# Western Surety Company

#### **POWER OF ATTORNEY**

#### KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

	Stephen T. Pate	of	Sioux Falls	
State of	South Dakota	, its regularly elected	Executive Vice President	,

as Attorney in Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of documents to-wit:

Indermity. Sprety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity policies indermitying employers against loss or damage caused by the misconduct of their employees; official, bail, and surety and fidelity bonds. Indermity in all cases where indemnity may be lawfully given; and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company, and to compromise and settle any and all claims or demands made or existing against said Company.

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company dubacted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Executive Vice President with the corporate seal affixed this <u>05</u> day of <u>0ctober</u> <u>2001</u>.

COMP ATTEST WESTER Relson Assistant Secretary Stephen T. Pate, Executive Vice President STATE OF SOUTH DAKOTA SS COUNTY OF MINNEHAHA 05 \_ day of \_ October 2001ED , before me, a Notary Public, personally appeared On this Stephen T. Pate GAN SECRETARY L. Nelson who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Executive Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation. D. KRELL Al Frell NOTARY PUBLIC SOUTH DAKOTA SEAL Notary Public

Form F1975-4-2001

My Commission Expires November 30, 2006

## Western Surety Company

OLDEST

### **CONTINUATION CERTIFICATE**

Western Surety Company hereby continues in force Bond No. \_\_\_\_\_68804213 briefly described as \_\_\_\_\_ High Pressure Pipe Fitting / State of Minnesota

for \_\_\_\_\_

LBP Mechanical, Inc.

\_\_\_\_\_, as Principal,

in the sum of \$FIFTEEN THOUSAND AND NO/100 Dollars, for the term beginning

December 31, 2001, and ending \_\_\_\_ December 31, 2002, subject to all

the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 05 day of October , 2001

\*\*\*\*\*\*\*\* ANSISTANIA TO THE PARTY OF THE

WESTERN

SURETY COMPANY

Sternen T. Pate, Executive

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

WESTERN SURETY COMPANY + ONE OF AMERICA'S OLDEST BONDING COMPANIES COCCO

Form 90-A-4-2001