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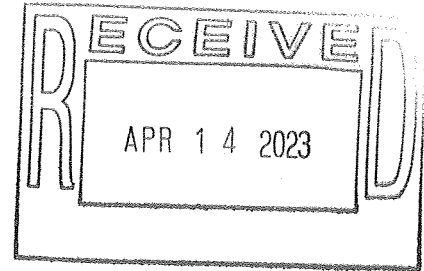


County Legislature

Katherine E. Bonelli, Chairwoman
Jean M. Ramppen, Clerk
COUNTY GOVERNMENT CENTER
255 Main Street
Goshen, NY 10924

Tel: (845) 291-4800 ☎ Fax: (845) 378-2375

April 11, 2023



Honorable Gilbert J. Piaquadio
Supervisor, Town of Newburgh
1496 Route 300
Newburgh, N.Y. 12550

Re: Agricultural District No. 1 Request
Landowner: Red Mills Road Properties, LLC/William A. Thornton
SBL 1-1-1

Dear Supervisor Piaquadio:

The above landowner submitted an application to the Orange County Legislature for inclusion of the above land in the County's Agricultural District.

We invite any comments the Town may have concerning this request. The application will be reviewed by the Orange County Agricultural & Farmland Protection Board at its April 19, 2023 meeting.

All applications will be submitted to the Legislative oversight committees in May. We look forward to hearing from you.

Sincerely,

Katherine E. Bonelli
Katherine E. Bonelli, Chairwoman
Orange County Legislature

Enclosures

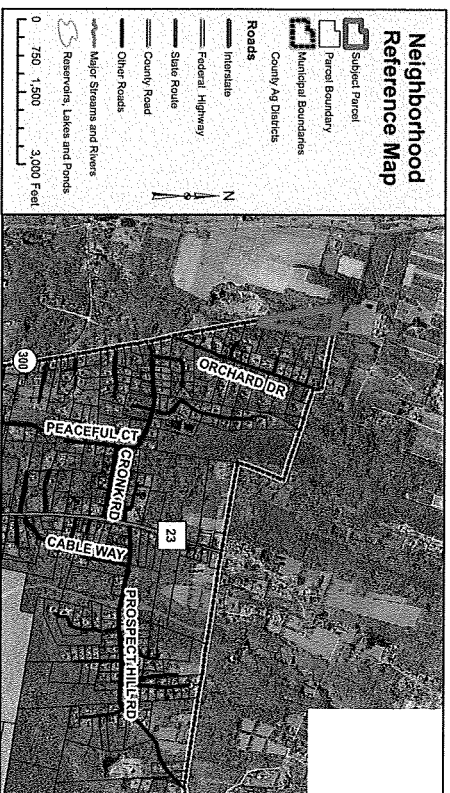
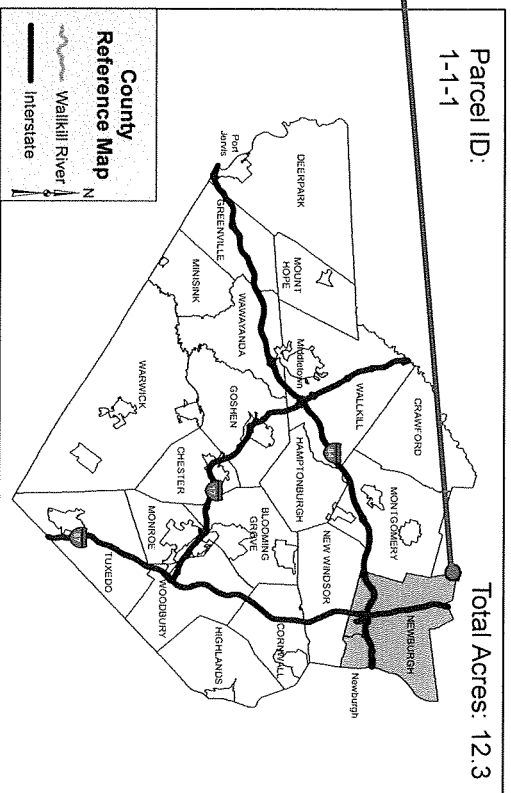
- cc: Legislator-Honorable Kevindaryan Lujan w/attachments
- Legislator-Honorable Genesis Ramos w/attachments
- Legislator-Honorable Leigh J. Benton w/attachments
- Legislator-Honorable Mike Anagnostakis w/attachments
- Jennifer MacLeod, AICP, Land Use Planner

Orange County Agricultural Districts 2023 Requested Additions - Town of Newburgh

Red Mills Road Properties LLC Property

Parcel ID:
1-1-1

Total Acres: 12.3



Map Prepared By:
Orange County Department of Planning
March 29, 2023

Prime Soils: Approx. 0.0 Acres (0.0%)
Statewide Important Soils: Approx. 8.4 Acres (67.7%)



The County of Orange makes no warranty whatsoever as to the accuracy or completeness of any information depicted on this map. Data depicted here may have been obtained from various state and local government departments, as well as other Federal, State and local government agencies. The County of Orange hereby disclaims liability for any loss or damage resulting from the use of the information and/or representations contained herein.

ORANGE COUNTY AGRICULTURAL DISTRICT ANNUAL ENROLLMENT FORM

Application to be completed by landowners who wish to include parcel(s) of predominantly viable agricultural land within a certified New York State Agricultural District. Annual period for such requests is March 1 through March 30.

INSTRUCTIONS (TO BE COMPLETED BY LANDOWNER)

1. Complete and sign application.
2. Return to Orange County Department of Planning (address below) between March 1 through March 30 5:00 PM.

PART I LANDOWNER DESCRIPTION

Name Red Mills Road Properties LLC
 Daytime Telephone (814) 450-2298 Fax ()
 Mailing Address 23 Gaffney Drive City/Town/Village Wallkill
 State NY Zip 12589 Email Address w Thornton1952@gmail.com

PRIMARY CONTACT

Name William A. Thornton
 Daytime Telephone (814) 450-2298 Fax ()
 Mailing Address 23 Gaffney Drive City/Town/Village Wallkill
 State NY Zip 12589 Email Address w Thornton1952@gmail.com
 Best Contact Time 9:00 AM - NOON

PART II PROPERTY DESCRIPTION

Please describe the property proposed to be added to the Agricultural District and list the tax map parcel numbers for all parcels that you wish to be included in the Agricultural District Program. Also indicate the town in which they are located. If you are unsure of your tax map parcel numbers please check with your local assessor. Please note that there may be a site inspection of the parcel. The owner is required to be available to meet with a representative of the County during the inspection. (Attach extra sheets if necessary):

Tax Map Parcel #	Town	Tax Map Parcel #	Town	Tax Map Parcel #	Town
<i>(Example: 1-1-21 Monroe)</i>					
<u>1-1-1</u>	<u>Newburgh</u>				

I would prefer my property to be included in Agricultural District No. 1
 Total Number of Acres to be Included 12.3
 Total Acreage Used for Agricultural Purposes 12.3
 Describe Current Land Use and/or Agricultural Activity/Crop Fruit crop, wood products, silviculture
 List Soil Types Bath-Nassau gravelly loam
 Are Any Soils Listed as Prime or Important by the New York State Department of Agriculture and Markets?
No If so, How Many Acres are Prime? _____ How many acres are important? _____
 Has this Property been Subdivided? No If Yes, Date of Subdivision _____
 Is this Property Proposed for Subdivision? No If Yes, Current Stage of Development _____
 Provide a Copy of the Subdivision Map _____

PART II (CONTINUED)

The Local Zoning Designation for the Property is AR

List any Local Municipal Restrictions on the Use of the Property _____

Identify any Outstanding Local Building or Zoning Code Violations NA

List any Deed Restrictions or Easements on the Property NA

PART III BUSINESS DESCRIPTION

Please briefly describe the business that is operated or will be operated on the property that is proposed to be added to the Agricultural District. (Attach extra sheets if necessary.)

