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September 11th, 2009

Western Surety Company

LICENSE AND PERMIT BOND

2009 063152

KNOW ALL PERSONS BY THESE PRESENTS:

Bond No. 15358764

That we, Darryl Smith DBA Smith & Sons Excavating Inc.

of the City of LaPorte, State of Indiana, as Principal,
and WESTERN SURETY COMPANY, a corporation duly licensed to do surety business in the State of

Indiana, as Surety, are held and firmly bound unto the

City of Hobart, State of Indiana, as Obligee, in the penal

sum of Five Thousand and 00/100 DOLLARS (\$5,000.00)

lawful money of the United States, to be paid to the Obligee, for which payment well and truly to be made, we bind ourselves and our legal representatives, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the Principal has been licensed Excavation

by the Obligee.

NOW THEREFORE, if the Principal shall faithfully perform the duties and in all things comply with the laws and ordinances, including all amendments thereto, pertaining to the license or permit applied for, then this obligation to be void, otherwise to remain in full force and effect until September 11th, 2010, unless renewed by Continuation Certificate.

This bond may be terminated at any time by the Surety upon sending notice in writing, by First Class U.S. Mail, to the Obligee and to the Principal at the address last known to the Surety, and at the expiration of thirty-five (35) days from the mailing of said notice, this bond shall ipso facto terminate and the Surety shall thereupon be relieved from any liability for any acts or omissions of the Principal subsequent to said date. Regardless of the number of years this bond shall continue in force, the number of claims made against this bond and the number of premiums which shall be payable or paid, the Surety's total limit of liability shall not be cumulative from year to year or period to period, and in no event shall the Surety's total liability for all claims exceed the amount set forth above. Any revision of the bond amount shall not be cumulative.

Dated this 11th day of September, 2009

Smith & Sons Excavating Inc.

Darryl Smith

Principal

Principal

Countersigned (where required)

By *Yves A. Putek*
Resident Agent

WESTERN SURETY COMPANY

By *Paul T. Bruflat*
Paul T. Bruflat, Senior Vice President

Form 532-2-2006

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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
MICHAEL A. BROWN
RECORDER
2009 SEP 16 AM 9:08

\$14
CK# 12489
CA

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

ACKNOWLEDGMENT OF SURETY
(Corporate Officer)

On this 11th day of September, 2009, before me, the undersigned officer, personally appeared Paul T. Bruflat, who acknowledged himself to be the aforesaid officer of WESTERN SURETY COMPANY, a corporation, and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



My Commission Expires August 11, 2010

S. Petrik
Notary Public - South Dakota

ACKNOWLEDGMENT OF PRINCIPAL
(Individual or Partners)

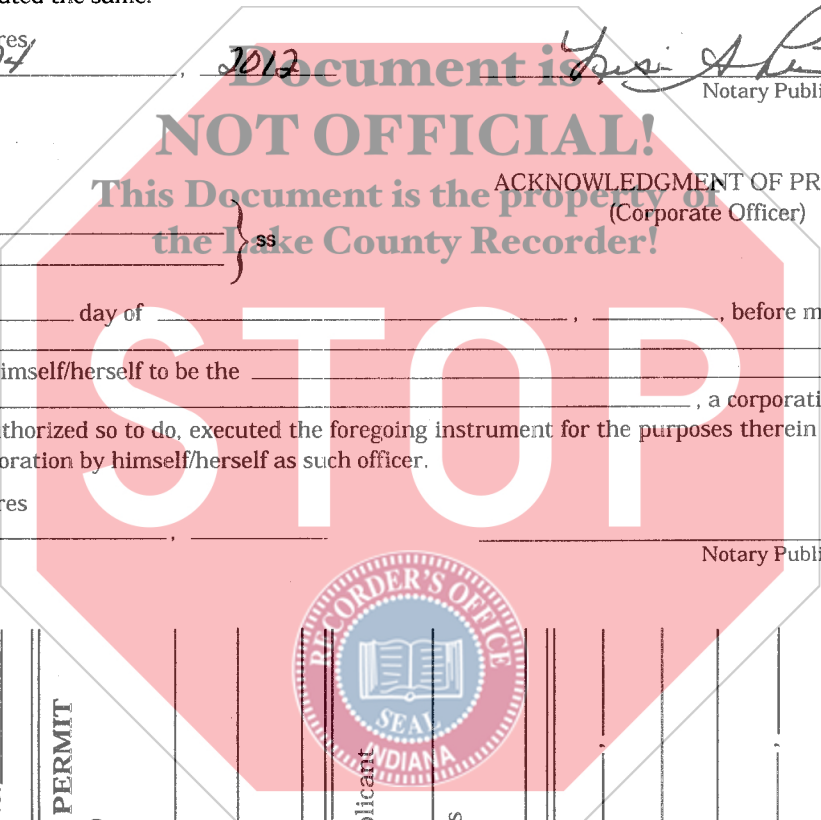
STATE OF Indiana }
COUNTY OF Darke } ss

On this 11th day of September, 2009, before me personally appeared Darryl Smith known to me to be the individual described in and who executed the foregoing instrument and acknowledged to me that he executed the same.

My commission expires May 24

2012

Yusef A. ...
Notary Public



ACKNOWLEDGMENT OF PRINCIPAL
(Corporate Officer)

STATE OF _____ }
COUNTY OF _____ } ss

On this _____ day of _____, before me personally appeared _____ who acknowledged himself/herself to be the _____ of _____, a corporation, and that he/she as such officer being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as such officer.

My commission expires _____

Notary Public

Western Surety Company

License or Permit No. _____

LICENSE AND PERMIT
BOND
As

of _____

State of _____

Name of Applicant _____

Address _____

Filed _____

Approved this _____

day of _____

