Agenda Item #: 3D-3

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date: 11/18/2014

[X] Consent [] Regular [] Public Hearing

Department

Submitted By: County Attorney

Submitted For: County Attorney

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve and file with the Clerk of the Circuit Court the bonds on the newly elected or re-elected Commissioners of Palm Beach County.

Summary: Immediately following the election newly elected or re-elected Commissioners must secure bonding for presentation to the Board of County Commissioners for approval pursuant to Section 137.01, Florida Statutes. Section 137.01 requires that such official bonds must be approved by the Board and then filed with the Clerk of the Circuit Court. <u>Countywide</u> (PFK)

Background and Justification: The following individuals were elected or re-elected to serve as County Commissioners for their respective districts:

Paulette Burdick Steven L. Abrams Melissa McKinlay

District 2 District 4 District 6

Attachments: Bond documents on newly elected and/or re-elected Commissioners.

| | / | | |
|-----------------|---------------------|--------------|--|
| Recommended by: | DANieran | 11 13 14 | |
| | Department Director | Date | |
| Approved by: | N/A | | |

Date

II. FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact:

| Fiscal Years | 2015 | 2016 | 2017 | 2018 | 2019 |
|---|------|-------|---------------------|------|------|
| Capital Expenditures Operating Costs External Revenues Program Income (Co.) In-Kind Match (County) NET FISCAL IMPACT | | | | | |
| # ADDITIONAL FTE POSITIONS (Cumulativ Is Item Included in Curre | | Y | ′es <u>X</u> No | | |

Budget Account No.: Fund_0001_Department_760_Unit_7601_Object_4501 Reporting Category____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

cary 1/13/14 B OFMB

Β. Legal Sufficiency:

Assistant County

C. Other Department Review:

Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.

 $G: \label{eq:commissionerBonds} Election 2014. docx. doc$

114 Contract Dev, and Cor

B. Wheeler 11-14-14

OATH OF OFFICE

(Art. II. § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Palm Beach

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

County Commissioner

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

| Signature |
|---|
| Sworn to and subscribed boomenuithis to day of 1c+0/cs/ 2014. |
| Signature of Office Asiminizer ingeran of of Notary Public |
| Print, Type, or Stamp Commissioned Wante of Notary Public |
| Personally Known Windler, STATE OF Voduced Identification |
| Type of Identification Produced |

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

301 North Olive Avenue, 12th Floor

Street or Post Office Box

West Palm Beach, FL 33401

City, State, Zip Code

Paulette Burdick Print name as you desire commission issued under

Signature

DS-DE 56 (Rev. 02/10)

OATH OF OFFICE

(Art. II. § 5(b), Fla. Const.)

STATE OF FLORIDA

County of PALM BEACH

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

PALM BEACH COUNTY COMMISSIONER, DISTRICT 4

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words, "so help me God." See § 92.52, Fla. Stat.]

| Signature | | | | <u> </u> |
|-----------------|--------------------|-----------------------------|--|----------|
| Sucre to and a | | alah | · Novanbar | |
| Pomp | F f f | ie this <u>(•7 n</u> aay oj | TUDVORSIDOR, | |
| Signature of Of | ficer Administerin | g Oath or of Nota | ry Public | |
| | 0 | | PAUL F. KING | |
| Print, Type, or | Stamp Commissio | ned Name of Anto | Explices March 12, 2018 Bonded Thru Troy Fain Insurance 800-3 | |
| | | | | |

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

301 N. Olive Avenue, 12th Floor

Street or Post Office Box

West Palm Beach, FL 33401

City, State, Zip Code

Steven L. Abrams Print name as you desire commission issued Signature

DS-DE 56 (Rev. 02/10)

OATH OF OFFICE

(Art. II. § 5(b), Fla. Const.)

STATE OF FLORIDA

County of PALM BEACH

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

PALM BEACH COUNTY COMMISSIONER, DISTRICT 6

(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

| Melissa Mikuka |
|--|
| Signature |
| Sworn to and subscribed before me this and any of November, 2014. |
| Kisa Barajas |
| Signature of Officer Administering Oath or Styletery Publicisa BARAJAS |
| * WY COMMISSION # EE 832119 |
| Print, Type, or Stamp Commissioned Name of Natary Publishin Budget Notary Services |
| Personally Known 🖾 OR Produced Identification 🗌 |
| Type of Identification Produced |

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Ø Office

301 N. Olive Avenue, 12th floor

Street or Post Office Box

West Palm Beach, FL 33401

City, State, Zip Code

| Melissa McKin | lay |
|-----------------------------|-----------------|
| Print name as you desire co | mmission issued |
| Melissa Me | Kenley |
| Signature | \bigcirc |

DS-DE 56 (Rev. 02/10)

State of Florida Secretary of State Division of Elections 500 South Bronough Street, Room 316 Tallahassee, Florida 32399-0250