Silviculture, Fruit Crop, Hay Production

Is this Property Currently Receiving Agricultural (Ag) Assessment? No
Attach Agricultural Business Plan (Optional)

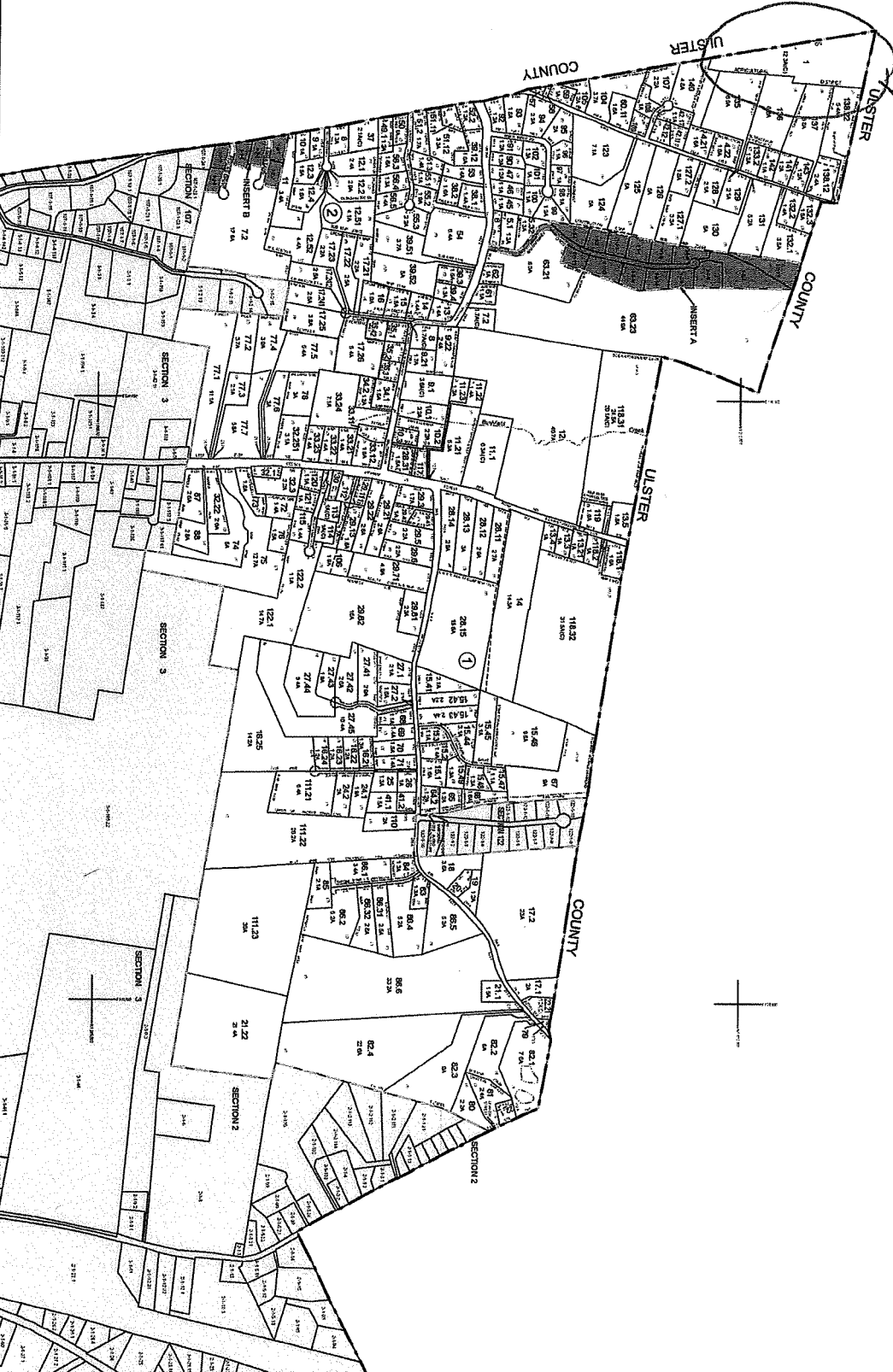
PART IV SIGNATURE

I attest that the above information is correct to the best of my knowledge and hereby officially request that my property, which includes **viable agricultural land**, be included in the Agricultural District Program. I recognize that such land, once officially included in the Agricultural District Program, may not be removed from this program until the eight-year review period for the Agricultural District into which my land is placed. I understand that this is not an application for an agricultural value assessment. I further understand that all applications will be forwarded to the local municipality for comments. I also acknowledge that this request is subject to a public hearing, action by the Orange County Legislature and certification by the NYS Department of Agriculture and Markets.

Signature William A. Thurston Date 03/24/2023

If you have any questions regarding this form please call or email the Orange County Department of Planning at Planning@co.orange.ny.us (845) 615-3840, Monday through Friday 9:00 A.M. to 5:00 P.M. **PLEASE RETURN THIS APPLICATION TO:** Orange County Dept of Planning
124 Main Street Goshen, N.Y. 10924

1-1-1



ORANGE COUNTY
NEW YORK

SECTION	OWNER	DATE	REMARKS
SECTION 2
SECTION 3

TOWN OF NEWBURGH
SECTION NO. 1

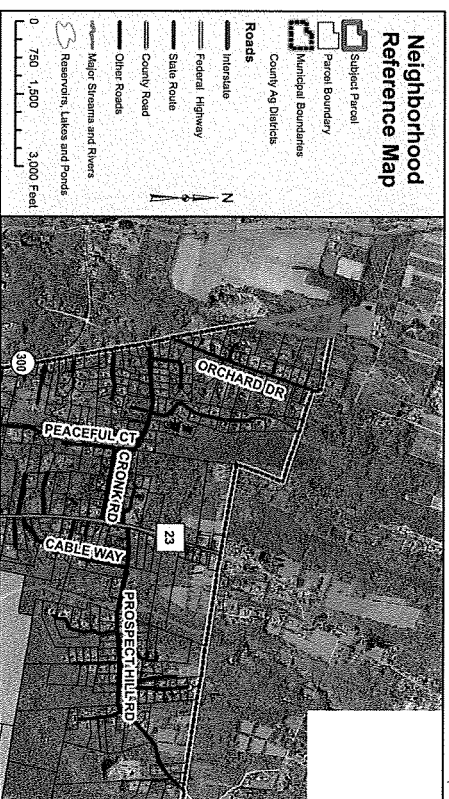
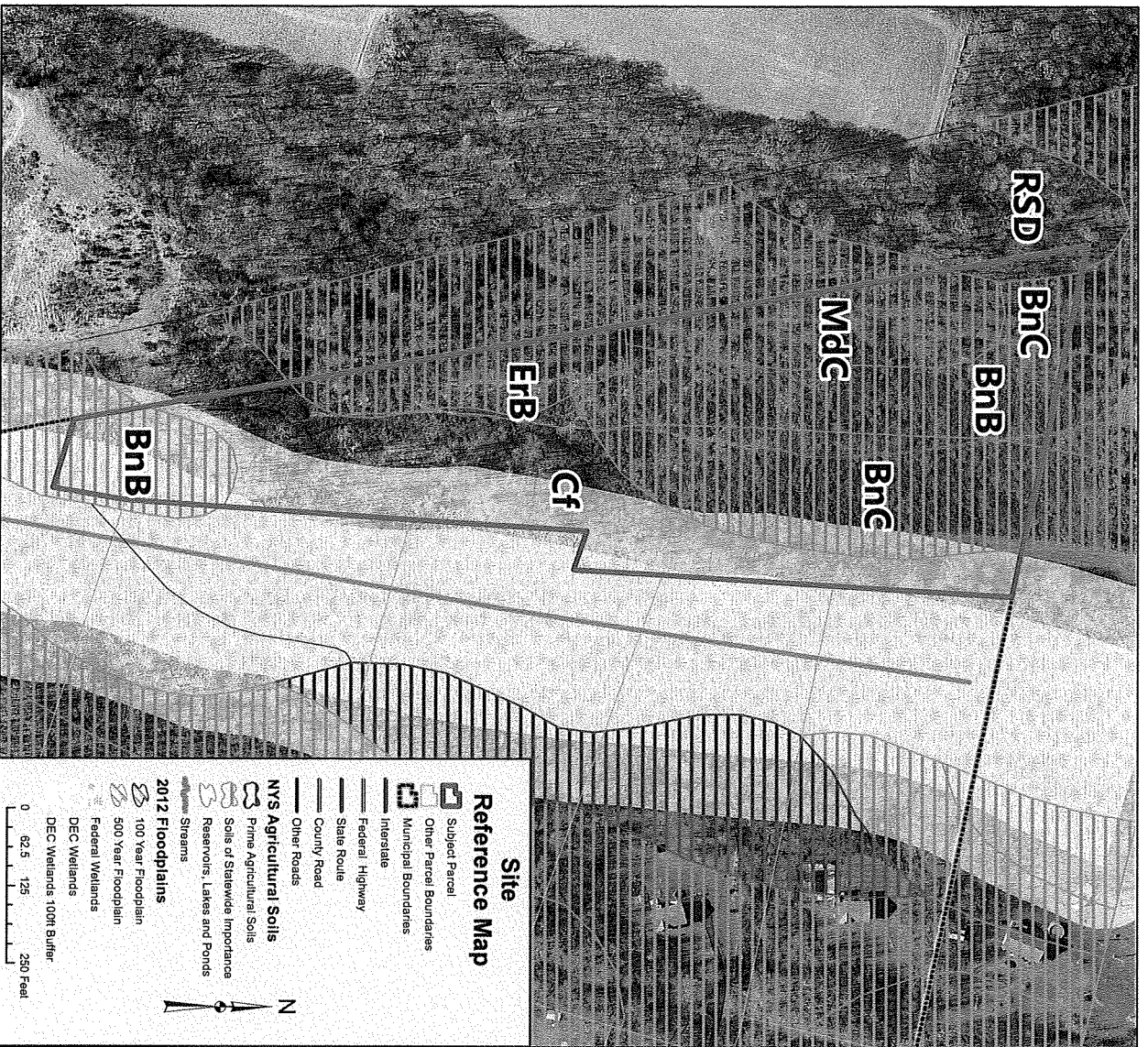
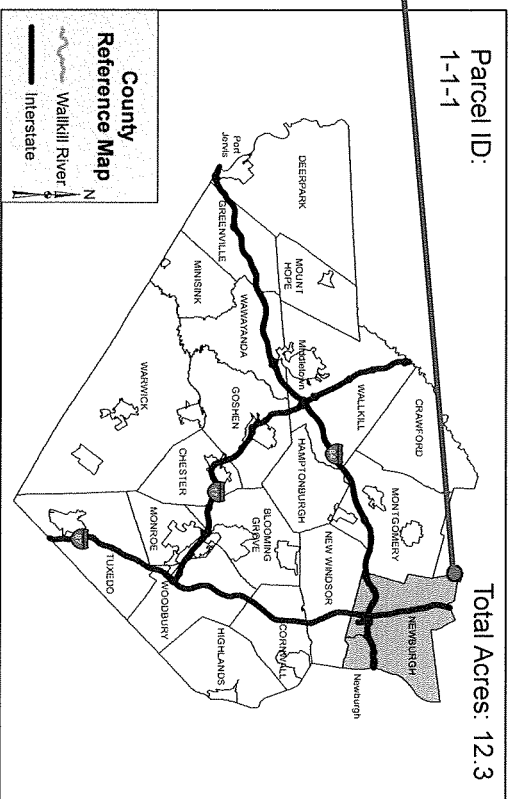


