

CITY OF DANA POINT

PUBLIC WORKS – ENGINEERING SERVICES
33282 Golden Lantern, Suite 212
Dana Point, Ca 92629
949.248.3554
(www.danapoint.org)

REVIEWED BY PUBLIC WORKS DEPT.	

PRINT NAME	
_____	_____
SIGNATURE	DATE

ENGINEERING PERMIT SURETY BOND

BOND No. _____

BOND AMOUNT _____

KNOW ALL MEN BY THESE PRESENTS: That _____ as Principal, and _____, a corporation organized and existing under the laws of the State of _____, and duly authorized and existing under the laws of the State of California, as Surety, are held and firmly bound unto the City of Dana Point in the just and full sum of _____ dollars, for the payment of which, well and truly to be made, said Principal and Surety bind themselves, their heirs, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT,

WHEREAS, the said Principal above named is applicant under Engineering Permit No. _____ of the City of Dana Point, California, for _____ on the following described property: _____

NOW, THEREFORE, IT IS AGREED that if the Principal shall:

- a. Comply with all the provisions of the City of Dana Point and other applicable laws and ordinances, and
- b. Comply with all the terms and conditions of the permit to the satisfaction of the City Engineer; and
- c. Complete all of the work contemplated under the said permit within the time specified in the permit, and any extension or extensions thereof;
- d. Reimburse the City for any work required by the permit that the City Engineer deems necessary to complete, correct or otherwise undertake for the public safety, because of failure on the part of Principal, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

PROVIDED, HOWEVER, that the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or modification of the permit or of the work to be performed thereunder shall in any way affect its obligation on this bond and it does hereby waive notice of any such change, extension of time, alteration or modification of the permit or of work to be performed thereunder, and

PROVIDED FURTHER, that in case suit is brought upon the bond by the City or any other person who may bring an action on this bond, a reasonable attorney's fee, to be fixed by the court, shall be paid by the Principal or Surety.

IN WITNESS WHEREOF, the said Principal and said Surety have caused these presents to be duly signed and sealed this _____ day of _____, _____

(Attach notary acknowledgement)

Principal

By: _____

By: _____

Surety

By: _____

Attorney-in-fact

Address _____

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BOND EXECUTION INSTRUCTIONS

1. Bonds must be executed by both the Principal and the Surety.
2. If the Principal is a *corporation*, the bond must be executed in the corporation name and signed by the President or a Vice President and the Secretary or Assistant Secretary and the corporate seal affixed. As an alternative others may sign on behalf of the corporation if a corporate resolution duly executed with the corporate seal affixed is presented authorizing the individuals who have signed the bond to bind the corporation.

If the Principal is a *partnership*, the bond must be signed by all partners. If the partnership is comprised of two or more corporations, the bond must be signed by each corporation's President or a Vice President and Secretary or Assistant Secretary. The above alternative may also be used with the appropriate resolution.
3. If the Principal is an *individual*, doing business under a fictitious name, it must be signed by all persons having an interest in the business, and the fictitious name must be signed also.
4. The names of all signatures must be typed in where indicated in the signature block.
5. The signatures of both the Principal and the Surety on the bond must be notarized.
6. The bond must contain signed approval by the City Attorney of the City of Dana Point. The bond, after approval by the City Attorney, will be returned to the City Clerk for processing.

Corporate Acknowledgment

State of _____

County of _____

On this, the _____ day of _____, 20____, before me _____, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the _____ of _____, a corporation, and that s/he as such _____, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as _____.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Individual Acknowledgment

State of _____

County of _____

On this, the _____ day of _____, 20____, before me _____, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person(s) whose name(s) _____ subscribed to the within instrument, and acknowledged that she/he/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Limited Liability Company Acknowledgment

State of _____

County of _____

On this, the _____ day of _____, 20____, before me _____, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be (the manager) (a member) of _____, a Limited Liability Company, and in that capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the Limited Liability Company by himself/herself as (the manager) (a member).

In witness whereof, I hereunto set my hand and official seal.

Notary Public

Surety Acknowledgment

State of _____

County of _____

On this, the _____ day of _____, before me _____, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the Attorney-in-Fact of _____, a corporation, and that s/he as such Attorney-in-Fact, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as Attorney-in-Fact.

In witness whereof, I hereunto set my hand and official seal.

Notary Public

My Commission Expires: