

**ROAD USE PERMIT****PERFORMANCE BOND**

(Annual Form)

Bond No. 800227709

KNOW ALL MEN BY THESE PRESENTS, that we, BDPU Solar Tormes LLC, (hereinafter called the Principal) as Principal, and Atlantic Specialty Insurance Company, a corporation duly organized under the laws of the State of New York (hereinafter called the Surety"), and licensed to do business in the State of Texas, as Surety, are held and firmly bound unto The County of Navarro, Texas (hereinafter called the Obligee), in the maximum penal sum not to exceed One Million Three Hundred Fifty Thousand and 00/100 Dollars (\$1,350,000.00) lawful money of the United States of America (hereinafter called the Maximum Penal Sum), for the payment of which we, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written agreement known as the Special Road Use Permit Application no. 72825 with the Obligee, dated the 28th day of July, 2025, for the use and maintenance of roads maintained by the Obligee (hereinafter called the Agreement), a copy of which is attached, which Agreement is made a part hereof and incorporated herein by reference, except that nothing said therein shall alter, enlarge, expand or otherwise modify the term of the bond as set out below.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bounded Principal, well and truly keep, do and perform each and every, all and singular, the matters and things in said Agreement set forth and specified to be said Principal kept, done and performed, at the times and in the manner in said Agreement specified, or shall pay over, make good and reimburse to the above named Obligee, all loss and damage which said Obligee may sustain by reason of failure or default on the part of said Principal so to do, then this obligation shall be null and void; otherwise shall remain in full force and effect.

NOTWITHSTANDING ANYTHING CONTAINED IN THE AGREEMENT TO THE CONTRARY, THE LIABILITY OF THE PRINCIPAL AND SURETY UNDER THIS BOND IS LIMITED TO THE TERM BEGINNING AT THE 15TH DAY OF DECEMBER, 2025 AND ENDING THE 31ST DAY OF DECEMBER, 2027, AND ANY EXTENSIONS OR RENEWALS OF THE REFERENCED AGREEMENT SHALL BE COVERED UNDER THIS BOND ONLY WHEN CONSENTED TO IN WRITING BY THE SURETY. IT IS FURTHER AGREED THAT REFUSAL BY THE SURETY TO EXTEND THE TERM OF THIS BOND SHALL NOT CONSTITUTE A DEFAULT BY THE PRINCIPAL, NOR FAILURE OR INABILITY OF THE PRINCIPAL TO FILE A REPLACEMENT BOND THE EVENT OF NONRENEWAL, SHALL NOT GIVE RISE TO A CLAIM OR DEMAND AGAINST THE SURETY UNDER THIS BOND.

No right of action shall accrue on the bond to or for the use of any person or corporation other than the Obligee named herein, or their heirs, executors, administrators or successors of the Obligee.

Sealed with our seals and dated this 11th day of December, 2025.



Witness

**BDPU Solar Tormes LLC**

Principal



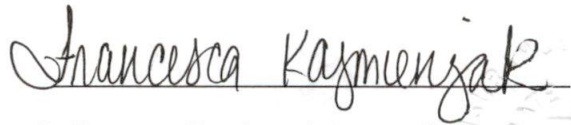
By: Cindy Tindell, Managing Director

**Atlantic Specialty Insurance Company**

Surety



Frances Rodriguez, Witness



By: Francesca Kazmierczak, Attorney-in-Fact



## Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Aklima Noorhassan, Anne Potter, Debra A. Deming, Frances Rodriguez, Francesca Kazmierczak, Jennifer Jakaitis, Peter Healy, Sandra Diaz, Susan A. Welsh, Valorie Spates, Vilma Gonzalez**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where 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, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this first day of January, 2023.

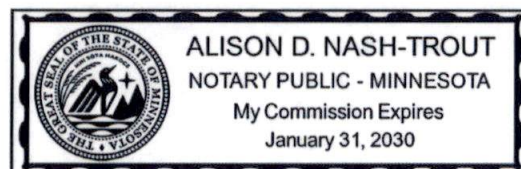
STATE OF MINNESOTA  
HENNEPIN COUNTY



By

Sarah A. Kolar, Vice President and General Counsel

On this first day of January, 2023, before me personally came Sarah A. Kolar, Vice President and General Counsel of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and she acknowledged the execution of the same, and being by me duly sworn, that she is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.



Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 11th day of December, 2025.

This Power of Attorney expires  
January 31, 2030



Kara L.B. Barrow, Secretary






**Atlantic Specialty Insurance Company**  
Period Ended 12/31/2024

Dollars displayed in thousands

Admitted Assets		Liabilities and Surplus	
Investments:		Liabilities	
Bonds	\$ 2,894,094	Loss Reserves	\$ 1,264,802
Preferred Stocks	-	Loss Adjustment Expense Reserves	423,323
Common Stocks	987,702	<b>Total Loss &amp; LAE Reserves</b>	<b>1,688,125</b>
Mortgage Loans	-	Unearned Premium Reserve	811,551
Real Estate	-	Total Reinsurance Liabilities	64,571
Contract Loans	-	Commissions, Other Expenses, and Taxes due	75,922
Derivatives	-	Derivatives	-
Cash, Cash Equivalents & Short Term Investments	383,175	Payable to Parent, Subs or Affiliates	-
Other Investments	36,178	All Other Liabilities	1,121,125
<b>Total Cash &amp; Investments</b>	<b>4,301,149</b>	<b>Total Liabilities</b>	<b>3,761,294</b>
Premiums and Considerations Due	350,792	<b>Capital and Surplus</b>	
Reinsurance Recoverable	60,063	Common Capital Stock	9,001
Receivable from Parent, Subsidiary or Affiliates	11,764	Preferred Capital Stock	-
All Other Admitted Assets	94,008	Surplus Notes	-
<b>Total Admitted Assets</b>	<b>4,817,776</b>	Unassigned Surplus	476,697
		Other Including Gross Contributed	570,784
		<b>Capital &amp; Surplus</b>	<b>1,056,482</b>
		<b>Total Liabilities and C&amp;S</b>	<b>4,817,776</b>

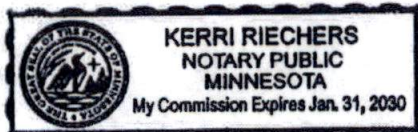
State of Minnesota  
County of Hennepin

I, Kara Barrow, Secretary of Atlantic Specialty Insurance Company do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company, on the 31<sup>st</sup> day of December, 2024, according to the best of my information, knowledge and belief.

  
Secretary

Subscribed and sworn to, before me, a Notary Public of the State of Minnesota on this 10th day of March, 2025.

  
Notary Public



## **IMPORTANT NOTICE**

To obtain information or make a complaint:

You may call Atlantic Specialty Insurance Company and its affiliates' toll-free telephone number for information or to make a complaint at:

**1-877-248-9876**

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

**1-800-252-3439**

You may write the Texas Department of Insurance:

P. O. Box 149104  
Austin, TX 78714-9104  
Fax: (512) 475-1771  
Web: <http://www.tdi.state.tx.us>  
E-mail: [ConsumerProtection@tdi.state.tx.us](mailto:ConsumerProtection@tdi.state.tx.us)

### **PREMIUM OR CLAIM DISPUTES:**

Should you have a dispute concerning your premium or about a claim you should contact your Agent or Atlantic Specialty Insurance Company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

### **ATTACH THIS NOTICE TO YOUR BOND:**

This notice is for information only and does not become a part or condition of the attached document and is given to comply with Texas legal and regulatory requirements.

