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CITY OF RANCHO SANTA MARGARITA

**FAITHFUL PERFORMANCE BOND
FOR
ENCROACHMENT PERMIT NO. _____**

KNOW ALL MEN BY THESE PRESENTS that, _____, as PERMITTEE, and _____, as SURETY, are held and firmly bound unto the **CITY OF RANCHO SANTA MARGARITA**, as CITY, in the penal sum of _____ dollars (\$_____), for the payment of which sums, CONTRACTOR and SURETY agree to be bound, jointly and severally, firmly by these presents.

THE CONDITIONS OF THE ABOVE OBLIGATION IS SUCH THAT:

WHEREAS, the CITY has issued Encroachment Permit No. _____ to _____ [permitted activity/work], which Encroachment Permit, its conditions and requirements, are incorporated herein by reference; and

WHEREAS, said PERMITTEE is required under the terms of said Encroachment Permit to furnish a bond for the faithful performance of the conditions and requirements of said Encroachment Permit, including, but not limited to, repair of any damage done to existing street improvements and utilities, in a manner approved by the CITY.

NOW, THEREFORE, if PERMITTEE faithfully performs and fulfills all obligations under the Encroachment Permit in the manner and time specified therein, then this obligation shall be null and void, otherwise it shall remain in full force and effect in favor of CITY; provided that any alterations in the obligations or time for completion made pursuant to the terms of the Encroachment Permit shall not in any way release either PERMITTEE or SURETY, and notice of such alterations is hereby waived by SURETY. As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by CITY in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

WITNESS our hands this _____ day of _____, 20__.

CONTRACTOR (CORPORATION)-TYPE

(SEAL)

By _____
President

By _____
Secretary/Treasurer

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SURETY'S NAME-TYPE

MAILING ADDRESS (SURETY)

BY: _____
Name

(SEAL)

Title

NOTE: SIGNATURES OF CORPORATE OFFICIALS AND SURETY MUST BE NOTARIZED, ATTACH JURAT.

BOND APPROVED AS TO FORM:

GREGORY E. SIMONIAN, CITY ATTORNEY
CITY OF RANCHO SANTA MARGARITA