



CITY OF  
BAINBRIDGE ISLAND

Department of Planning and Community Development

EXONERATION AND RELEASE

WHEREAS, *Bainbridge Island Holdings LLC* as Principal, and *Fidelity and Deposit Company of Maryland* as Surety, executed *Bond #09268863*, on the date of **November 29, 2017**, in the sum of **\$22,886.00**, (*Twenty-two thousand eight hundred eighty-six and 00/100 dollars*), to the City of Bainbridge Island, as obligee, for *Subdivision Improvements Performance Bond*, for the **Grow Community 3 Site Utility Improvements / PLN13551**, and

WHEREAS, the obligee, has determined that all terms of said *Bond* have now been complied with to the satisfaction of the obligee;

NOW THEREFORE, *Bond #09268863* is hereby exonerated, and the bank and the principal are hereby released of all obligations and liability thereunder.

DATED this **16th** day of **November 2021**.

CITY OF BAINBRIDGE ISLAND

BY: *Mark Hofman*  
Mark Hofman, Interim Director





Bond no. 09268863

**SUBDIVISION IMPROVEMENTS  
PERFORMANCE BOND**

IT IS HEREBY ACKNOWLEDGED AND AGREED that Bainbridge Island Holdings, LLC as Principal and Fidelity and Deposit Company of Maryland, a corporation organized under the laws of Maryland and licensed to do business as surety within the State of Washington, as surety are held firmly bound unto the CITY OF BAINBRIDGE ISLAND, Washington ("City") in the sum of Twenty Two Thousand Eight Hundred Eighty Six Dollars and 00/100 (\$22,886.00) Dollars for which payment they fully bind themselves and all assigns, heirs, executors and successors, jointly and severally.

WHEREAS, the above named Principal entered into an agreement or agreements with the City to complete Grow Community 3 Site Utility Improvements.

NOW THEREFORE, the condition of this obligation is such that if the above Principal shall fully perform said agreement or agreements during the original term thereof or any extension of said term that may be granted by the City with or without notice to the Surety, this obligation shall be void, otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, the seal and signature of said Principal is hereto affixed and the corporate seal and the name of the said Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact at Tacoma, WA, this 29th day of November, 2017.

**PRINCIPAL**

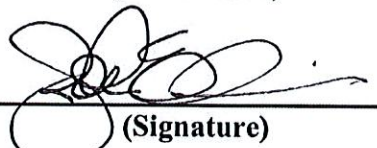
**SURETY**

Bainbridge Island Holdings, LLC  
(Principal)

Fidelity and Deposit Company of Maryland  
(Surety)

By: John Ellis  
(Print Name)

By: Jamie L. Marques  
(Print Name)

  
(Signature)

  
(Signature)

Its: Manager/Member

Its: Attorney-in-Fact



**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND  
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **DAVID MCVICKER, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Karen C. SWANSON, Julie R. TRUITT, Jamie L. MARQUES, Carley ESPIRITU, Christopher KINYON, Brent E. HEILESEN, Annelies M. RICHIE, Mary S. NORRELL, Heather L. ALLEN and Peter J. COMFORT**, all of Tacoma, Washington, EACH 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 and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, 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 ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

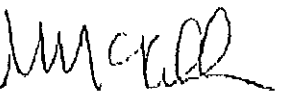
The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

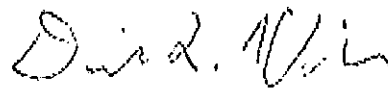
IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 5th day of October, A.D. 2017.

**ATTEST:**

**ZURICH AMERICAN INSURANCE COMPANY  
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By:   
Secretary  
Michael McKibben

  
Vice President  
David McVicker

State of Maryland  
County of Baltimore

On this 5th day of October, A.D. 2017, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **DAVID MCVICKER, Vice President**, and **MICHAEL MCKIBBEN, Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

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



Constance A. Dunn, Notary Public  
My Commission Expires: July 9, 2019







## EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

### CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 24th day of November, 2017.



Michael Bond, Vice President

**TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT ALL REQUIRED INFORMATION TO:**

Zurich American Insurance Co.  
Attn: Surety Claims  
1299 Zurich Way  
Schaumburg, IL 60196-1056







November 29th, 2017

1201 Pacific Avenue  
Suite 1000  
Tacoma WA 98402-4121  
252 P.O. 2300

Bainbridge Island Holdings LLC  
9720 Coppertop Loop NE #104  
Bainbridge Island, Washington 98110

Re: City of Bainbridge Island, WA Subdivision Improvements Performance Bond  
(Grow Community 3 Site Utility Improvements) ~ Bond Amount: \$22,886.00  
\*Release required to cancel\*

Policy No.: 09268863

Company: Fidelity and Deposit Company of Maryland

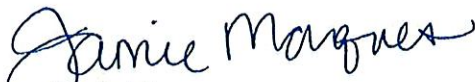
Dear Lauren:

Enclosed please find your new \$22,886.00 City of Bainbridge Island, WA Subdivision Improvements Performance Bond which has been issued effective November 29th, 2017. The annual premium for this bond is \$458.00 for which our invoice is enclosed.

Please sign the original bond where indicated and file it with the City of Bainbridge Island. The copy is for you to keep for your records.

If you have any questions, don't hesitate to give me a call.

Sincerely,

  
Jamie Marques  
Surety Account Administrator

Encl.



**From:** [Heather Wright](#)  
**To:** [Amy Burrill](#)  
**Subject:** RE: Bainbridge Island Holdings LLC - Bond Inquiries - Releases Needed  
**Date:** Friday, October 29, 2021 4:14:06 PM

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**This message is from an external sender.**

Hello Amy,

If I understand your email, I can inform you that these bonds can be closed. All the work that the bonds were secured for have been completed. Please let me know if this satisfies your request.

