

ROUTT COUNTY, COLORADO
BOND NO. 9455077 (Replaces Bond No. NAT0078904 dated December 5, 2022)

BOND

KNOW ALL MEN BY THESE PRESENTS, that we Sage Creek Holdings, LLC of 701 Market Street, Suite 700, St. Louis in the State of Missouri 63101, as principal and Fidelity and Deposit Company of Maryland, 1299 Zurich Way, Schaumburg, IL 60196, as surety, authorized to do business in the State of Colorado are held hereby and firmly bound unto the County of Routt, State of Colorado, in the penal sum of Thirty-Five Thousand and No/100---(\$35,000.00)--- Dollars, lawful money of the United States, for the faithful payment of which we hereby bind ourselves, our heirs, executors, administrators, and assigns.

The condition of this obligation is that whereas the above bounden principal as applied for and been approved for a Special Use Permit for Peabody Temporary Workforce Housing on land situated in the County of Routt, State of Colorado on the following described land:

Lease/Project Name: Peabody Temporary Workforce Housing

Description (legal): Township 6 North, Range 87 West, 6th PM, Routt County, Colorado

WHEREAS, Condition of the Routt County Conditional Use Permit No. PL20220085 requires submission of a bond guaranteeing the Peabody Temporary Workforce Housing,

NOW THEREFORE, if the above bounden principal shall comply with all requirements and conditions of approval under Conditional Use Permit No. PL20220085 of the Township 6 North, Range 87 West, 6th PM, Routt County, Colorado, Section 18: A portion of the NW1/4 NW1/4 SE1/4, Encompassing less than 10 acres site and any access roads constructed to the site, the provisions of the laws of the County of Routt, State of Colorado, and the rules, regulations, and requirements of the County of Routt, State of Colorado, then this obligation is void upon release by Routt County; otherwise, the same shall be and remain in full force and effect.

Jurisdiction for any action on this bond shall be in the Routt County District Court, Routt County Court or the U.S. District Court for the District of Colorado; and

The substantially prevailing party in any action to recover on or enforce the bond shall have the right to recover its reasonable cost incurred in such action including, without limitation, attorney fees.

Witness our hands this 10th day of June, 2024.

Owner: Sage Creek Holdings, LLC

By: Brian Cropper
Its: Brian Cropper, Vice President and Treasurer

Surety: Fidelity and Deposit Company of Maryland

By: Cynthia L. Choren
Its: Cynthia L. Choren, Attorney-In-Fact


**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Cynthia L. Choren, its true and lawful agent and Attorney-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 and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

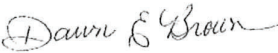
IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 29th day of January, A.D. 2024.

ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND



By: *Robert D. Murray*
Vice President





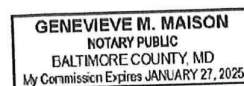
By: *Dawn E. Brown*
Secretary

**State of Maryland
County of Baltimore**

On this 29th day of January, A.D. 2024, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Genevieve M. Maison





Cynthia L. Choren

Vice President

Marsh USA LLC
800 Market Street
Suite 1800
St. Louis, MO 63101
314-342-2661
Cynthia.L.Choren@marsh.com
www.marsh.com

July 12, 2024

Joe Lutkewitte
Peabody Energy
701 Market Street
St. Louis, MO 63101

Subject: New Bond

Principal: Sage Creek Holdings, LLC

Obligee: Routt County

Bond Description: Special Use Permit - Permit #PL20220085 Peabody Temporary Workforce Housing

Bond Amount: \$35,000.00

Bond Number: 9455077

Surety Name: Fidelity and Deposit Company of Maryland

Dear Joe:

In response to Kala's recent request, I am pleased to enclose the above-referenced bond document that is based on the information we received with the request.

Prior to filing with Routt County, the following items need to be completed:

1. Signed by authorized officer
2. Corporate seal affixed (if applicable)

As always, the bond document should be re-checked for accuracy before filing with Routt County.

If you have any questions, please feel free to contact me. Thank you for allowing Marsh to service your surety needs.

Sincerely,

Cynthia L. Choren
Vice President

Enclosure(s)