By-Laws of the Company, and
- (3) To remove, at any time, any such Attorney-in-fact or Special Attorney-in-fact and revoke the authority given him."

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of said Company adopted at a meeting duly called and held on the 12th day of December, 1967, of which the following is a true excerpt:

"Now therefore the signatures of such officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN TESTIMONY WHEREOF, **St. Paul Mercury Insurance Company** has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 2nd day of September, A.D. 1998.



STATE OF MARYLAND } ss.
City of Baltimore

ST. PAUL MERCURY INSURANCE COMPANY

Michael B. Keegan

MICHAEL B. KEEGAN, Vice President

On this 2nd day of September, A.D. 1998, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said that he/she is the therein described and authorized officer of **St. Paul Mercury Insurance Company**; that the seal affixed to said instrument is the Corporate Seal of said Company; that the said Corporate Seal and his/her signature were duly affixed by order of the Board of Directors of said Company.

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



Rebecca Easley-Onokala

REBECCA EASLEY-ONOKALA, Notary Public
My Commission Expires July 13, 2002

CERTIFICATION

I, the undersigned officer of **St. Paul Mercury Insurance Company**, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the By-Laws of said Company as set forth in said Power of Attorney, with the **ORIGINALS ON FILE IN THE HOME OFFICE OF SAID COMPANY**, 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

05 day of MAY, 19 2000

Michael R. McKibben
MICHAEL R. MCKIBBEN, Assistant Secretary

Only a certified copy of Power of Attorney bearing the Certificate of Authority No. printed in red on the upper right corner is binding. Photocopies, carbon copies or other reproductions of this document are invalid and not binding upon the Company.

ANY INSTRUMENT ISSUED IN EXCESS OF THE PENALTY AMOUNT STATED ABOVE IS TOTALLY VOID AND WITHOUT ANY VALIDITY.