

**GENERAL PURPOSE RIDER**

TO BE ATTACHED to and form part of Bond Number 72091314 issued by the  
WESTERN SURETY COMPANY, as

Surety, on behalf of Banana Riverfront, LLC of  
490 N. Harbor City, Melbourne, FL 32935, hereinafter referred

to as the Principal and in favor of Brevard County Board of County Commissioners  
of 2725 Judge Fran Jamieson Way, Viera, FL 32940, hereinafter

referred to as the Obligee, in the sum of One Hundred Eighteen Thousand Nineteen and 00/100  
Dollars ( \$118,019.00 ), effective the 26th day of October, 2019.

NOW, THEREFORE, it is agreed that Paragraph 2 of the bond has been changed to read:  
(See Attached)

IT IS FURTHER AGREED that all other terms and conditions of this bond shall remain unchanged.

THIS RIDER IS TO BE EFFECTIVE the 23rd day of September, 2019.

SIGNED, SEALED AND DATED this 23rd day of September, 2019.

Accepted By:

Brevard County Board of County Commissioners

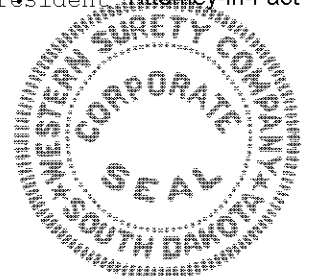
By: \_\_\_\_\_

Banana Riverfront, LLC  
(Principal)

By: [Signature] (Seal)

WESTERN SURETY COMPANY  
(Surety)

By: [Signature] (Seal)  
Paul T. Bruflat, Vice President, Attorney-in-Fact



Whereas, the Principal has entered into a **Settlement Agreement dated March 21, 2017** ("**Settlement Agreement**") with the Obligee and has received **Site plan approval for 17AD00026 on September 25, 2018**, guaranteeing only that the Principal will **complete all improvements shown on approved plan #17AD00026 including corrections of outstanding deficiencies and approved work for stormwater improvements as per the County approved cost estimate** prepared by: **Bruce Moia, PE of MBV Engineering, Inc. said Settlement Agreement and site plan and cost estimate, all attached** to and made a part hereof, at certain land known as 2200 Orlando Ave., Cocoa Beach, FL 32931 all of which improvements shall be completed on or before **September 25, 2020** or any extension thereof, and the Principal provides this bond as security for such agreement.

# Western Surety Company

## POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 72091314

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint Paul T. Bruflat

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Banana Riverfront, LLC

Obligee: Brevard County Board of County Commissioners

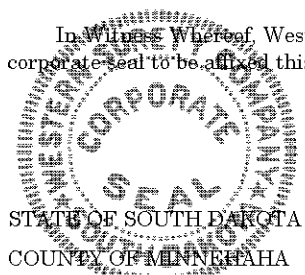
Amount: \$1,000,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

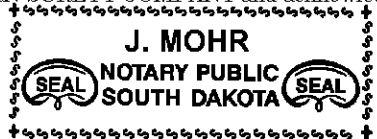
If Bond No. 72091314 is not issued on or before midnight of October 26, 2020, all authority conferred in this Power of Attorney shall expire and terminate.

In Witness Whereof, Western Surety Company has caused these presents to be signed by its Vice President, Paul T. Bruflat, and its corporate seal to be affixed this 26th day of October, 2019.



WESTERN SURETY COMPANY  
Paul T. Bruflat  
Paul T. Bruflat, Vice President

On this 26th day of October, in the year 2019, before me, a notary public, personally appeared Paul T. Bruflat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



J. Mohr  
Notary Public - South Dakota

My Commission Expires June 23, 2021

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 26th day of October, 2019.

WESTERN SURETY COMPANY  
Paul T. Bruflat  
Paul T. Bruflat, Vice President

To validate bond authenticity, go to [www.cnasurety.com](http://www.cnasurety.com) > Owner/Obligee Services > Validate Bond Coverage.