

CITY OF MOBILE, ALABAMA

SITE CLEARING, EARTHWORK, GRADING, & OTHER SITE ACTIVITY

PERFORMANCE BOND

TIER 1 LAND DISTURBANCE PERMIT NUMBER BLD20___ - _____

KNOW ALL MEN BY THESE PRESENTS, THAT WE _____
(hereinafter called the Principal) and

_____ (hereinafter called the Surety) are held and firmly bound unto the CITY OF MOBILE, ALABAMA (hereinafter called the Obligee), in the full and just sum of _____ Dollars(\$ _____), lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, administrators, executors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, said Principal has applied to the Obligee for a permit to perform on-site clearing, earthwork, grading, and other site activity on the land as described as follows, under the permit number shown above: _____

_____ conditioned on an agreement by the Principal to install the erosion and sedimentation control BMPs in accordance with the permitted Construction Best Management Practices (CBMP) plan prepared by _____, dated _____, and filed at the City Engineering Department.

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH THAT, if Principal shall promptly and faithfully construct the improvements and achieve permanent site stabilization in accordance with the permitted CBMP plan which is made a part hereof by reference as if set out in here full, and said construction finally approved by Obligee, then the Bond shall be null and void; otherwise to remain in full force and effect. The bond will automatically extend without amendment for additional one year period from the date of initial execution, and shall expire once all disturbed areas have been permanently stabilized in accordance with the permitted CBMP plan and finally approved.

PROVIDED, further, that upon the failure of _____, as such applicant, to promptly and efficiently prosecute said CBMP Plan, in any respect, In accordance with the permit, the above bound _____ as Surety, shall take charge of said CBMP Plan, and complete the CBMP Plan at their own expense. Said Surety may, if it so elects, by written direction given to the CITY OF MOBILE, City Engineer, authorize the City Engineer to complete or cause to be completed the said Permit Work at the expense of said Surety, and such Surety hereby agrees and binds surety to pay the cost and expense of the completion of such CBMP Plan.

In the event said Principal shall fail or delay the prosecution and completion of said CBMP Plan and said Surety shall also fail to act promptly as hereinbefore provided, then said City Engineer may cause ten days (10) notice of such failure, either to said Principal or Surety, and at the expiration of said ten days, if said Principal or Surety do not proceed promptly to complete the CBMP Plan provided therein, the CITY OF MOBILE, ALABAMA shall have the authority to cause said CBMP Plan to be done and accomplished, and when the same is completed and the cost thereof determined, the said Principal and Surety shall and hereby agree to pay any and all cost of said CBMP Plan.

IT IS UNDERSTOOD AND AGREED that the liability of the surety shall be limited to the penal sum of the bond, and under no circumstances shall the surety's liability under this bond exceed this amount.

The decision of the City Engineer of the CITY OF MOBILE, ALABAMA upon any question connected with the execution of the CBMP Plan, by said Principal or Surety, shall be final and conclusive.

WITNESS our hands and seals, this _____ day of _____ 20 ____.

ATTEST:

(Name and Title)

(Signature of Applicant Official)

(Title of Officer Signing)

(Affix Seal)

Name of Surety

Legal Name of Applicant (Company) as Principal

Address

By: _____
Attorney in Fact - for Surety

NOTICE TO ALABAMA RESIDENT AGENT

Countersigned by Alabama
Resident Agent for Surety

Please print or write legibly your name and
complete address below

Name

Address

(A copy of the Power of Attorney properly executed by the Company authorizing the Agent signing above to bind the Company as Surety on this Bond must be attached hereto. Said Power of Attorney must be dated so as to correspond with the execution date of the bond)

ADDITIONAL INFORMATION SHEET

PRINCIPAL (COMPANY NAME)
ADDRESS
TELEPHONE NUMBER
FAX NUMBER
EMAIL ADDRESS

SURETY (COMPANY NAME)
ADDRESS
TELEPHONE NUMBER
FAX NUMBER
EMAIL ADDRESS