1-1-1

SECTION 10		SECTION 11		SECTION 12		SECTION 13		SECTION 14		SECTION 15	
1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24

Orange County Agricultural Districts 2023 Requested Additions - Town of Newburgh

Red Mills Road Properties LLC Property



Map Prepared By:
 Orange County Department of Planning
 March 29, 2023

Prime Soils: Approx. 0.0 Acres (0.0%)
 Statewide Important Soils: Approx. 8.4 Acres (67.7%)

Seal of Orange County
 State of New York
 County of Orange
 County Clerk

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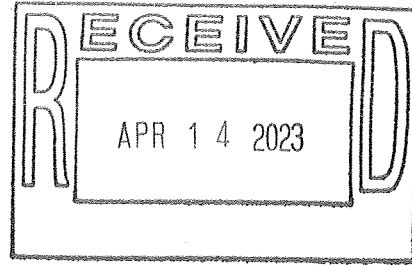
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April 11, 2023

Honorable Gilbert J. Piaquadio
Supervisor, Town of Newburgh
1496 Route 300
Newburgh, N.Y. 12550



Re: Agricultural District No. 1 Request
Landowner: Angel M. Rivera & the Ann Marie Rivera Revocable Living Trust/
Angel M. Rivera
SBL 6-1-2.143,6-1-96.2

Dear Supervisor Piaquadio:

The above landowner submitted an application to the Orange County Legislature for inclusion of the above land in the County's Agricultural District.

We invite any comments the Town may have concerning this request. The application will be reviewed by the Orange County Agricultural & Farmland Protection Board at its April 19, 2023 meeting.

All applications will be submitted to the Legislative oversight committees in May. We look forward to hearing from you.

Sincerely,

Katherine E. Bonelli, Chairwoman
Orange County Legislature

Enclosures

- cc: Legislator-Honorable Kevindaryan Lujan w/attachments
- Legislator-Honorable Genesis Ramos w/attachments
- Legislator-Honorable Leigh J. Benton w/attachments
- Legislator-Honorable Mike Anagnostakis w/attachments
- Jennifer MacLeod, AICP, Land Use Planner

ORANGE COUNTY AGRICULTURAL DISTRICT ANNUAL ENROLLMENT FORM

Application to be completed by landowners who wish to include parcel(s) of predominantly viable agricultural land within a certified New York State Agricultural District. Annual period for such requests is March 1 through March 30.

INSTRUCTIONS (TO BE COMPLETED BY LANDOWNER)

1. Complete and sign application.
2. Return to Orange County Department of Planning (address below) between March 1 through March 30 5:00 PM.

PART I

LANDOWNER DESCRIPTION

Name ANGEL M RIVERA (THE ANN MARIE RIVERA REVOCABLE LIVING TRUST)
 Daytime Telephone (845) 629-6733 Fax ()
 Mailing Address 26 COUNTRYMAN LANE City/Town/Village WALKILL
 State NY Zip 12589 Email Address ARIVERA@NEWBURGHMETALC.COM

PRIMARY CONTACT

Name ANGEL RIVERA
 Daytime Telephone () Fax ()
 Mailing Address SAME AS ABOVE City/Town/Village _____
 State _____ Zip _____ Email Address _____
 Best Contact Time _____

PART II

PROPERTY DESCRIPTION

Please describe the property proposed to be added to the Agricultural District and list the tax map parcel numbers for all parcels that you wish to be included in the Agricultural District Program. Also indicate the town in which they are located. If you are unsure of your tax map parcel numbers please check with your local assessor. Please note that there may be a site inspection of the parcel. The owner is required to be available to meet with a representative of the County during the inspection. (Attach extra sheets if necessary):

Tax Map Parcel #	Town	Tax Map Parcel #	Town	Tax Map Parcel #	Town
<i>(Example: 1-1-21 Monroe)</i>					
		<u>6-1-96.2 (3.7)</u>	<u>WALKILL</u>	<u>6-1-2.143 (54.3 AC)</u>	<u>WALKILL</u>

I would prefer my property to be included in Agricultural District No. 1
 Total Number of Acres to be Included 58
 Total Acreage Used for Agricultural Purposes ALL
 Describe Current Land Use and/or Agricultural Activity/Crop 321-ABANDONED AG

List Soil Types BNC, WD, SXC, AND, ANC.
 Are Any Soils Listed as Prime or Important by the New York State Department of Agriculture and Markets?
 If so, How Many Acres are Prime? _____ How many acres are important? _____

Has this Property been Subdivided? YES If Yes, Date of Subdivision 3/20/2018
 Is this Property Proposed for Subdivision? — If Yes, Current Stage of Development —
 Provide a Copy of the Subdivision Map _____

PART II (CONTINUED)

The Local Zoning Designation for the Property is AGRICULTURAL - RESIDENTIAL
List any Local Municipal Restrictions on the Use of the Property _____

Identify any Outstanding Local Building or Zoning Code Violations _____

List any Deed Restrictions or Easements on the Property _____

PART III BUSINESS DESCRIPTION

Please briefly describe the business that is operated or will be operated on the property that is proposed to be added to the Agricultural District. (Attach extra sheets if necessary.)

FLORICULTURIST CULTIVATING FLOWER AND ORNAMENTAL PLANTS,
FRUIT TREES THAT GROW IN ROCKY SOIL, ~~AND~~ AGRICULTURE PRODUCE
VEGETABLES AND HERBS.

Is this Property Currently Receiving Agricultural (Ag) Assessment? NO
Attach Agricultural Business Plan (Optional)

PART IV SIGNATURE

I attest that the above information is correct to the best of my knowledge and hereby officially request that my property, which includes **viable agricultural land**, be included in the Agricultural District Program. I recognize that such land, once officially included in the Agricultural District Program, may not be removed from this program until the eight-year review period for the Agricultural District into which my land is placed. I understand that this is not an application for an agricultural value assessment. I further understand that all applications will be forwarded to the local municipality for comments. I also acknowledge that this request is subject to a public hearing, action by the Orange County Legislature and certification by the NYS Department of Agriculture and Markets.

