

**DEPARTMENT OF COMMUNITY DEVELOPMENT  
OFFICE OF THE ENGINEER**

DATE: November 19, 2013  
TO: Robert Bruschi, Princeton Administrator  
FROM: Robert V. Kiser, P.E., Director of Engineering  
PROJECT: **Improvements to Ewing Street**  
Applicant: Mark Castela, Vice President  
Top Line Construction Corp.  
22 Fifth Street  
Somerville, NJ 08876

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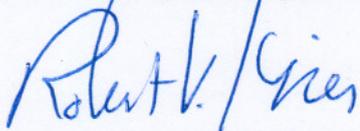
<input checked="" type="checkbox"/>	Performance Guaranty	<input type="checkbox"/>	Reduction	<input checked="" type="checkbox"/>	Release	<input type="checkbox"/>	Extension
<input checked="" type="checkbox"/>	Maintenance Guaranty	<input checked="" type="checkbox"/>	Acceptance	<input type="checkbox"/>	Release	<input type="checkbox"/>	Extension
<input type="checkbox"/>	Completion Time Extension			<input type="checkbox"/>	Status Report		

This office has received a request from the contractor for the above project. Pertinent project information on file prior to this request is as follows:

1. Performance Guaranty:  
Expiration Date: Amount: \$1,049,134.60  
Form: Bond No. CA 1356396 Issued By: Great American Insurance Company
2. Maintenance Guaranty:  
Expiration Date: **October 31, 2015** Amount: \$178,937.14  
Form: Bond No. CA 13556396M Issued By: Great American Insurance Company

All work has been inspected and found to be satisfactory with the exception of cleaning the curbing where and equipment fire occurred. It is therefore recommended at this time that the Performance Guaranty for this project be released subject to the cleaning of the curb. Please note that we are in receipt of an acceptable maintenance guaranty, as indicated above.

If you have any questions please contact me.



Robert V. Kiser, P.E., Director of Engineering

RVK/cc

c: Linda McDermott, Municipal Clerk  
Kathy Monzo, Deputy Administrator / Director of Finance  
Sandy Webb, CFO  
Scott Hutchinson, Project Manager/CAD Operator  
Rosanna Roberto, Bookkeeper / Secretary



# Municipality of Princeton

Municipal Building  
400 Witherspoon Street  
Princeton, NJ 08540-3496

Department of Community Development  
Office of the Engineer  
Telephone (609)921-7077  
Fax: (609) 688-2027

**ROBERT V. KISER, P.E.**  
Director of Engineering

## MEMORANDUM

DATE: November 15, 2013  
TO: Linda McDermott, Municipal Clerk  
FROM: Robert V. Kiser, P.E., Director of Engineering  
PROJECT: **Improvements to Ewing Street**  
Contractor: Mark Castela, Vice President  
Top Line Construction Corp.  
22 Fifth Street  
Somerville, NJ 08876

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Transmitted herewith, please find the original maintenance bond No. CA 1356396M in the amount of \$178,937.14 issued by Great American Insurance Company that expires on October 31, 2015.

Please contact me if you have any questions.

Robert V. Kiser, P.E., Director of Engineering

RVK/cc

c: Sandra Webb, CFO  
Scott Hutchinson, Project Manager/CAD Operator

CONTRACTOR'S RELEASE AND AFFIDAVIT

KNOW ALL MEN BY THESE PRESENTS THAT:

Top Line Construction Corp.

(Contractor)

of Somerville (Somerset) County and State of New Jersey,

hereinafter referred to as "Contractor", does hereby acknowledge that he has received this day of and from the Township of Princeton the sum of One Dollar (\$1.00) and other valuable consideration in full satisfaction and payment of all sums of money owing payable and belonging to said Contractor by means whatsoever, for on account of a certain agreement hereinafter called the Contract, between the Township of Princeton and said contractor, for: **IMPROVEMENTS TO EWING STREET**, dated 10/22/12.

NOW, THEREFORE, said Contractor (for myself, my heirs, executors and administrators) (for itself, its successors and assigns) does by these presents remise, release, quit-claim and forever discharge the Township of Princeton, its successors and assigns, of and from all claims and demands arising from or in connection with said Contract dated 10/22/12.

IN WITNESS WHEREOF, Top Line Construction Corp.  
(Contractor)

has caused these presents to be duly executed this 7<sup>th</sup> day of Nov, 2012.

Signed, sealed and delivered  
in the presence of:

Bonnie J. Willson-Llewellyn

BONNIE J. WILLSON-LLEWELLYN  
Notary Public of New Jersey  
My Commission Expires August 25, 2016

\_\_\_\_\_  
(SEAL)

(Individual)

\_\_\_\_\_  
(SEAL)

(Partnership Contractor)

By: \_\_\_\_\_ (SEAL)

(Partner)

\_\_\_\_\_  
(SEAL)

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

(President or Vice President)

Steve Castela, V.P.

