

BOND NUMBER: _____
BOND FEE: _____



CITY of CALABASAS

Public Works Department
100 Civic Center Way
Calabasas, CA 91302 - 3172
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**PERFORMANCE SECURITY GRADING BOND
FORM M**

WHEREAS, the City Council of the City of Calabasas, a municipal corporation and political subdivision of the State of California, and _____ (hereinafter “principal”), a corporation incorporated under the laws of the State of California, have agreed pursuant to Section 66499 of the Government Code to execute this bond to secure the performance of the following obligation:

Principal hereby agrees to conduct its grading activities in accordance with the plans and specifications prepared by _____, registered Civil Engineer, the terms and conditions set forth in the grading permit issued by the Office of the Civil Engineer of the City of Calabasas, and all applicable laws and ordinances.

WHEREAS, we, the principal and _____ as surety, are held and firmly bound unto the City of Calabasas, in the penal sum of _____ dollars (_____) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors, and administrators, jointly and severally, firmly by these presents.

Should principal fail to conduct its grading activities in accordance with the plans and specifications prepared by _____, registered Civil Engineer, the terms and conditions set forth in the grading permit issued by the Office of the Civil Engineer of the City of Calabasas, and all applicable laws and ordinances, the City of Calabasas may, at its option, cause all required work to be done in the manner required herein and the parties executing this bond shall be firmly bound for payment of all necessary costs therefor.

As part of the obligation secured hereby and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney’s fees, incurred by the City of Calabasas in successfully enforcing such obligation, all to be taxed at costs and included in any judgment rendered.

The surety hereby stipulates and agrees that no change, extension of time, alternation or addition to the work to be performed hereunder for the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alternation or addition to the scope of work performed or to the specifications.

NOW THEREFORE, the condition of this obligation is such that if the above bounded principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the foregoing activity, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Calabasas, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

IN WITNESS WHEREOF, this instrument has been duly executed by the principal and surety above named, on _____, _____.

SIGNED AND SEALED THIS _____ **DAY OF** _____, _____.

PRINCIPAL (SEAL):

SURETY (SEAL):

 Attorney in Fact

All Signatures must be acknowledged before a Notary Public.

FOR DEPARTMENT USE ONLY

Permit Number: _____	Legal description and ownership compared with the grading Permit application and found to be identical. _____ Authorized Public Works Staff	Date: _____
Approved as to Content: _____ Of the City of Calabasas	Approved as to Form: _____ Scott H. Howard, Interim City Attorney	

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of _____
County of _____)

On _____ before me, _____, Notary Public
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

INDIVIDUAL ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____ SS

On this _____ day of _____, _____, before me personally came _____ me known and known to me to be the same person described in the within instrument and he thereupon acknowledged to me that he executed the same.

Notary Public

CORPORATE ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____ SS

On this _____ day of _____, _____, before me personally appeared _____ to me known, who by me being duly sworn, did depose and say: that he resides in _____
(Address – Street)

That he is the _____ of _____.
(Officer of Corp.) (Name of Corporation)

The Corporation described in and which executed the foregoing instrument: that he knows the seal and said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

Notary Public