Signature Angel Rocio Date 3/21/2023

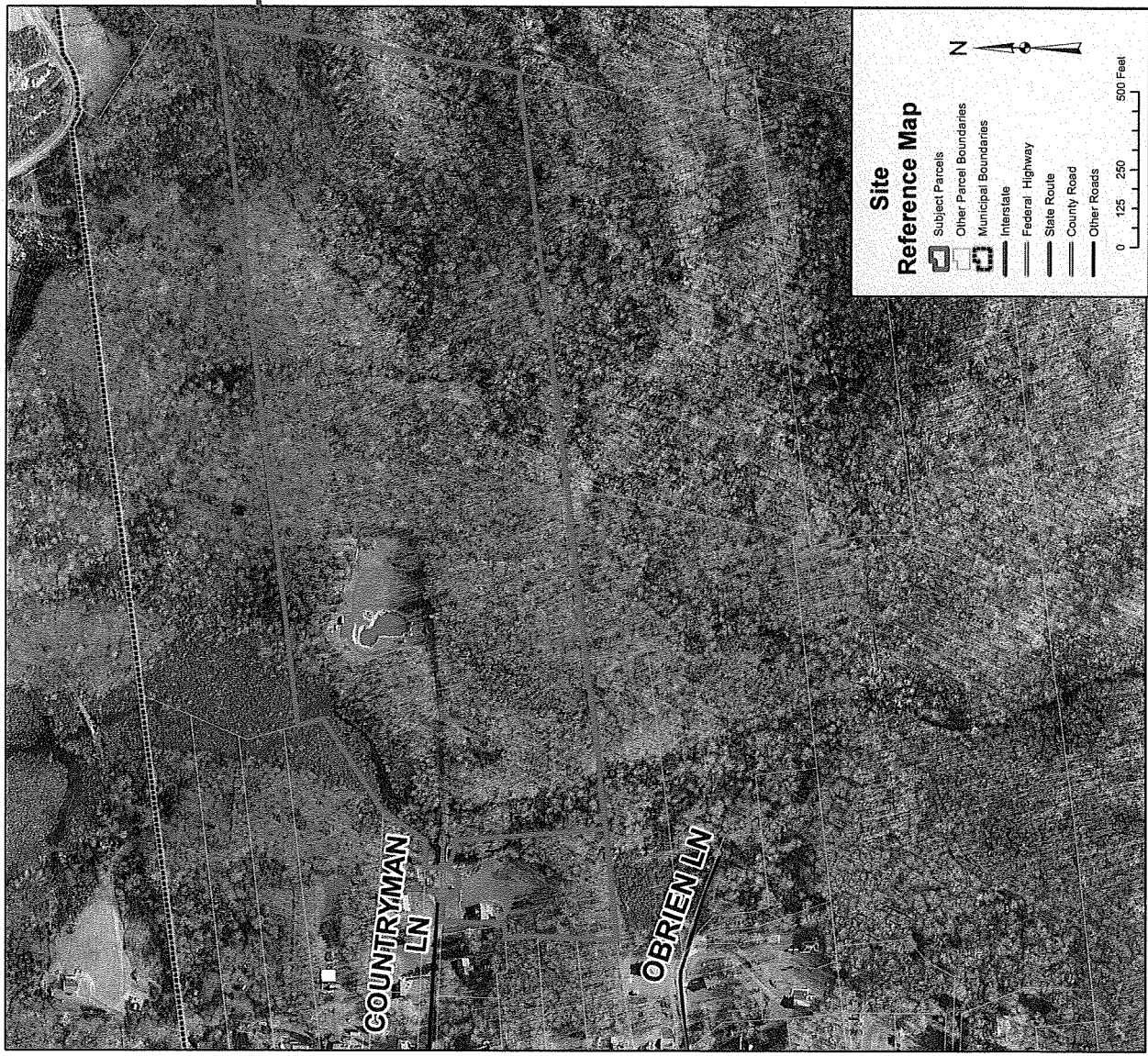
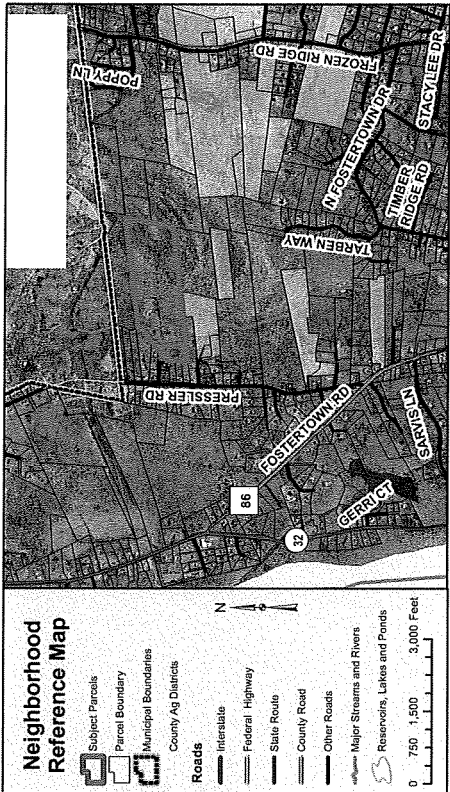
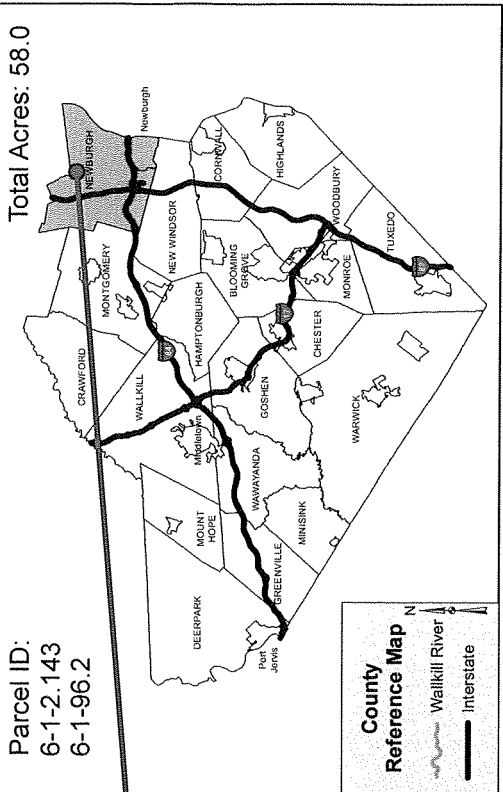
If you have any questions regarding this form please call or email the Orange County Department of Planning at Planning@co.orange.ny.us (845) 615-3840, Monday through Friday 9:00 A.M. to 5:00 P.M. **PLEASE RETURN**

THIS APPLICATION TO: Orange County Dept of Planning
124 Main Street Goshen, N.Y. 10924

Orange County Agricultural Districts 2023

Requested Additions - Town of Newburgh

Angel M. Rivera & The Ann Marie Rivera
 Revocable Living Trust Property



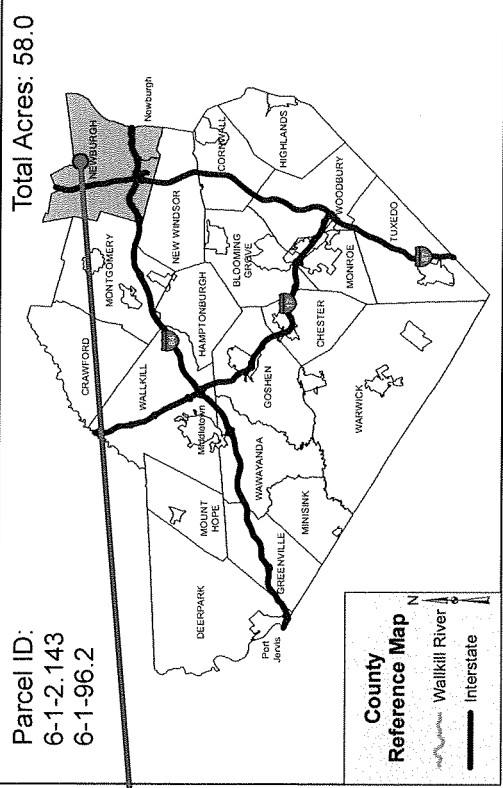
Map Prepared By:
 Orange County Department of Planning
 March 29, 2023

Prime Soils: Approx. 0.0 Acres (0.0%)
 Statewide Important Soils: Approx. 3.4 Acres (5.9%)

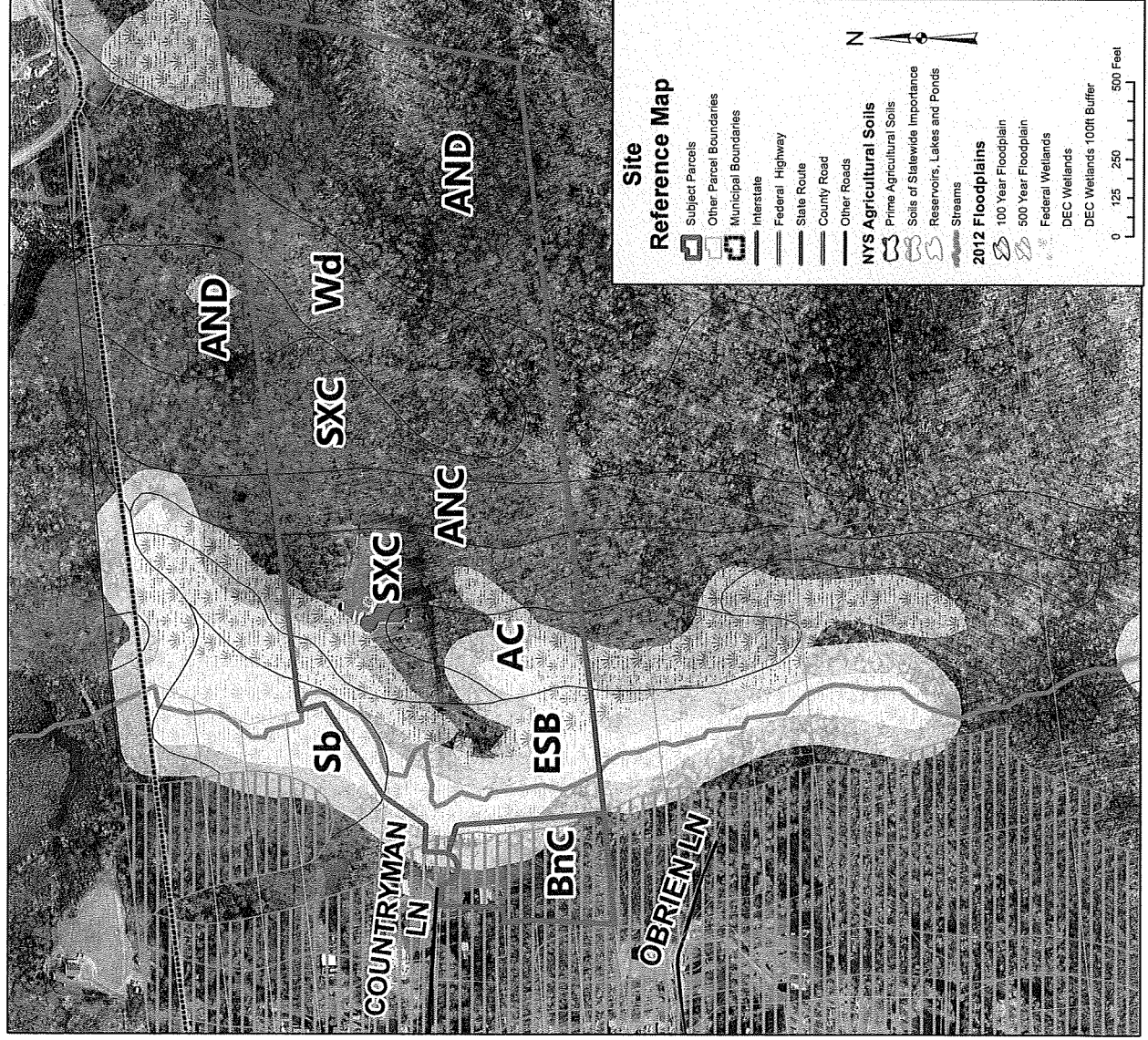
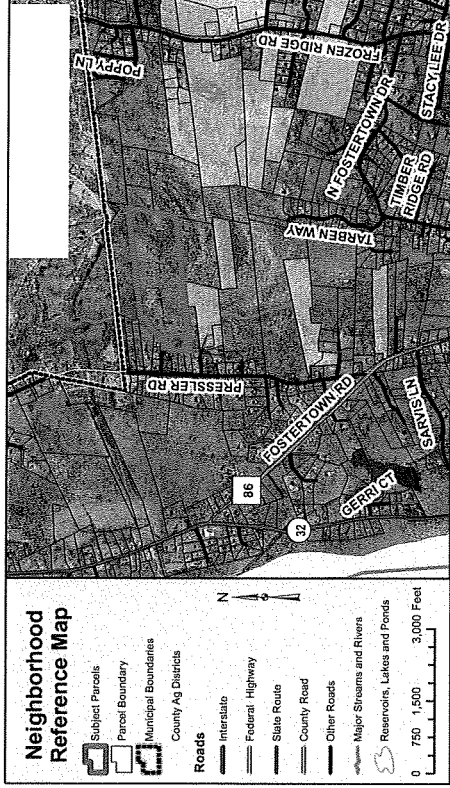
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Suzanne M. Neuhauer
 County Executive