Public Official Bond

| County of <u>Palm Beach</u> | Bond No. <u>8962903</u> |
|--|--|
| KNOW ALL MEN BY THES | E PRESENTS, That we, Steven L. Abrams |
| as Principal, and <u>Fidelity and Deposit Co</u> | (Official's Name) |
| as Surety, are bound unto the Governor of | of the State of Florida, and his successors in office, in the |
| sum of Two Thousand and no/100 | Dollars, we hereby bind ourselves and each of our heirs, |
| executors, administrators, successors and | assigns, jointly and severally. |
| THE CONDITION OF THIS | OBLIGATION IS SUCH, That, whereas, said official |
| was elected appointed <u>Coun</u> | ty Commissioner of District 4 to hold this office (Name of Office) |
| for a term beginning <u>November 18, 20</u> | 14and endingNovember 30, 2018and until |
| his/her successor is qualified according t | o the Constitution and Laws of the State of Florida. |
| NOW, THEREFORE, If the of | ficial shall faithfully perform the duties of his/her office |
| as provided by law, this obligation is voi | d. |
| | Steven L. Abrams |
| | (Signature of Official) |
| Signed and Sealed this <u>7th</u> day of | |
| | P.O. Box 1227 Baltimore, MD 21203-1227 |
| | (Address of Main Surety Company) |
| | Fidelity and Deposit Company of Maryland Wells Fargo Insurance Services (Name of Local Bonding Company) |
| | 2054 Vista Parkway #400 WPB, FL 33411 |
| | (Address of Local Bonding Company) |
| (SEAL) | By X MCLL UM MT (Signature of Florida Licensed Agent) |
| | D068679 (Social Security Number of Florida Licensed Agent) |
| | Checree Bryant, Attorney-In-Fact (Type Name of Florida License Agent) |
| The above is approved this day of | |
| Signature: | |
| Approved by: | |
| lbond.doc (2/04)) | |
| | APPROVED AS TO FORM |
| | AND LEGAL SUFFICIENCY |
| | COUNTY ATTORNEY |
| | OUDINI I AN IORNET |

Power of Attorney FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on HOLAR hereof, does hereby nominate, constitute and appoint Checree BRYANT, Malcolm G. MCCAMPBELL and Sam L. FLLINGTON, all of West Palm Beach, Florida, EACH its true and lawful agent and Altonicy in Fact, to make secure, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and antiental angle, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon baid Company, as fully and amply, to all intents and purposes, as if they had been duky executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their bown proper persons. This power of attorney revokes that issued on behalf of Sam L. ELLINGTON, Malcolm C. MCCAMPBELL, dated November 24, 2004.

The said Assistant Secretary dees Hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 25th day of March, A.D. 2008.

ATTEST: FIDELITY AND DEPOSIT COMPANY OF MARYLAND Gregory E. Murray Assistant Secretary Theodore G. Martinez State of Maryland City of Baltimore On this 25th day of March, A.D. 2008, before the subscriber, a Notary Public of the State of Maryland, duly

so on this 25th day of March, A.D. 2008, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

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



tame a.

Constance A. Dunn Notary Public My Commission Expires: July 14, 2011

POA-F 031-2633

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

¹ "Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require; or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages,...and to affix the seal of the Company thereto."

CERTIFICATE

I, the undersigned, Assistant Secretary of 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 the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

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 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."

ř.

sistant Secretary

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company

this day of

State of Florida Secretary of State Division of Elections 500 South Bronough Street, Room 316 Tallahassee, Florida 32399-0250

Public Official Bond

| County of Palm Beach | Bond No. <u>7642632</u> | | |
|---|--|--|--|
| KNOW ALL MEN BY THES | E PRESENTS, That we, <u>Melissa McKinlay</u> | | |
| as Principal, and <u>Fidelity and Deposit Cor</u> | (Official's Name) npany of Maryland | | |
| as Surety, are bound unto the Governor o | f the State of Florida, and his successors in office, in the | | |
| | Dollars, we hereby bind ourselves and each of our heirs, | | |
| executors, administrators, successors and | assigns, jointly and severally. | | |
| THE CONDITION OF THIS | OBLIGATION IS SUCH, That, whereas, said official | | |
| was elected appointed <u>County Commissioner of District 6</u> to hold this office (Name of Office) | | | |
| for a term beginning November 18, 20 | 14 and ending <u>November 30, 2018</u> and until | | |
| his/her successor is qualified according to | o the Constitution and Laws of the State of Florida. | | |
| NOW, THEREFORE, If the of | ficial shall faithfully perform the duties of his/her office | | |
| as provided by law, this obligation is void | l. Melissa McKinlay | | |
| | X | | |
| | (Signature of Official) | | |
| Signed and Sealed this <u>7th</u> day of | November , 2014 | | |
| | P.O. Box 1227 Baltimore, MD 21203-1227 | | |
| | (Address of Main Surety Company) Fidelity and Deposit Company of Maryland | | |
| | Wells Fargo Insurance Services (Name of Local Bonding Company) | | |
| | 2054 Vista Parkway #400 WPB, FL 33411 (Address of Local Bonding Company) | | |
| (SEAL) | By X (hele & Buganst | | |
| | (Signature of Florida Licensed Agent) D068679 | | |
| | (Social Security Number of Florida Licensed Agent) Checree Bryant, Attorney-In-Fact | | |
| | (Type Name of Florida License Agent) | | |
| The above is approved this day of | | | |
| Signature: | · · · · · · · · · · · · · · · · · · · | | |
| Approved by: | | | |
| 1bond.doc (2/04)) | | | |
| | APPROVED AS TO FORM AND LEGAL SUFFICIENCY | | |

