



December 13, 2022

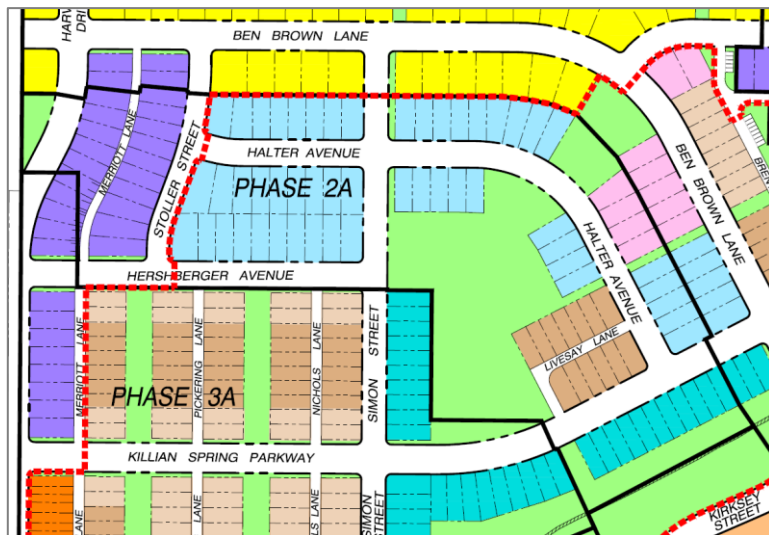
Max Root, Development Assistant  
Stafford Development Co.  
8840 SW Holly Lane  
Wilsonville, OR 97070

RE: Smith Creek Phase 2A Subdivision Final Plat (City FSUB 21-01 / Marion County “Smith Creek P.U.D. No. 4”): Release of Bond for Private Common Area Tract Improvements

Dear Mr. Root:

This is the bond release letter for a construction performance bond for Smith Creek Development Phase 2A (plat “Smith Creek P.U.D. No. 4”) open space shelter and amenities, specifically on private common area tracts, which are all tracts except City/public Tract AA (551 Stubb Rd).

Following site inspection by the Associate Planner on December 8, 2022, the Planning Division releases the bond titled “Subdivision/Site Plan Performance Bond” and is Capitol Indemnity Corp. Bond No. 60127240 for “Smith Creek Phase 2A Open Space Improvements”.



Land use final order Exhibit C-4 excerpt

This letter does not release other bonds, if any, including those related to public works and those that other departments manage including the Public Works Department.

Please contact me at (503) 980-2485 or [colin.cortes@ci.woodburn.or.us](mailto:colin.cortes@ci.woodburn.or.us) with questions.

Sincerely,

A handwritten signature in blue ink that reads "Colin Cortes". The signature is written in a cursive, flowing style.

Colin Cortes, AICP, CNU-A  
Senior Planner

cc: Chris Kerr, Community Development Director  
Cassandra Martinez, Administrative Specialist, Community Development Dept.  
Melissa Gitt, Building Official  
Alyssa Nichols, Permit Technician  
Dago Garcia, P.E., City Engineer

Enclosures (2):

1. Bond company paperwork (2 pages)
2. Plat Smith Creek P.U.D. No. 4 Sheet 1

file(s): FSUB 21-01 Smith Creek Development Phase 2A "Smith Creek P.U.D. No. 4"

**SUBDIVISION/SITE PLAN BOND**  
**PERFORMANCE BOND**

BOND TERM: November 9, 2021 TO November 9, 2022 OR WHEN RELEASED BY THE OBLIGEE

Amount \$ 153,240.00

Bond No.: 60127240

KNOW ALL MEN BY THESE PRESENTS THAT WE, Stafford Land Company LLC  
8840 SW Holly Lane, Wilsonville, OR 97070, as Principal and Capitol Indemnity Corporation  
, a WI corporation  
authorized to do business in the State of OR with its main bonding office at  
P.O. Box 5900, Madison, WI 53705-0900, as Surety, are held and  
firmly bound unto the City of Woodburn, as  
Obligee, in the full and just sum of One Hundred Fifty Three Thousand Two Hundred Forty Dollars and  
00/100  
(\$ 153,240.00) lawful money of the United States, to the payment of which sum,  
well and truly to be made, the Principal and the Surety bind themselves, their successors  
and assign, jointly and severally, firmly by these presents.

Signed, Sealed and Dated this 9th day of November, 2021.

WHEREAS, the Principal has entered into an agreement with the City of Woodburn  
, as Obligee, Guaranteeing that the Principal will,  
Construct, Install and Complete Smith Creek Phase 2A Open Space Improvements

NOW, THEREFORE THE CONDITION OF THIS OBLIGATION IS SUCH, that if the  
Principal shall carry out all the terms of said agreement and perform all the work as set  
forth therein, all within the time set forth in said agreement, then this obligation shall be  
null and void; otherwise remain in full force and effect. The aggregate liability of the  
Surety is limited to the penal sum of the bond.

Principal: Stafford Land Company LLC

Attest Maxwell B. Rat

By: [Signature]

Surety: Capitol Indemnity Corporation

Attest AiLi Palmer  
AiLi Palmer

By: Thomas V. Davis  
Thomas V. Davis Attorney-In-Fact

CAPITOL INDEMNITY CORPORATION  
POWER OF ATTORNEY

60127240

KNOW ALL MEN BY THESE PRESENTS. That the **CAPITOL INDEMNITY CORPORATION**, a corporation of the State of Wisconsin, having its principal offices in the City of Middleton, Wisconsin, does make, constitute and appoint

----- **THOMAS V DAVIS; THOMAS DENISON** -----

its true and lawful Attorney(s)-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, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

-----ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED \$20,000,000.00-----

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of **CAPITOL INDEMNITY CORPORATION** at a meeting duly called and held on the 8th day of January, 2002.

"RESOLVED, that the President, Executive Vice President, Vice-President, Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, one or more resident vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties usual to such offices to the business of this company; the signature of such officers and seal of the Company may be affixed to any such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company, and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking or other writing obligatory in the nature thereof to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any of said officers, at any time."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

IN WITNESS WHEREOF, the **CAPITOL INDEMNITY CORPORATION** has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested, this 3rd day of May, 2017.

Attest:

*John E. Rzepinski*

John E. Rzepinski  
Vice President, Treasurer & CFO

*Suzanne M. Broadbent*

Suzanne M. Broadbent  
Assistant Secretary



CAPITOL INDEMNITY CORPORATION

*Stephen J. Sills*

Stephen J. Sills  
CEO & President

STATE OF WISCONSIN } S.S.:  
COUNTY OF DANE

On the 3rd day of May, 2017 before me personally came Stephen J. Sills, to me known, who being by me duly sworn, did depose and say: that he resides in the County of New York, State of New York; that he is President of **CAPITOL INDEMNITY CORPORATION**, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



*David J. Regele*

David J. Regele  
Notary Public, Dane Co., WI  
My Commission Is Permanent

STATE OF WISCONSIN } S.S.:  
COUNTY OF DANE

I, the undersigned, duly elected to the office stated below, now the incumbent in **CAPITOL INDEMNITY CORPORATION**, a Wisconsin Corporation, authorized to make this certificate, **DO HEREBY CERTIFY** that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Middleton, State of Wisconsin this 9th day of November, 2017



*Antonio Celii*

Antonio Celii  
General Counsel, Vice President & Secretary

# SMITH CREEK P.U.D. NO. 4

REPLAT OF PARCEL 3, PARTITION PLAT 2019-40  
 LOCATED IN THE N.W. & N.E. 1/4 OF SEC. 13, T. 5 S., R. 2 W., W.M.,  
 CITY OF WOODBURN, MARION COUNTY, OREGON  
 AUGUST 19, 2021

**SHEET INDEX**

SHEET 1 - SHEET INDEX, NARRATIVE, OVERALL BOUNDARY, LEGEND, PLAT NOTES, SURVEY REFERENCES, FOUND MONUMENT LIST, RADIAL BEARING TABLE

SHEET 2 - WESTERLY LOTS, LEGEND, DETAIL "A"

SHEET 3 - EASTERLY LOTS, LEGEND, DETAIL "B"

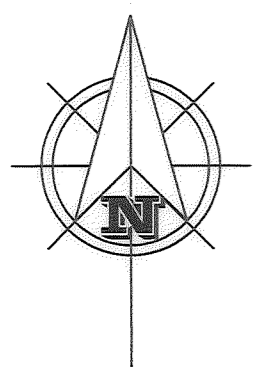
SHEET 4 - SOUTHERLY LOTS, LEGEND, DETAILS "C" AND "D"

SHEET 5 - DETAILS "E", "F", "G" AND "H"

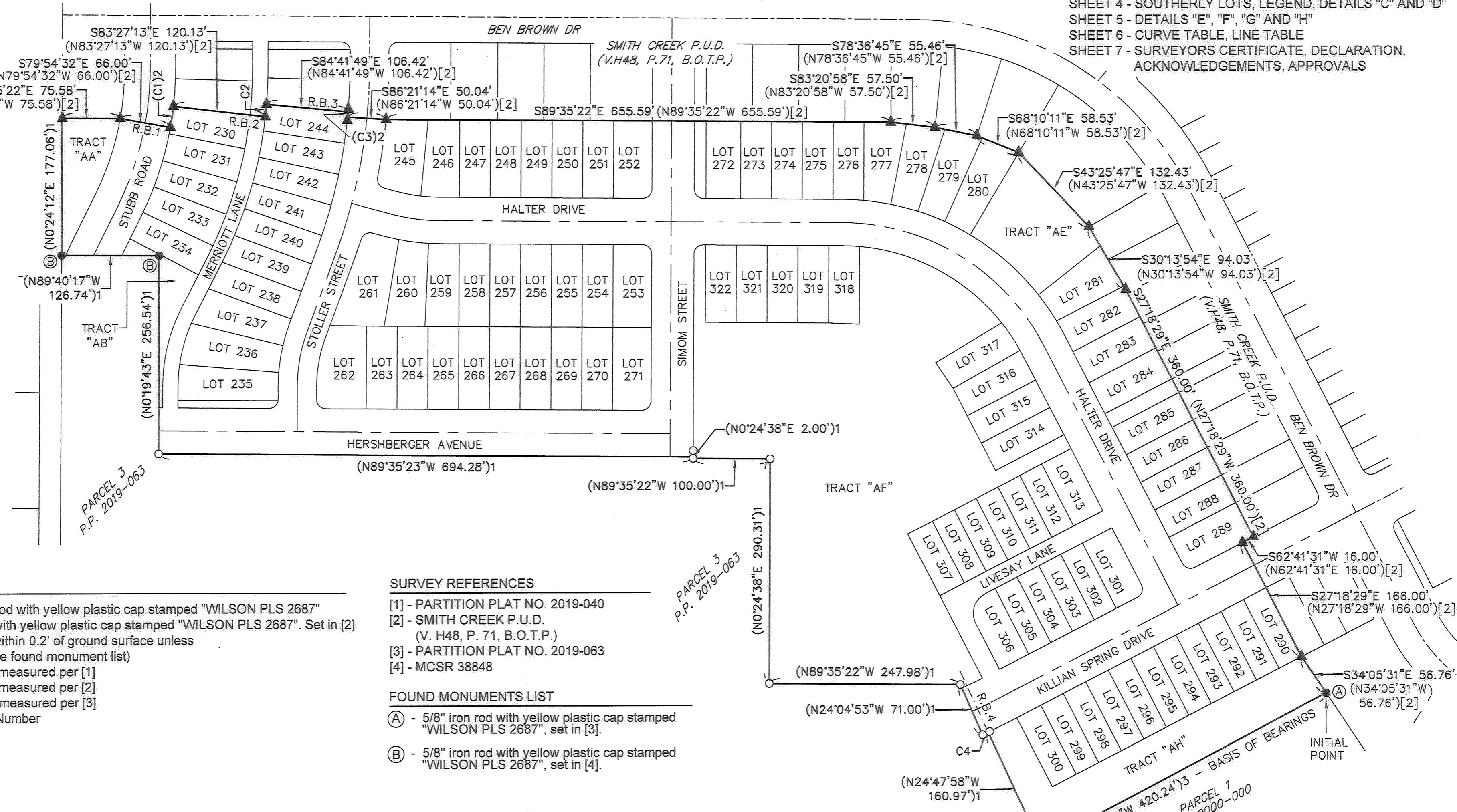
SHEET 6 - CURVE TABLE, LINE TABLE

SHEET 7 - SURVEYORS CERTIFICATE, DECLARATION, ACKNOWLEDGEMENTS, APPROVALS

RADIAL BEARING	
R.B. #	Bearing
R.B.1	N79°39'25"W
R.B.2	N83°27'14"W
R.B.3	N84°41'19"W
R.B.4	N24°49'20"W
(R.B.4)[1]	N24°47'58"W



SCALE: 1" = 200'



**LEGEND:**

- = Set 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687"
- ▲ = 5/8" x 30" iron rod with yellow plastic cap stamped "WILSON PLS 2687". Set in [2]
- = Found monument within 0.2' of ground surface unless noted otherwise (see found monument list)
- ( )1 = Data of record and measured per [1]
- ( )2 = Data of record and measured per [2]
- ( )3 = Data of record and measured per [3]
- [#] = Survey Reference Number
- P.P. = Partition Plat
- R. = Reel
- P. = Page
- V. = Volume
- B.O.T.P. = Book of Town Plats

**SURVEY REFERENCES**

- [1] - PARTITION PLAT NO. 2019-040
- [2] - SMITH CREEK P.U.D. (V. H48, P. 71, B.O.T.P.)
- [3] - PARTITION PLAT NO. 2019-063
- [4] - MCSR 38848

**FOUND MONUMENTS LIST**

- (A) - 5/8" iron rod with yellow plastic cap stamped "WILSON PLS 2687", set in [3].
- (B) - 5/8" iron rod with yellow plastic cap stamped "WILSON PLS 2687", set in [4].