Orange County Agricultural Districts 2023 Requested Additions - Town of Newburgh Angel M. Rivera & The Ann Marie Rivera Revocable Living Trust Property



Parcel ID:
6-1-2-143
6-1-96.2



Map Prepared By:
Orange County Department of Planning
March 29, 2023

Prime Soils: Approx. 0.0 Acres (0.0%)
Statewide Important Soils: Approx. 3.4 Acres (5.9%)

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#12A



21 April 2023

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: Gilbert Piaquadio, Town Supervisor & Town Board Members

SUBJECT: Matrix Logistics Site – Stormwater Security Reduction Request
(PB # 17-01) MHE Project # 22-101

Dear Supervisor Piaquadio and Town Board Members,

This office has performed periodic field reviews of the subject project during construction activities. The developer requested a reduction in security held on the project site. Security was posted for the project in the amount of \$5,157,063.45. The applicant is requesting a reduction of the security for the site as all stormwater management facilities have been constructed on the site. The stormwater collection system has also been completed within the parking areas and roadways. The project has not filed for a Notice of Termination under the NYSDEC Permit and small areas of disturbance remain on the site. Now the project must also produce stamped as built plans of the stormwater management facilities prior to final release of security on the project. A certification letter from the design professional will be required to be submitted to the Town prior to final release.

Based on a review of the work completed to date, this office takes no exception to the security being reduced to 5% of the original amount posted. As identified above, the original amount posted was \$5,157,063.45 with a 95% reduction the 5% remaining equals \$257,853.17. This office takes no exception to the bond for the Stormwater Security for the site being reduced to that amount. Reduction in the security requires Town Board action.

Please feel free to contact the undersigned should you require and additional information regarding this matter.

Very truly yours,

MHE Engineering, D.P.C.

A handwritten signature in black ink that reads 'Patrick J. Hines'.

Patrick J. Hines
Principal
PJH/ltn

Cc: Mark Taylor, Town Attorney
Jerry Confield, Code Enforcement Supervisor
John P. Ewasutyn, Planning Board Chairman

NEW YORK OFFICE

33 Airport Center Drive, Suite 202, New Windsor, NY 12553
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

PENNSYLVANIA OFFICE

111 Wheatfield Drive, Suite 1, Milford, PA 18337
570-296-2765 | F: 570-296-2767 | mhepa@mhepc.com

Project Name: Matrix Logistics Center
 Planning Board No.:

Municipality: Town of Newburgh
 Date: 10/19/2021

PUBLIC IMPROVEMENT UNIT PRICES
(Interim Update Dec. 2018)

Description	Unit	Unit Cost	Total Quantity	Total Cost	Completed Quantity	Completed Cost	Remaining Cost
Drainage							
Catch Basin (Standard Depth)	EA	\$ 4,888.00	41	\$ 200,408.00		\$ -	\$ 200,408.00
Catch Basin (Depth > 8 feet)	EA	\$ 6,000.00	10	\$ 60,000.00		\$ -	\$ 60,000.00
Stormwater Manhole (Standard Depth)	EA	\$ 5,428.00	17	\$ 92,276.00		\$ -	\$ 92,276.00
Stormwater Manhole (Depth > 8 feet)	EA	\$ 7,000.00	38	\$ 266,000.00		\$ -	\$ 266,000.00
Connection to Existing Catch Basin	EA	\$ 1,360.00		\$ -		\$ -	\$ -
Stormwater Pipe (HDPE - 8")	LF	\$ 38.00	316	\$ 12,008.00		\$ -	\$ 12,008.00
Stormwater Pipe (HDPE - 10")	LF	\$ 40.00	65	\$ 2,600.00		\$ -	\$ 2,600.00
Stormwater Pipe (HDPE - 12")	LF	\$ 50.00	4,097	\$ 204,850.00		\$ -	\$ 204,850.00
Stormwater Pipe (HDPE - 15")	LF	\$ 75.00	1,048	\$ 78,600.00		\$ -	\$ 78,600.00
Stormwater Pipe (HDPE - 18")	LF	\$ 92.00	1,471	\$ 135,332.00		\$ -	\$ 135,332.00
Stormwater Pipe (HDPE - 24")	LF	\$ 101.75	1,438	\$ 146,316.50		\$ -	\$ 146,316.50
Stormwater Pipe (HDPE - 30")	LF	\$ 122.00	2,026	\$ 247,172.00		\$ -	\$ 247,172.00
Stormwater Pipe (HDPE - 36")	LF	\$ 143.00	7,016	\$ 1,003,288.00		\$ -	\$ 1,003,288.00
Stormwater Pipe (HDPE - 42")	LF	\$ 140.00	1,717	\$ 240,380.00		\$ -	\$ 240,380.00
Stormwater Pipe (HDPE - 48")	LF	\$ 190.00	607	\$ 115,330.00		\$ -	\$ 115,330.00
Stormwater Pipe (HDPE - 54")	LF	\$ 289.00	318	\$ 91,902.00		\$ -	\$ 91,902.00
End Section (HDPE)	EA	\$ 815.00		\$ -		\$ -	\$ -
Stormwater Pipe (RCP, 15")	LF	\$ 81.75		\$ -		\$ -	\$ -
Stormwater Pipe (RCP, 18")	LF	\$ 92.00		\$ -		\$ -	\$ -
Stormwater Pipe (RCP, 24")	LF	\$ 101.75		\$ -		\$ -	\$ -
Stormwater Pipe (RCP, 30")	LF	\$ 162.75	29	\$ 4,719.75		\$ -	\$ 4,719.75
Stormwater Pipe (RCP, 36")	LF	\$ 203.50		\$ -		\$ -	\$ -
Stormwater Pipe (RCP, 42")	LF	\$ 291.50		\$ -		\$ -	\$ -
End Section (RCP)	EA	\$ 1,020.00		\$ -		\$ -	\$ -
Concrete Headwall	EA	\$ 8,280.00		\$ -		\$ -	\$ -
Rip Rap Drainage Channel	CY	\$ 120.00		\$ -		\$ -	\$ -
Non-Lined Drainage Channel	LF	\$ 16.40		\$ -		\$ -	\$ -

Project Name: Matrix Logistics Center
 Planning Board No.:

Municipality: Town of Newburgh
 Date: 10/19/2021

PUBLIC IMPROVEMENT UNIT PRICES
(Interim Update Dec. 2018)

Description	Unit	Unit Cost	Total Quantity	Total Cost	Completed Quantity	Completed Cost	Remaining Cost
Perforated Pipe/Stone Underdrain	LF	\$ 35.40	3,728	\$ 131,971.20		\$ -	\$ 131,971.20
Concrete Box Culvert (6'x4') w/ wingwalls	LF	\$ 3,122.00		\$ -		\$ -	\$ -
Concrete Box Culvert (3'x3') w/ wingwalls	LF	\$ 2,445.00		\$ -		\$ -	\$ -
Outlet Control Structures	EA	\$ 4,800.00	6	\$ 28,800.00		\$ -	\$ 28,800.00
Rip Rap Apron	CY	\$ 120.00	630	\$ 75,600.00		\$ -	\$ 75,600.00
Bioretention Basins	SF	\$ 10.00	187,601	\$ 1,876,010.00		\$ -	\$ 1,876,010.00
CS-5	EA	\$ 12,800.00	2	\$ 25,600.00		\$ -	\$ 25,600.00
CS-6	EA	\$ 18,300.00	1	\$ 18,300.00		\$ -	\$ 18,300.00
CS-8	EA	\$ 33,200.00	3	\$ 99,600.00		\$ -	\$ 99,600.00
Total				\$ 5,157,063.45		\$ -	\$ 5,157,063.45

Notes:

I. Added line items for drainage.

SUBDIVISION/SITE STORMWATER/EROSION AND SEDIMENT CONTROL BOND

Bond No. S282628

KNOW ALL MEN BY THESE PRESENTS, that we, MATRIX NEWBURGH ROUTE 300, LLC, as Principal, and NGM Insurance Company, authorized to do business in the State of New York, as Surety, are held and firmly bound unto the Town of Newburgh, New York, a New York municipal corporation, as Obligee, in the penal sum of FIVE MILLION ONE HUNDRED FIFTY-SEVEN THOUSAND SIXTY-THREE AND 45/100 DOLLARS (\$5,157,063.45), lawful money of the United States of America, for the payment of which well and truly made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly to these presents.