Sincerely,

Heather

**HEATHER WRIGHT, AICP**

**Director of Planning and Community Development**

[www.bainbridgewa.gov](http://www.bainbridgewa.gov)

[facebook.com/citybainbridgeisland/](https://facebook.com/citybainbridgeisland/)

206.780.3754 (office)

206.471-2721 (cell)

COBI email



The Planning and Community Development Department (PCD) counter is now open for general questions Monday – Friday, 8 am to Noon. All permits require an [appointment](#) for submittal. If you have questions you want answered virtually, schedule an afternoon [appointment](#).

**From:** Amy Burrill <Amy.Burrill@propelinsurance.com>  
**Sent:** Thursday, October 28, 2021 4:00 PM  
**To:** Heather Wright <hwright@bainbridgewa.gov>  
**Subject:** RE: Bainbridge Island Holdings LLC - Bond Inquiries - Releases Needed

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

No worries at all, but thank you for letting me know. Again I really appreciate your help on this.

If you cannot find any of some of the bonds. All I need is for you guys to confirm that via email. My client Joie Olson also let me know the new developer for the project, Green Canopy is going to be putting up their own bonds for the last phase of development.

Have a great weekend!

**Amy Burrill**

Propel Insurance  
An Alera Group Company  
253.235.3665 Direct  
*Unrelentingly Unconventional*

**From:** Heather Wright <[hwright@bainbridgewa.gov](mailto:hwright@bainbridgewa.gov)>

**Sent:** Tuesday, October 26, 2021 8:56 PM

**To:** Amy Burrill <[Amy.Burrill@propelinsurance.com](mailto:Amy.Burrill@propelinsurance.com)>

**Subject:** RE: Bainbridge Island Holdings LLC - Bond Inquiries - Releases Needed

**This message is from an external sender.**

Hello Amy,

I apologize for my radio silence on this request. I am working with my admin to provide closure on these bonds as well as our public works engineer.

Sincerely,

Heather

**HEATHER WRIGHT, AICP**

**Director of Planning and Community Development**

[www.bainbridgewa.gov](http://www.bainbridgewa.gov)

[facebook.com/citybainbridgeisland/](https://facebook.com/citybainbridgeisland/)

206.780.3754 (office)

206.471-2721 (cell)

COBI email



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**From:** Amy Burrill <[Amy.Burrill@propelinsurance.com](mailto:Amy.Burrill@propelinsurance.com)>

**Sent:** Wednesday, October 13, 2021 10:10 AM

**To:** Heather Wright <[hwright@bainbridgewa.gov](mailto:hwright@bainbridgewa.gov)>

**Subject:** Bainbridge Island Holdings LLC - Bond Inquiries - Releases Needed

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Good Morning Heather,

I hope you are doing well. I handle bonds for my client Bainbridge Island Holdings. Joie Olsen who I



have been working with forwarded me the attached letter she received from you. I have been working with her to try and get all their bonds released officially. I looked over the release letter and unfortunately this letter is to a bank regarding a deposit that was put down by Bainbridge for some part of the project. She didn't realize that was a separate deposit that they put down at some point for the project. But from the language in the letter and what know about the project I'm sure most of the we have bonds can be released. Two were issued in 2014 and 4 were issued in 2017. I'm htinkign we just enver received copies of the release letters. But we do need a letter or email from you guys at the city referencing the specific bond information we have (bond numbers and bond amounts) can be closed. I let Joie know I would be following up with you directly to get this sorted out. Even an email from you or someone at the city with the bond numbers and amounts will suffice. We currently have 6 bonds still active for Bainbridge island Holdings and all of them require a release letter or email confirmation from the city to cancel.

Below are the information on the 6 bonds we have in place. Please reference the original bonds forms attached as well for additional information:

- Bond#: **09156192**-City of Bainbridge Island Landscaping Maintenance Bond ~ Bond Amount: \$7,500.00 \*Release required to cancel\*
  - First Issued November 2014
- Bond#: **09268863**-City of Bainbridge Island, WA Subdivision Improvements Performance Bond, Grow Community 3 Site Utility Improvements ~ Bond Amount: \$22,886.00 \*Release required to cancel\*
  - First Issued November 2017
- Bond#: **09268864**- City of Bainbridge Island, WA Landscaping Performance Bond (Grow Phase 2 (City File No. PU18987)) ~ Bond Amount: \$26,250.00 \*Release required to cancel\*
  - First Issued November 2017
- Bond#: **09268866**- City of Bainbridge Island, WA Landscaping Maintenance Bond (City File No. PU18987 ), ~ Bond Amount: \$7,000 \*Release required to cancel\*
  - First Issued November 2017
- Bond #: **09268865**- City of Bainbridge Island Public Works Department Maintenance Bond, Grow Community Phase II, (Water, Sewer, Storm) ~ Bond Amount: \$67,610.40 \*Release required to cancel\*
  - First Issued November 2017
- Bond #: **09156196**- City of Bainbridge Island Landscaping Performance Bond, Grow Phase 2 (City File no. PU18987) ~ Bond Amount: \$52,500.00 \*Release required to cancel\*
  - First Issued December 2014

If this email would not be something for you to handle, please forward my email to who can look into this for me.

Thank you so much for your help!

**Amy Burrill**

Propel Insurance

Account Manager

Surety

1201 Pacific Avenue, Suite 1000

Tacoma, WA 98402-4321

253.235.3665 Direct

*Unrelentingly Unconventional*

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