

TOWER/STRUCTURE REMOVAL BOND

Bond Number: CMS0324656

KNOW ALL MEN BY THESE PRESENTS, THAT, SBA 2012 TC Assets, LLC as Principal, and RLI Insurance Company, a corporation duly organized under the laws of Illinois, as Surety, are held and firmly bound unto El Paso County, 2880 International Circle, Suite 110, Colorado Springs, CO 80910, as Obligor, in the sum of Thirty-Five Thousand Dollars and 00/100 (\$35,000.00) lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents, the liability of the Surety being limited to the penal sum of this bond regardless of the number of years the bond is in effect.

WHEREAS, the Obligor, by ordinance, permit or written agreement with the Principal, requires the submission of a bond guaranteeing the removal of telecommunications equipment located at 18620 Oil Well Road, Ramah, CO 80832 (Site ID: CO46078-A/Simla); Landowner: John W. Stark, Jr. P.O. Box 42, Ramah, CO 80832, Lease Date: 03/03/2005 upon discontinuance of service.

NOW THEREFORE, the condition of this obligation is such, that if the above bounden Principal shall perform in accordance with the aforesaid ordinance and/or agreement, and indemnify the Obligor against all loss caused by Principal's breach of any ordinance or agreement relating to maintenance, replacement, removal or relocations of a tower or structure, then this obligation shall be void, otherwise to remain in full force and effect unless cancelled as set forth below.


THIS BOND may be cancelled by Surety giving thirty (30) days written notice to the Obligor. Such cancellation shall not affect any liability the Surety may have or incurred under this bond prior to the effective date of the termination.

PROVIDED HOWEVER, that this bond is executed subject to the following express provisions and conditions:

1. No action, suit or proceeding shall be maintained against the Surety on this bond unless action is brought within twelve (12) months of the cancellation date of this bond.
2. Neither cancellation nor termination of this bond by Surety, nor inability of Principal to file a replacement bond or replacement security for its obligations, shall constitute a loss to the Obligor recoverable under this bond.
3. No right of action shall accrue on this bond for the use of any person, corporation or entity other than the Obligor named herein or the heirs, executors, administrators or successors of the Obligor.
4. The aggregate liability of the Surety is limited to the penal sum stated herein regardless of the number of years this bond remains in force or the amount or number of claims brought against this bond.
5. If any conflict or inconsistency exists between the Surety's obligations as described in this bond and as may be described in any underlying agreement, permit, document or contract to which this bond is related, then the terms of this bond shall prevail in all respects.

THIS BOND signed, sealed, and dated on the 25<sup>th</sup> day of October, 2017. This bond is effective the 23<sup>rd</sup> day of October, 2017.

SBA 2012 TC Assets, LLC

By:  VP/Assoc. General Counsel  
Name and Title

Principal

RLI Insurance Company

Surety

By:   
Robert J. Hippert, Attorney-In-Fact



RLI Surety  
9025 N. Lindbergh Dr. | Peoria, IL 61615  
Phone: (800)645-2402 | Fax: (309)689-2036  
www.rlicorp.com

## POWER OF ATTORNEY

### RLI Insurance Company

#### Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That RLI Insurance Company, an Illinois corporation, does hereby make, constitute and appoint:

Thomas J. Philbin, Sandra L. Wiemann, Melissa L. Whittier, Brett L. Cuckler, Johnathan K. Stefan, Robert J. Hippert, Andrew Siess,  
Clem Wandrisco, jointly or severally

in the City of Pittsburgh, State of Pennsylvania its true and lawful Agent and Attorney in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, the following described bond.

Any and all bonds provided the bond penalty does not exceed Twenty Five Million Dollars (\$25,000,000.00).

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

The RLI Insurance Company further certifies that the following is a true and exact copy of the Resolution adopted by the Board of Directors of RLI Insurance Company, and now in force to-wit:

"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."

IN WITNESS WHEREOF, the RLI Insurance Company has caused these presents to be executed by its Vice President with its corporate seal affixed this 6th day of July, 2017.



RLI Insurance Company

By:

Barton W. Davis

Vice President

State of Illinois

County of Peoria

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On this 6th day of July, 2017, before me, a Notary Public, personally appeared Barton W. Davis, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the RLI Insurance Company and acknowledged said instrument to be the voluntary act and deed of said corporation.

By:

Gretchen L. Johnick

Notary Public



#### CERTIFICATE

I, the undersigned officer of RLI Insurance Company, a stock corporation of the State of Illinois, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution 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 the seal of the RLI Insurance Company this 25th day of October, 2017.

RLI Insurance Company

By:

Barton W. Davis

Vice President