ATTEST:

Mark Castela V.P.  
(Secretary)

\_\_\_\_\_  
(Corporate Seal)

Bond #CA 1356396

**CONSENT OF SURETY TO FINAL PAYMENT**

IN ACCORDANCE with the provisions of the Agreement for: **IMPROVEMENTS TO EWING STREET** dated 10/22/2013

between the Township of Princeton and Township of Princeton,  
(Contractor)

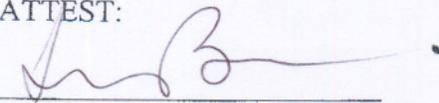
Great American Insurance Company, Surety on the labor and  
(Surety)

Payment Bond of Top Line Construction Corp  
(Contractor)

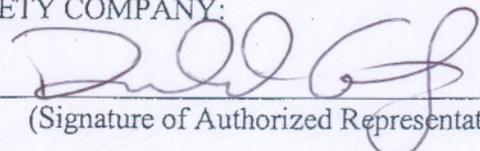
after a careful examination of the books and records of said Contractor or after receipt of an affidavit from Contractor, which examination or affidavit satisfied Surety that claims for labor and materials have been satisfactorily settled, hereby approves of the final payment of the said Contractor, and by these presents agrees that payment to the Contractor of the final payment shall not relieve Surety of any of its obligations to the Township of Princeton as set forth in the said Surety Company's bond.

IN WITNESS WHEREOF, said Surety has hereunto set its hand and seal this 4th day  
of November, 2012.

ATTEST:

  
\_\_\_\_\_

Great American Insurance Company  
SURETY COMPANY:

By:   
(Signature of Authorized Representative)

TITLE: Donald Goetz, Attorney-in-Fact





Bond No. CA 1356396M

### MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS, That we, \_\_\_\_\_

Top Line Construction Corp as Principal,  
and the **GREAT AMERICAN INSURANCE COMPANY**, a corporation organized under the laws of the State of  
Ohio and duly authorized to transact business in the State of New Jersey  
as Surety, are held and firmly bound unto \_\_\_\_\_

Township of Princeton as Obligee, in the sum of  
One hundred seventy eight thousand nine hundred thirty seven and 14/100 DOLLARS,  
for the payment whereof well and truly to be made, and Principal and the said Surety, bind themselves, their heirs,  
executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED, sealed and dated this 4th day of November, 2013 .

WHEREAS the Principal and the Obligee have entered into a written agreement dated the 22nd  
day of October, 2013 , for \_\_\_\_\_

Improvements to Ewing Street  
the terms of which agreement were completed and accepted the 31st day of October, 2013 ;  
and

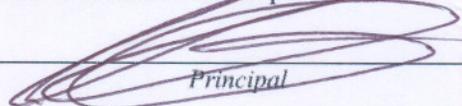
WHEREAS the Principal has given a Two year maintenance guarantee under said agreement  
or otherwise against defective materials and workmanship.

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall well and truly comply  
with such guarantee, then this obligation to be void; otherwise it shall remain in full force.

PROVIDED that no right of action shall accrue on this bond to or for the use of any person or corporation  
other than the Obligee named herein; and

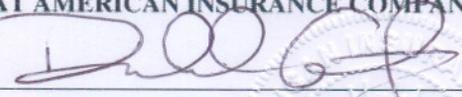
PROVIDED FURTHER that the Surety shall have no liability under this bond unless the Obligee shall give  
written notice of claim of the Principal's failure to comply with such guaranteed to the Surety at its Administrative  
Office at 301 E. Fourth Street, Cincinnati, Ohio 45202 such notice to be given within the Two year  
year maintenance period.

Top Line Construction Corp

  
\_\_\_\_\_  
*Principal*

**Steve Castela, Vice President**

GREAT AMERICAN INSURANCE COMPANY

By:   
\_\_\_\_\_  
*Attorney-in-Fact*  
**DONALD GOETZ, Attorney-in-Fact**

**Reset**

**GREAT AMERICAN INSURANCE COMPANY®**

**Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740**

The number of persons authorized by this power of attorney is not more than FIVE

No. 0 20082

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
RICHARD S. AUERBACH DONALD GOETZ	ALL OF	ALL
WILLIAM E. BLANCHFIELD, JR. MICHELE COMMODORE	EATONTOWN, NEW JERSEY	\$100,000,000.
KENNETH R. AUERBACH		

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 24TH day of JULY, 2013.  
Attest GREAT AMERICAN INSURANCE COMPANY



*My L C. B.*

Assistant Secretary

*David C. Kitchin*

Divisional Senior Vice President

DAVID C. KITCHIN (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 24TH day of JULY, 2013, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



**KAREN L. GROSHEIM  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 02-20-16**

*Karen L. Grosheim*

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

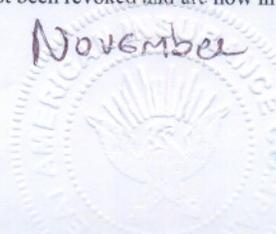
*RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.*

*RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.*

**CERTIFICATION**

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 4th day of November, 2013.



