

**PRIVATE CONTRACT PERFORMANCE AND MAINTENANCE BOND**

Project Title WDDMBB, LLC. 1707 N Waterfront Parkway

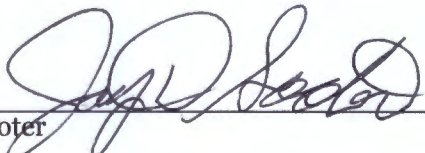
Project Number 2021-000708PPD - A Portion of Lot 1, Block "A" Wichita Destination Development Addition

KNOW ALL MEN BY THESE PRESENTS: That we Sooter Excavating, Inc.  
4422 N Old Lawrence Rd of  
Wichita KS 67219, as Principal and The Cincinnati Insurance  
Company, Fairfield OH 45014, as Surety, are well and firmly bound unto the City of Wichita, Kansas, in the penal sum  
of Seven Thousand and 00/100 Dollars (\$7,000.00), lawful money of the United  
States of America for the payment of which we and each of us jointly and severally bind ourselves, our heirs, executors,  
administrators, successors and assigns firmly by these presents. The conditions of this obligation are such, that,

WHEREAS, the said Sooter Excavating, Inc.,  
as Principal herein, did on the 27th day of September, 2021, enter into a Contract with  
JACO General Contractor, Inc., to furnish all labor,  
and material for, and to construct, public works improvements in public right-of-way as provided by plans on file with the  
City Engineer of Wichita, Kansas and in accordance with applicable City of Wichita Standard Specifications; which said  
Contract, Plans, and Specifications are hereby referred to and made a part of this obligation.

NOW, THEREFORE, if the said Sooter Excavating, Inc.,  
Principal herein, shall well and truly perform said Contract in the time and manner designated therein and faithfully  
comply with the warranties and guaranties therein and shall hold said City harmless from all damages and costs said City  
may be liable for by reason of negligence of said Principal in the construction of said work and shall do all things required  
to be done and performed under said Contract, including the maintenance of subject property for a period of two (2) years  
from the date of acceptance by said City, then this obligation shall be null and void; otherwise to be in full force and  
effect.

IN TESTIMONY WHEREOF, THE SAID principal and the said Surety have hereunto set their hands and seals  
this 28th day of September, 2021.

By Jay D Sooter  Principal

Name of Surety Company The Cincinnati Insurance Company  
Surety

By Terri J. Moddelmog  Attorney in Fact

NOTE: Attach Power of Attorney

THE CINCINNATI INSURANCE COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

Denise Smith, Melissa Lauer, Diane Hoheisel, Sidney Francis, Michelle Duerksen, Heidi Richling, Jennifer Shipman, Terri Modellmog, Darrell Conrade,

of Newton, KS its true and lawful Attorney(s)-in-Fact to sign, execute, seal and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Ten Million Dollars and 00/100 (\$10,000,000.00)

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Vice President this 10th day of May, 2012.



THE CINCINNATI INSURANCE COMPANY
[Signature]
Vice President

STATE OF OHIO ) ss:
COUNTY OF BUTLER )

On this 10th day of May, 2012, before me came the above-named Vice President of THE CINCINNATI INSURANCE COMPANY, to me personally known to be the officer described herein, and acknowledged that the seal affixed to the preceding instrument is the corporate seal of said Company and the corporate seal and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporation.



[Signature]
MARK J. HULLER, Attorney at Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date. Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Secretary of THE CINCINNATI INSURANCE COMPANY, hereby certify that the above is a true and correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in full force and effect.

GIVEN under my hand and seal of said Company at Fairfield, Ohio,
this 28th day of September 2021



[Signature]
Assistant Secretary