COUNTYOTTORNEY

Power of Attorney FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on it does hereby set form on the reverse side hereof and are hereby certified to be in full force and effect on ideliate hereof, does hereby nominate, constitute and appoint Checree BRYANT, Malcolm G. MCCANDEBILL and Sam L. ELLINGTON, all of West Palm Beach, Florida, EACH its true and lawful agent and Attoutevin Fact, to make execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any anitial bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duk executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their boar proper persons. This power of attorney revokes that issued on behalf of Sam L. ELLINGTON, Malcolm C. MCCANTPBELL, BERN Douglas COTTRELL, dated November 24, 2004. The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force

Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 25th day of March, A.D. 2008.

ATTEST: FIDELITY AND DEPOSIT COMPANY OF MARYLAND Gregory E. Murray Assistant Secretary Theodore G. Martine State of Maryland City of Baltimore

On this 25th day of March, A.D. 2008, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

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



motand a. A

Constance A. Dunn Notary Public My Commission Expires: July 14, 2011

:POA-F 031-2633

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require; or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

CERTIFICATE

I, the undersigned, Assistant Secretary of 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 the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

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 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."

P T

Assistant Secretary

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

day of NK

this

State of Florida Secretary of State Division of Elections 500 South Bronough Street, Room 316 Tallahassee, Florida 32399-0250

·*9

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Public Official Bond

| County of Palm Beach | Bond No. <u>8962936</u> |
|---|--|
| KNOW ALL MEN BY TH | IESE PRESENTS, That we, Paulette Burdick |
| as Principal, and <u>Fidelity and Deposit</u> | (Official's Name) |
| as Surety, are bound unto the Govern | or of the State of Florida, and his successors in office, in the |
| sum of <u>Two Thousand and no/100</u> | Dollars, we hereby bind ourselves and each of our heirs, |
| executors, administrators, successors | and assigns, jointly and severally. |
| THE CONDITION OF TH | IS OBLIGATION IS SUCH, That, whereas, said official |
| | Ounty Commissioner of District 2 to hold this office (Name of Office) |
| for a term beginning <u>November 18</u> | 2014 and ending <u>November 30, 2018</u> and until |
| his/her successor is qualified according | ng to the Constitution and Laws of the State of Florida. |
| NOW, THEREFORE, If the | e official shall faithfully perform the duties of his/her office |
| as provided by law, this obligation is | |
| | V |
| | (Signature of Official) |
| Signed and Sealed this <u>7th</u> day of | November , 2014 |
| | P.O. Box 1227 Baltimore, MD 21203-1227 |
| | (Address of Main Surety Company) Fidelity and Deposit Company of Maryland |
| | Wells Fargo Insurance Services (Name of Local Bonding Company) |
| | 2054 Vista Parkway #400 WPB, FL 33411 |
| (SEAL) | (Address of Local Bonding Company) By X |
| | (Signature of Florida Licensed Agent) D068679 |
| | (Social Security Number of Florida Licensed Agent) Checree Bryant, Attorney-In-Fact (Type Name of Florida License Agent) |
| The above is approved this day of _ | ,,,,,, |
| Signature: | |
| Approved by: | |
| Ibond.doc (2/04)) | |
| | APPROVED AS TO FORM |
| | AND LEGAL SUFFICIENCY |
| | COULDING COULDING |
| | COUNTYATTORNEY |

Power of Attorney FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the Charge and appoint Checree BRYANT, Malcolm G. MCCAMPBELL and Sam L. FLLINGTON, all of West Palm Beach, Florida, 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 Company, as fully and amply, to all intents and purposes, as if they had been duk execution and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their pixe proper persons. This power of attorney revokes that issued on behalf of Sam L. ELLINGTON, Malcolm G. MCCAMPBELL, dated November 24, 2004.

The said Assistant Secretary dues hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 25th day of March, A.D. 2008.

ATTEST: FIDELITY AND DEPOSIT COMPANY OF MARYLAND Gregory E. Murray Assistant Secretary Theodore G. Martinez State of Maryland SS: City of Baltimore

On this 25th day of March, A.D. 2008, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came THEODORE G. MARTINEZ, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

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



motorel a. A

Constance A. Dunn Notary Public My Commission Expires: July 14, 2011

POA-F 031-2633

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

¹ "Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require; or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

CERTIFICATE

I, the undersigned, Assistant Secretary of 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 the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

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 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."

Р. Т.

sistant Secretary

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company.

this 74 day of November