*My L C. B.*

Assistant Secretary

**GREAT AMERICAN INSURANCE COMPANY**

**STATEMENT OF ASSETS, LIABILITIES AND CAPITAL & SURPLUS  
AS OF DECEMBER 31, 2012**

ADMITTED ASSETS		LIABILITIES, CAPITAL AND SURPLUS	
Bonds.....	\$ 2,424,201,154	Unpaid losses and loss expenses.....	\$ 2,356,100,300
Stocks.....	1,132,685,303	Reserve for underwriting expenses.....	133,203,718
Mortgage loans on real estate.....	160,767,605	Reserve for unearned premiums.....	797,854,405
Real estate (net of encumbrances).....	50,608,585	Ceded reinsurance premiums payable.....	65,078,674
Cash and short-term investments.....	463,382,126	Funds held under reinsurance treaties.....	348,462,581
Other invested assets.....	49,330,811	Payable for securities.....	7,841,211
Investment income due and accrued.....	27,577,641	Retroactive reinsurance ceded.....	(144,802,992)
Agents' and premium balances.....	353,564,834	Other liabilities.....	99,210,431
Reinsurance recoverable on loss and loss expense payments...	38,577,852	<b>Total liabilities.....</b>	<b>3,662,948,328</b>
Federal and foreign income taxes.....	3,740,650	Capital stock.....	\$ 15,440,600
Net deferred tax asset.....	91,196,500	Paid in surplus.....	308,795,354
Receivable from affiliates.....	9,646,437	Special surplus funds.....	144,802,992
Receivable from Federal Crop Insurance Corporation.....	173,977,420	Unassigned funds.....	1,000,605,930
Company owned life insurance.....	134,940,652	Policyholders' surplus.....	1,469,644,876
Funds held as collateral.....	6,427,917		
Other admitted assets.....	11,967,717		
<b>Total.....</b>	<b>\$ 5,132,593,204</b>	<b>Total.....</b>	<b>\$ 5,132,593,204</b>

Securities have been valued on the basis prescribed by the National Association of Insurance Commissioners.

STATE OF OHIO

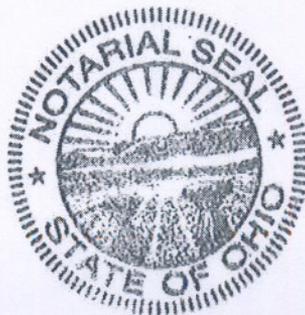
SS.:

COUNTY OF HAMILTON

Robert J. Schwartz, Vice President and Controller, and Stephen Beraha, Assistant Vice President and Assistant Secretary, being duly sworn, each for himself deposes and says that they are the above described officers of the Great American Insurance Company of Cincinnati, Ohio; that said Company is a corporation duly organized, existing and engaged in business as a Surety by virtue of the laws of the State of Ohio and has duly complied with all the requirements of the laws of said state applicable to said Company and is duly qualified to act as Surety under such laws; that said Company has also complied with and is duly qualified to act as Surety under Public Law 97-258 enacted September 13, 1982 (96 Stat. 1047 as amended: 31 U.S.C. 9304-9308); that to the best of their knowledge and belief the above statement is a full, true and correct Statement of the Assets, Liabilities and Capital & Surplus of the said Company as of December 31, 2012.

Subscribed and sworn to before me

this 5th day of March, 2013.



*Robert J. Schwartz*  
Controller

*Stephen Beraha*  
Assistant Secretary

*Jennifer A. Meyer*  
Public Notary  
JENNIFER A. MEYER  
Notary Public, State of Ohio



State of New Jersey  
DEPARTMENT OF BANKING AND INSURANCE

**CERTIFICATE OF AUTHORITY**

DATE: APRIL 16, 2013

NAIC COMPANY CODE: 16691

THIS IS TO CERTIFY THAT THE **GREAT AMERICAN INSURANCE COMPANY OF CINCINNATI, OHIO**, HAVING COMPLIED WITH THE LAWS OF THE STATE OF NEW JERSEY, AND ANY SUPPLEMENTS OR AMENDMENTS THERETO WITH RESPECT TO THE TRANSACTION OF THE BUSINESS OF INSURANCE, IS LICENSED TO TRANSACT IN THIS STATE UNTIL THE FIRST DAY OF **MAY, 2014**, THE LINES OF INSURANCE SPECIFICALLY DESIGNATED BELOW:

- 01 - FIRE AND ALLIED LINES
- 02 - EARTHQUAKE
- 03 - GROWING CROPS
- 04 - OCEAN MARINE
- 05 - INLAND MARINE
- 06 - WORKERS COMPENSATION AND EMPLOYERS LIABILITY
- 07 - AUTOMOBILE LIABILITY BODILY INJURY
- 08 - AUTOMOBILE LIABILITY PROPERTY DAMAGE
- 09 - AUTOMOBILE PHYSICAL DAMAGE
- 10 - AIRCRAFT PHYSICAL DAMAGE
- 11 - OTHER LIABILITY
- 12 - BOILER AND MACHINERY
- 13 - FIDELITY AND SURETY
- 14 - CREDIT
- 15 - BURGLARY AND THEFT
- 16 - GLASS
- 17 - SPRINKLER LEAKAGE AND WATER DAMAGE
- 18 - LIVESTOCK
- 20 - PHYSICAL LOSS TO BUILDINGS
- 21 - RADIOACTIVE COMTAMINATION
- 22 - MECHANICAL BREAKDOWN/POWER FAILURE
- 23 - OTHER (P/C)
- 26 - ACCIDENT AND HEALTH



**KENNETH E. KOBYSLOWSKI**  
COMMISSIONER

SURETY DISCLOSURE STATEMENT AND CERTIFICATION

pursuant to N.J.S.A. 2A:44-143

(for use when surety(ies) have a certificate from U.S. Secretary of the Treasury in accordance with 31 U.S.C. 9305)

(name of surety(ies) GREAT AMERICAN INSURANCE COMPANY

surety(ies) on the attached bond, hereby certifies(y) the following:

(1) The surety(ies) meets (meet) the applicable capital and surplus requirements of R.S. 17:17-6 or R.S. 17:17-7 as of the surety's most current annual filing with the New Jersey Department of Insurance

(2) The capital and surplus, as determined in accordance with the applicable laws of this State, of the surety(ies) participating in the issuance of the attached bond is (are) in the following amounts as of the calendar year ended December 31, 2012, (most recent calendar year which capital and surplus amounts are available), which amounts have been certified on a Consolidated Certification by Ernst & Young LLP, 250 E. 5th Street, Cincinnati, Ohio 45202 and are included in the Annual Statement on file with the New Jersey Department of Insurance, 20 West State Street CN-325, Trenton, New Jersey 08625-0325.

<u>SURETY COMPANIES(Y)</u>	<u>CAPITAL AND SURPLUS</u>
Great American Insurance Company	\$1,469,644,876

(3) With respect to each surety participating in the issuance of the attached bond that has received from the United States Secretary of the Treasury a certificate of authority pursuant to 31 U.S.C. 9305, the underwriting limitation established therein on July 1, 2013 (most recent calendar year available) is as follows:

<u>SURETY COMPANIES(Y)</u>	<u>LIMITATION</u>
Great American Insurance Company	\$146,964,000

(4) The amount of the bond to which the statement and certification is attached is \$ \$178,937.14.  
(fill in bond amount)

(5) If, by virtue of one or more contracts of reinsurance, the amount of the bond indicated under item (4) above exceeds the total underwriting limitation of all sureties on the bond as set forth in item (3) above, then for each such contract of reinsurance:

(a) The name and address of each such reinsurer under that contract and the amount of the reinsurer's participation in the contract is as follows:

<u>REINSURER</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
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and;

(b) Each surety that is party to any such contract of reinsurance certifies that each reinsurer listed under item (5)(a) satisfies the credit for reinsurance requirement established under P.L. 1993, c.243(C.17:51B-1 et seq.) and any applicable regulations in effect as of the date on which the bond to which this statement and certification is attached shall have been filed with the appropriate public agency.

CERTIFICATE

(to be completed by an authorized certifying agent for each surety on the bond)

I, Thomas M. Turner, as Divisional Vice President - Bond Division for Great American Insurance Company, a corporation domiciled in Ohio, DO HEREBY CERTIFY that, to the best of my knowledge, the foregoing statements made by me are true, and ACKNOWLEDGE that, if any of those statements made by me are false, this bond is VOIDABLE.

*Thomas M. Turner*

(Signature of certifying agent/officer)

Thomas M. Turner

(Printed name of certifying agent/officer)

Divisional Vice President

(Title of certifying agent/officer)

Dated: November 4, 2013

(fill in month, day, year)