WHEREAS, the Principal or its predecessor in property interest has made application to the Town of Newburgh Planning Board in accordance with the Town of Newburgh zoning code, subdivision regulations and stormwater management law for approval of a site plan, dated OCTOBER 21, 2021, known as MATRIX LOGISTICS CENTER AT NEWBURGH and a subdivision, dated OCTOBER 21, 2021, known as MATRIX LOGISTICS CENTER AT NEWBURGH, both located at NEW YORK STATE ROUTE 300 IN THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK and the related stormwater pollution prevention plan, dated OCTOBER 21, 2021, and

WHEREAS, the Principal is required to furnish a good and sufficient bond to complete the proper installation of erosion and sediment control and/or stormwater management measures and permanent stabilization or restoration requirements for the land disturbance to be carried out in conjunction with the development of the approved site plan and subdivision (hereinafter collectively the "stormwater improvements") at the Principal's own expense within three (3) years of the date hereof and in the manner specified in the Town of Newburgh Code and/or the plans approved by the Town of Newburgh Planning Board, with such modifications and conditions, if any, as have been imposed by the Obligee, including but not limited to the condition, if stated in the approval, that if full implementation of the approved erosions and sediment control or stormwater management plan does not provide for effective erosion and sediment control or stormwater management measures, the Principal shall implement such additional erosion and sediment control measures as will control or treat the sediment source, and the delivery of "as built" drawings (said conditions hereinafter referred to as the "Agreement")

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall properly and satisfactorily install, or have installed, erosion and sediment control measures and permanently stabilize or restore the Site in accordance the Agreement and complete the proper installation of the stormwater improvements within three (3) years of the date hereof and in the manner specified in the Town of Newburgh Code and/or the plans approved by the Town of Newburgh Planning Board, with such modifications and conditions, if any, as have been imposed by the Obligee, including but not limited to the condition, if stated in the approval, that if full implementation of the approved erosions and sediment control or stormwater management plan does not provide for effective erosion and sediment control or stormwater management measures, the Principal shall implement such additional erosion and

sediment control measures as will control or treat the sediment source and the delivery of "as built" drawings, and shall save the Obligees harmless from any loss, cost, or damage by reason of the Principal's failure to complete said stormwater improvements, then this obligation shall be null and void; otherwise to remain in full force and effect and the Surety, upon receipt of a resolution of the Obligees indicating that the improvements have not been properly installed or completed, will properly complete the improvements or pay the Obligees such amount up to the Principal amount of this bond which will allow the Obligees to complete the improvements, and if suit is brought on this bond, the Principal and Surety will pay to the Obligees such reasonable attorneys' fees as shall be fixed by the court.

Signed, sealed, and dated this 4th day of March 2022.

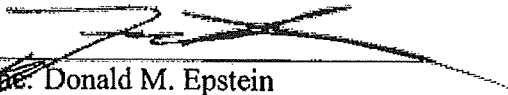
PRINCIPAL

MATRIX NEWBURGH ROUTE 300, LLC,
a New York limited liability company

By: Matrix/PPF Newburgh Route 300 Holdings, LLC,
a Delaware limited liability company

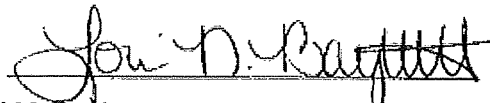
By: Matrix Development Group Associates, L.L.C.,
a New Jersey limited liability company,
its administrative member

By: Taylor/Epstein Investment Fund, L.L.C.,
a New Jersey limited liability company,
its manager

By: 
Name: Donald M. Epstein
Title: Manager

SURETY

NGM Insurance Company

By: 
Lori N. Baybutt, Attorney-In-Fact



NGM INSURANCE COMPANY
A member of The Main Street America Group

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them. "

does hereby make, constitute and appoint **Lori N. Baybutt** its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bond number **S282628** dated **March 4, 2022**

on behalf of **Matrix Newburgh Route 300, LLC**

in favor of **Town of Newburgh, New York**

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of the NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance 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.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By:

Kimberly K. Law

Kimberly K. Law
Vice President,
General Counsel and Secretary

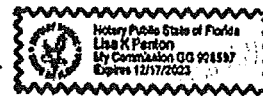


State of Florida,
County of Duval.

On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of the NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 7th day of January, 2020.

Lisa K Penton



I, Nancy Giordano-Ramos, Vice President of the NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 4th day of March, 2022.

Nancy Giordano-Ramos



WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call **1-603-358-1343**.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claim Dept. or call our Bond Claim Dept. at 1-603-358-1229.

STATE OF NEW YORK
DEPARTMENT OF FINANCIAL SERVICES

CERTIFICATE OF SOLVENCY UNDER SECTION 1111 OF THE NEW YORK INSURANCE
LAW

It is hereby certified that

NGM Insurance Company
of Jacksonville, Florida

a corporation organized under the laws of Florida and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guaranties, and other obligations required or permitted by law; and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of \$648,281,338. (Capital \$5,250,000), as is shown by its sworn financial statement for the quarter ending, December 31, 2020, on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.



In Witness Whereof, I have here-
unto set my hand and affixed the
official seal of this Department
at the City of Albany, this 1st
day of July, 2021.

Linda A. Laceywell
Superintendent

By

A handwritten signature in cursive script, appearing to read "Colleen M. Draper".

Colleen M. Draper
Special Deputy Superintendent

State of New York

DEPARTMENT OF FINANCIAL SERVICES

WHEREAS IT APPEARS THAT

NGM Insurance Company

Home Office Address Jacksonville, Florida

Organized under the Laws of Florida

has complied with the necessary requirements of or pursuant to law, it is hereby

licensed to do within this State the business of

fire, miscellaneous property, water damage, burglary and theft, glass, boiler and machinery, elevator, collision, personal injury liability, property damage liability, workers' compensation and employers' liability, fidelity and surety, motor vehicle and aircraft physical damage, marine and inland marine and marine protection and indemnity insurance, as specified in paragraph(s) 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 19, 20 and 21 of Section 1113(a) of the New York Insurance Law and also such workers' compensation insurance as may be incident to coverages contemplated under paragraphs 20 and 21 of Section 1113(a), including insurances described in the Longshoremen's and Harbor Workers' Compensation Act (Public Law No. 803, 69 Cong. as amended; 33 USC Section 901 et seq. as amended) to the extent permitted by certified copy of its charter document on file in this Department until July 1, 2022.



**In Witness Whereof, I have hereunto set
my hand and affixed the official seal of this
Department at the City of Albany, New York, this
1st day of July, 2021**

Linda A. Lacewell
Superintendent

By *Colleen M. Draper*

Colleen M. Draper
Special Deputy Superintendent



I certify that at the Annual Meeting of the Directors of the NGM Insurance Company duly called and held at Jacksonville, Florida on March 11th, 2021, the following officers were elected and remain in office:

CHRISTOPHER R. LISTAU.....CHIEF EXECUTIVE OFFICER AND PRESIDENT
 THERESA E. BREUNIG-SILBERNAGEL.....SENIOR VICE PRESIDENT, ENTERPRISE SOLUTIONS
 KIMBERLY K. LAW..... VICE PRESIDENT, GENERAL COUNSEL & SECRETARY
 JOSEPH D. FREITAS VICE PRESIDENT, CHIEF FINANCIAL OFFICER & TREASURER
 DAVID S. MEDVIDOFSKY SENIOR VICE PRESIDENT, PRODUCT OPERATIONS
 RUTH C. MUNGER, ANNA D. PARKER, STACY JUELFs, KEVIN A COMIER, NANCY L. GIORDANO-RAMOS,
 ROBERT T. HETZEL, SARAH C. BOURDEAU, PRIYESH A. PATEL, STEVEN C. KILINGERMANN, JR,
 CHRISTOPHER L. COX. VICE PRESIDENTS

I further certify that the following statement of the Company is true as taken from the records of said Company as of December 31, 2020.

ADMITTED ASSETS

LIABILITIES

Bonds at Amortized Values..... \$ 135,493,927
 Stocks at Market Value162,994,249
 First Mortgage Loans 9,496,000
 Real Estate 3,809,505
 Cash in Office and Banks..... (40,912,462)
 Short Term Investments..... 1,739,556
 Agent's Balance (Less than 90 Days).....305,826,550
 Accrued Interest..... 578,933
 Other Assets277,701,627
TOTAL ADMITTED ASSETS856,727,885

Reserve for Losses..... 0
 Reserve for Loss Adjustment Expenses 0
 Reserve for Unearned Premiums 0
 Reserve for Other Underwriting Expenses.....53,817,249
 Reserve for Taxes, Licenses, and Fees..... 5,383,121
 Loss Drafts in Transit..... 0
 Other Liabilities149,246,177
Total Liabilities 208,446,547
 Policyholders' Surplus.....648,281,338
TOTAL \$ 856,727,885

Securities as deposited by law, included above = \$ 5,523,585

I further certify that the following is true and exact excerpt from Article IV, Section 2 of the By-Laws of NGM Insurance Company which is still valid and existing.

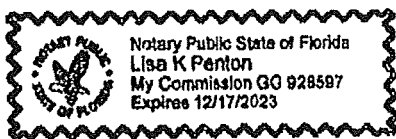
The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

Subscribed and sworn to before me on this 16 day of March, 2021

IN WITNESS THEREOF I hereunto subscribe my name and affix the seal of said company this 16 day of March, 2021

Lisa K Periton

Kimberly K Law
 Kimberly K. Law
 Vice President, General Counsel & Secretary





#12B

21 April 2023

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: Gilbert Piaquadio, Town Supervisor & Town Board Members

SUBJECT: Matrix Logistics Center – Roadway Improvement Bond Reduction Request
(PB # 17-01) MHE Project # 22-101

Dear Supervisor Piaquadio and Town Board Members,

This office has received a request from the developer to reduce security associated with the construction of Matrix Drive. Matrix Drive is the access road to the Matrix Logistics Center facilities being construction off of Union Avenue. This office has provided periodic review of the activities on the site during construction. The applicants have requested the original bond amount of \$1,382,221.56 be reduced to \$100,065.00.

Based on the review of the original bond, this office recommends the entire amount for the top course \$141,524.17 as well as \$10,000.00 for as built plans remain secured at this time. This totals \$151,524.17. The remaining bond amount of \$1,230,697.39 can be reduced to a 5% maintenance amount of \$61,534.70, leaving a total roadway security of \$213,060.00.

Based on the above, this office would recommend the Town Board take action on reducing the original roadway security amount of \$1,382,221.56 to \$213,060.00. The bond reduction requires Town Board action.

Please feel free to contact the undersigned should you require and additional information regarding this matter.

Very truly yours,

MHE Engineering, D.P.C.

A handwritten signature in cursive script that reads 'Patrick J. Hines'.

Patrick J. Hines
Principal
PJH/ltn

Cc: Mark Taylor, Town Attorney
Jerry Confield, Code Enforcement Supervisor
John P. Ewasutyn, Planning Board Chairman

NEW YORK OFFICE

33 Airport Center Drive, Suite 202, New Windsor, NY 12553
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

PENNSYLVANIA OFFICE

111 Wheatfield Drive, Suite 1, Milford, PA 18337
570-296-2765 | F: 570-296-2767 | mhepa@mhepc.com

Project Name: Matrix Logistics Center
 Planning Board No.:

Municipality: Town of Newburgh
 Date: 11/15/2021

PUBLIC IMPROVEMENT UNIT PRICES
(Interim Update Dec. 2018)

Description	Unit	Unit Cost	Total Quantity	Total Cost	Completed Quantity	Completed Cost	Remaining Cost
Roadway							
Grade Subgrade in ROW	SY	\$ 1.20	16,064	\$ 19,276.83		\$ -	\$ 19,276.83
Cut and Chip Trees	AC	\$ 8,820.50		\$ -		\$ -	\$ -
Stump removal and disposal	AC	\$ 6,105.50		\$ -		\$ -	\$ -
Erosion Control	AC	\$ 4,340.00		\$ -		\$ -	\$ -
Silt Fence	LF	\$ 6.50		\$ -		\$ -	\$ -
Roadway Subbase (8" course)	SY	\$ 14.40	10,293	\$ 148,214.40		\$ -	\$ 148,214.40
Roadway Subbase (12" course)	SY	\$ 21.00	10,293	\$ 216,146.00		\$ -	\$ 216,146.00
Roadway Subbase (15" course)	SY	\$ 25.90		\$ -		\$ -	\$ -
Asphalt Pavement (1" top)	SY	\$ 13.75	10,293	\$ 141,524.17		\$ -	\$ 141,524.17
Asphalt Pavement (1.5" top)	SY	\$ 16.10		\$ -		\$ -	\$ -
Asphalt Pavement (2" top)	SY	\$ 20.75		\$ -		\$ -	\$ -
Asphalt Pavement (2.5" course)	SY	\$ 25.75	10,293	\$ 265,036.17		\$ -	\$ 265,036.17
Asphalt Pavement (3" course)	SY	\$ 31.00		\$ -		\$ -	\$ -
Asphalt Pavement (3.5" course)	SY	\$ 36.25		\$ -		\$ -	\$ -
Asphalt Pavement (4" course)	SY	\$ 42.00		\$ -		\$ -	\$ -
Asphalt Pavement (5" course)	SY	\$ 51.75		\$ -		\$ -	\$ -
Asphalt Pavement (intensive handwork)	TN	\$ 285.25		\$ -		\$ -	\$ -
Tack Coat	SY	\$ 1.00	10,293	\$ 10,292.67		\$ -	\$ 10,292.67
Roadway ROW Topsoil (6") & Seeding	SY	\$ 17.55	5,771	\$ 101,287.29		\$ -	\$ 101,287.29
Concrete Monuments	EA	\$ 196.75		\$ -		\$ -	\$ -
Roadway As-Built (50' Wide)	LF	\$ 1.50	1,935	\$ 2,901.90		\$ -	\$ 2,901.90
Street Signes (Traffic Control)	EA	\$ 305.35	1	\$ 305.35		\$ -	\$ 305.35
Street ID	EA	\$ 340.00		\$ -		\$ -	\$ -
Concrete Curbing	LF	\$ 50.00	3,688	\$ 184,420.00		\$ -	\$ 184,420.00
Concrete Sidewalk (up to 1,000 SY)	SY	\$ 115.00	394	\$ 45,362.39		\$ -	\$ 45,362.39

Project Name: Matrix Logistics Center
 Planning Board No.:

Municipality: Town of Newburgh
 Date: 11/15/2021

PUBLIC IMPROVEMENT UNIT PRICES
(Interim Update Dec. 2018)

Description	Unit	Unit Cost	Total Quantity	Total Cost	Completed Quantity	Completed Cost	Remaining Cost
Concrete Sidewalk (>1,000 SY)	SY	\$ 80.00		\$ -		\$ -	\$ -
Concrete Sidewalk (4' Wide)	LF	\$ 52.00		\$ -		\$ -	\$ -
Concrete Sidewalk (5' Wide)	LF	\$ 63.85	710	\$ 45,334.78		\$ -	\$ 45,334.78
Street Trees (2.5" Cal, w/frame and grate)	EA	\$ 1,700.00		\$ -		\$ -	\$ -
Street Trees (2.5" Cal)	EA	\$ 770.00		\$ -		\$ -	\$ -
Street Lights (std. luminair, w/g/ feed)	EA	\$ 9,200.00	9	\$ 82,800.00		\$ -	\$ 82,800.00
Guide Rail (W-Beam)	LF	\$ 67.90	1,405	\$ 95,379.13		\$ -	\$ 95,379.13
Guide Rail (Box Beam)	LF	\$ 95.00		\$ -		\$ -	\$ -
End Section (W-Beam, Wrap)	EA	\$ 1,208.00		\$ -		\$ -	\$ -
End Section (W-Beam, conc. Anchor)	EA	\$ 3,000.00	4	\$ 12,000.00		\$ -	\$ 12,000.00
Modular Block Retaining Wall (up to 6' High)	SF	\$ 55.00		\$ -		\$ -	\$ -
Modular Block Retaining Wall (over 6' High)	SF	\$ 65.00	184	\$ 11,940.50		\$ -	\$ 11,940.50
Concrete Retaining Wall (up to 6' High)	CY	\$ 950.00		\$ -		\$ -	\$ -
Concrete Retaining Wall (over 6' High)	CY	\$ 1,155.75		\$ -		\$ -	\$ -
Total				\$ 1,382,221.56		\$ -	\$ 1,382,221.56

Notes:

1. Added line items for 1" top and 2.5" course.
2. Erosion control line items were included as part of the erosion control cost estimate.

**Road, Water, Sewer, Drainage, Stormwater, Lighting Improvement
SUBDIVISION/SITE IMPROVEMENT PERFORMANCE BOND**

Bond No. S282627

KNOW ALL MEN BY THESE PRESENTS, that we, MATRIX NEWBURGH ROUTE 300, LLC, as Principal, and NGM Insurance Company , authorized to do business in the State of New York, as Surety, are held and firmly bound unto the Town of Newburgh, New York, a New York municipal corporation, as Obligee, in the penal sum of ONE MILLION THREE HUNDRED EIGHTY-TWO THOUSAND TWO HUNDRED TWENTY-ONE AND 56/100 DOLLARS (\$1,382,221.56), lawful money of the United States of America, for the payment of which well and truly made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly to these presents.

