

LAND EXCAVATION RECLAMATION BOND

Bond Number

KNOW ALL PERSONS BY THESE PRESENTS, that we, the undersigned,

_____ [name of permittee] called the Principal and

_____ [name of bond company] called the Surety, are held and firmly

bound unto the **BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA** (the “County”), in the sum of

_____ (\$_____) Dollars for the

payment of which we jointly and severally bind ourselves, our successors and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT:

WHEREAS, the above named Principal has submitted permit application number _____ or application for transfer of permit number _____ to conduct land excavation pursuant to the Hillsborough County Land Development Code, Ordinance 92-5, as amended (the “LDC”), on the property identified in **Exhibit A** (“the Property”), attached hereto; and

WHEREAS, the LDC and its implementing regulations require the submittal of a reclamation plan with the application for a permit to conduct land excavation; and

WHEREAS, the LDC and its implementing regulations further require that a financial security be provided guaranteeing that the reclamation plan will be completed; and

WHEREAS, the Principal has chosen to submit this performance bond as a guarantee that the reclamation of the land disturbed by excavation on the Property will be completed pursuant to the approved reclamation plan for the Property (the “Reclamation Plan”), the LDC and the terms of the land excavation permit issued for the Property (the “Permit”); and

WHEREAS, the Surety and its successors and assigns agree to guarantee the obligation and to indemnify, defend and hold harmless the County from any and all losses and expenses

which the County may sustain as a result of the Principal's failure to comply with the conditions of the obligation.

NOW THEREFORE, if the Principal shall complete the approved Reclamation Plan as required by the Permit and the LDC, then this obligation shall be void; otherwise this obligation shall remain in full force and effect until _____.

The failure of the Principal to fulfill the obligations set forth by the LDC, the Reclamation Plan and its Permit shall result in a forfeiture of this performance bond.

The Surety shall not cancel this bond at any time for any reason, including non-payment of premium or bankruptcy of the Principal during the period of liability.

IN WITNESS WHEREOF, the Principal and the Surety have set their signatures as of the dates set below. This bond shall be effective this ____ day of _____, 20__ [*insert date signed by Surety*].

Signed this _____ day of _____, 20_____.

PRINCIPAL

(Attach written authorization to execute on behalf of Principal)

By: _____

Signature of authorized representative

Printed Name

Title

ACKNOWLEDGMENT (PRINCIPAL)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this _____ day of _____, 20____, by _____ [*name*] _____ [*title*] of _____ [*name of entity*], on behalf of the _____ (*type of business entity*). He and/or she is personally known to me or has produced _____ (*type of identification*) as identification and did (did not) take an oath.

NOTARY PUBLIC:

Sign: _____(Seal)

Print: _____

SURETY

(Attach written authorization
to execute on behalf of Surety)

Name of Surety

Signature of Attorney-In-Fact

Printed Name of Attorney-In-Fact

ACKNOWLEDGEMENT (SURETY)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before by means of physical presence or online notarization me this _____ day of _____, 20____, by _____ as Attorney-In-Fact of _____ (Surety). He/She is personally known to me or has produced _____ (type of identification) as identification and did (did not) take an oath.

NOTARY PUBLIC:

Sign: _____(Seal)

Print: _____

EXHIBIT A

[legal description and folio]