**NARRATIVE**

The purpose of this survey is to subdivide Parcel 3, Partition Plat 2019-40, into lots and tracts, and to create the streets and easements as shown hereon. The basis of bearings used was between monuments "A" per Partition Plat 2019-063 as shown. The boundary of this subdivision was determined holding record data from said Parcel 3 and monuments found in Partition Plat 2019-063 and Smith Creek P.U.D. as platted and recorded in Volume H48, Page 71, Book of Town Plats for Marion County, Oregon.

**PLAT NOTES**

- 1) TRACT "AG" SUBJECT TO A STORM DRAINAGE EASEMENT TO THE CITY OF WOODBURN AND A PUBLIC PEDESTRIAN EASEMENT ACROSS ENTIRE TRACT.
- 2) TRACT "AF" SUBJECT TO A STORM DRAINAGE EASEMENT TO THE CITY OF WOODBURN LYING SOUTHERLY OF THE SOUTH EDGE OF THE 16' WIDE PUBLIC PEDESTRIAN EASEMENT OF THIS PLAT.
- 3) TRACTS "AC", "AD", "AE", "AF", AND "AG", KNOWN AS COMMON AREAS, ARE FOR THE USE AND BENEFIT OF ALL LOTS CREATED IN THIS PLAT AND THOSE LOTS IN SMITH CREEK P.U.D. AS OUTLINED IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SMITH CREEK P.U.D.
- 4) TRACTS "AA", "AB", AND "AH" TO BE RETAINED BY DECLARANT FOR FUTURE USE.

REGISTERED PROFESSIONAL LAND SURVEYOR

*Gregory L. Wilson*  
 OREGON  
 JULY 19, 1994  
 GREGORY L. WILSON  
 2687

EXPIRES: 6/30/2022

**BARKER SURVEYING**

3657 KASHMIR WAY SE  
 SALEM, OREGON 97317  
 PHONE (503) 588-8800  
 FAX (503) 363-2469  
 EMAIL: INFO@BARKERWILSON.COM