WHEREAS, the Principal or its predecessor in property interest has made application to the Town of Newburgh Planning Board in accordance with the Town of Newburgh subdivision regulations and zoning code for final approval of a site plan, dated OCTOBER 21, 2021, known as MATRIX LOGISTICS CENTER AT NEWBURGH, located at NEW YORK STATE ROUTE 300 IN THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK, or Principal is the authorized agent of such applicant/owner; and

WHEREAS, the Principal is required to furnish a good and sufficient bond for the proper construction or installation of on-site private access road, stormwater discharge or drainage and other related improvements, including but not limited to street signs, concrete monuments, sidewalks, street trees, streetlights, guiderails and retaining walls, for the development of the approved site plan (hereinafter collectively the "improvements") and deliver certified as built drawings of the improvements at the Principal's own expense in the time and manner specified in the Town of Newburgh Code and in accordance with the specifications of the Town of Newburgh and the resolution and plans approved by and the Town of Newburgh Planning Board, with such modifications and conditions, if any, as have been imposed by the Obligee, including but not limited to the reconstruction, restoration and repair of all existing and future street paving, shoulders, drainage swales and structures, water and sewer utilities, damaged or subsequently affected by said construction as of the date the Obligee's engineers certify the improvements have been completed in accordance with the applicable requirements and satisfactory as built drawings have been delivered to the Obligee (said conditions hereinafter referred to as the "Agreement")

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall construct, or have constructed, the improvements in accordance with the Agreement, shall deliver certified as built drawings, shall post a satisfactory maintenance assurance for a two (2) year period with the Obligee from the date of acceptance of the improvements, and shall save the Obligee harmless from any loss, cost, or damage by reason of the Principal's failure to complete said improvements, then this obligation shall be null and void; otherwise to remain in full force and effect and the Surety, upon receipt of a resolution of the Obligee indicating that the improvements have not been installed or completed, will complete the improvements or pay the Obligee such amount up to the Principal amount of this bond which

will allow the Oblige to complete the improvements, and if suit is brought on this bond, the Principal and Surety will pay to the Oblige such reasonable attorneys' fees as shall be fixed by the court.

Signed, sealed, and dated this 4th day of March 2022.

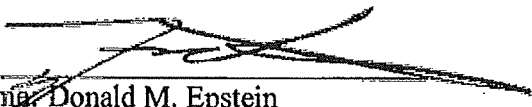
PRINCIPAL

MATRIX NEWBURGH ROUTE 300, LLC,
a New York limited liability company

By: Matrix/PPF Newburgh Route 300 Holdings, LLC,
a Delaware limited liability company

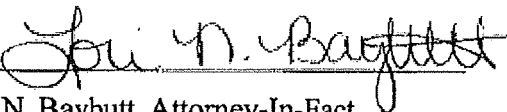
By: Matrix Development Group Associates, L.L.C.,
a New Jersey limited liability company,
its administrative member

By: Taylor/Epstein Investment Fund, L.L.C.,
a New Jersey limited liability company,
its manager

By: 
Name: Donald M. Epstein
Title: Manager

SURETY

NGM Insurance Company

By: 
Lori N. Baybutt, Attorney-In-Fact



NGM INSURANCE COMPANY
A member of The Main Street America Group

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"SECTION 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them. "

does hereby make, constitute and appoint **Lori N. Baybutt** its true and lawful Attorney-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bond number **S282627** dated **March 4, 2022**

on behalf of **Matrix Newburgh Route 300, LLC**
in favor of **Town of Newburgh, New York**

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instrument was signed by the duly authorized officers of the NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance 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.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By:

Kimberly K. Law

Kimberly K. Law
Vice President,
General Counsel and Secretary

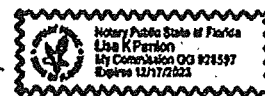


State of Florida,
County of Duval.

On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of the NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 7th day of January, 2020.

Lisa K. Perron



I, Nancy Giordano-Ramos, Vice President of the NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect. **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 4th day of March, 2022.

Nancy Giordano-Ramos



WARNING: Any unauthorized reproduction or alteration of this document is prohibited.

TO CONFIRM VALIDITY of the attached bond please call **1-603-358-1343**.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claim Dept. or call our Bond Claim Dept. at 1-603-358-1229.

**STATE OF NEW YORK
DEPARTMENT OF FINANCIAL SERVICES**

**CERTIFICATE OF SOLVENCY UNDER SECTION 1111 OF THE NEW YORK INSURANCE
LAW**

It is hereby certified that

**NGM Insurance Company
of Jacksonville, Florida**

a corporation organized under the laws of Florida and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guaranties, and other obligations required or permitted by law; and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of \$648,281,338. (Capital \$5,250,000), as is shown by its sworn financial statement for the quarter ending, December 31, 2020, on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.



In Witness Whereof, I have here-
unto set my hand and affixed the
official seal of this Department
at the City of Albany, this 1st
day of July, 2021.

Linda A. Lacewell
Superintendent

By

A handwritten signature in black ink, appearing to read "Colleen M. Draper".

Colleen M. Draper
Special Deputy Superintendent

State of New York

DEPARTMENT OF FINANCIAL SERVICES

WHEREAS IT APPEARS THAT

NGM Insurance Company

Home Office Address Jacksonville, Florida

Organized under the Laws of Florida

has complied with the necessary requirements of or pursuant to law, it is hereby

licensed to do within this State the business of

fire, miscellaneous property, water damage, burglary and theft, glass, boiler and machinery, elevator, collision, personal injury liability, property damage liability, workers' compensation and employers' liability, fidelity and surety, motor vehicle and aircraft physical damage, marine and inland marine and marine protection and indemnity insurance, as specified in paragraph(s) 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 19, 20 and 21 of Section 1113(a) of the New York Insurance Law and also such workers' compensation insurance as may be incident to coverages contemplated under paragraphs 20 and 21 of Section 1113(a), including insurances described in the Longshoremen's and Harbor Workers' Compensation Act (Public Law No. 803, 69 Cong. as amended; 33 USC Section 901 et seq. as amended) to the extent permitted by certified copy of its charter document on file in this Department until July 1, 2022.



**In Witness Whereof, I have hereunto set
my hand and affixed the official seal of this
Department at the City of Albany, New York, this
1st day of July, 2021**

Linda A. Lacewell
Superintendent

By *Colleen M. Draper*

Colleen M. Draper
Special Deputy Superintendent



I certify that at the Annual Meeting of the Directors of the NGM Insurance Company duly called and held at Jacksonville, Florida on March 11th, 2021, the following officers were elected and remain in office:

- CHRISTOPHER R. LISTAU.....CHIEF EXECUTIVE OFFICER AND PRESIDENT
- THERESA E. BREUNIG-SILBERNAGEL.....SENIOR VICE PRESIDENT, ENTERPRISE SOLUTIONS
- KIMBERLY K. LAW..... VICE PRESIDENT, GENERAL COUNSEL & SECRETARY
- JOSEPH D. FREITAS VICE PRESIDENT, CHIEF FINANCIAL OFFICER & TREASURER
- DAVID S. MEDVIDOFKYSENIOR VICE PRESIDENT, PRODUCT OPERATIONS
- RUTH C. MUNGER, ANNA D. PARKER, STACY JUELFS, KEVIN A COMIER, NANCY L. GIORDANO-RAMOS,
ROBERT T. HETZEL, SARAH C. BOURDEAU, PRIYESH A. PATEL, STEVEN C. KILINGERMANN, JR,
CHRISTOPHER L. COX VICE PRESIDENTS

I further certify that the following statement of the Company is true as taken from the records of said Company as of December 31, 2020.

ADMITTED ASSETS

LIABILITIES

Bonds at Amortized Values.....	\$ 135,493,927
Stocks at Market Value.....	162,994,249
First Mortgage Loans.....	9,496,000
Real Estate.....	3,809,505
Cash in Office and Banks.....	(40,912,462)
Short Term Investments.....	1,739,556
Agent's Balance (Less than 90 Days).....	305,826,550
Accrued Interest.....	578,933
Other Assets.....	277,701,627
TOTAL ADMITTED ASSETS.....	856,727,885

Reserve for Losses.....	0
Reserve for Loss Adjustment Expenses.....	0
Reserve for Unearned Premiums.....	0
Reserve for Other Underwriting Expenses.....	53,817,249
Reserve for Taxes, Licenses, and Fees.....	5,383,121
Loss Drafts in Transit.....	0
Other Liabilities.....	149,246,177
Total Liabilities.....	208,446,547
Policyholders' Surplus.....	648,281,338
TOTAL.....	\$ 856,727,885

Securities as deposited by law, included above = \$ 5,523,585

I further certify that the following is true and exact excerpt from Article IV, Section 2 of the By-Laws of NGM Insurance Company which is still valid and existing.

The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

Subscribed and sworn to before me on this 16 day of March, 2021

IN WITNESS THEREOF I hereunto subscribe my name and affix the seal of said company this 16 day of March, 2021

[Signature]

[Signature]
Kimberly K. Law
Vice President, General Counsel & Secretary

