RIGHT-OF-WAY PERMIT BOND

Bond Number: ______________________

KNOW ALL MEN BY THESE PRESENTS: That, We, the undersigned ____________________________, as Principal, and ____________________________________, as Surety, are held and firmly bound unto the City of Hampton, Virginia (the “City”), in the penal sum of ________________________________ Dollars ($_______________) for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT WHEREAS THE SAID ____________________________ (Principal) does agree, pursuant to Article II of Chapter 34 of the City Code, to perform certain construction within the City Right-of-Way located at ________________________________ in accordance with the Permit attached hereto, issued by the Public Works Department of the City (the “Department”), and in accordance with the construction standards and practices set forth by the Department.

NOW, THEREFORE, if the said Principal shall well and faithfully do and perform the things agreed by it to be done and performed according to the terms as aforesaid, then this obligation shall be void. Otherwise, the same shall remain in full force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as stated herein.

It is hereby expressly further understood and agreed that this bond is effective from the date the Permit is issued until one (1) year following the date of final acceptance of the work by the City (the “Term”). This bond also is given and made as a guarantee against defective material or workmanship in the said work covered by said Permit, provided, however, that no suit, action or proceeding by reason of any defect whatever, shall be brought upon this bond after the Term expires.

The said surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Permit or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond; and it does hereby waive notice of any such change, extension of time, alteration, or addition to the terms of the Permit or to the work or to the specifications.

IN WITNESS WHEREOF, the parties hereto have caused their respective corporate names and seals to be subscribed and affixed by their officers in that behalf duly authorized, this _____________ day of _________________, 20____.

PRINCIPAL:

By: __________________________________________
   Print Name: __________________________________
   Title: ___________________________________________________________________________
   Address: __________________________________________________________________________
   Telephone No.: _____________________________

ACKNOWLEDGMENT FOR PRINCIPAL:

COMMONWEALTH OF VIRGINIA
CITY OF ______________________, to wit:

On this ______ day of _________________, 20 __, I hereby certify that the foregoing Right of Way Permit Bond was executed before me by ____________________________, ____________________________ (name), ____________________________ (title) on behalf of ____________________________, ____________________________ (company). He/She is known to me personally or produced ____________________________ as identification.

Notary Public

My Commission Expires: ____________________________
Registration No.: _____________________________
ACKNOWLEDGMENT FOR SURETY:

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____________________, to wit:

On this ______ day of ________________________, 20____, I hereby certify that ____________________________, whose name is signed to the foregoing Right of Way Permit Bond as _____________________________ of ________________________, personally appeared before me in the City/County and State aforesaid and acknowledged the same to be the act and deed, that ____________________________ is authorized by law to transact business in the Commonwealth of Virginia, has complied with all laws relative to the execution of said Right of Way Permit Bond, and that he/she is duly authorized to execute the same for and on behalf of the same company and to obligate the company with respect thereto. He/She is known to me personally or produced _____________________________ as identification.

Notary Public

My Commission Expires: _______________________
Registration No.: ____________________________

Name and Address of Registered Agent:
__________________________________________
__________________________________________
__________________________________________

SUBMIT CERTIFICATE OF POWER OF ATTORNEY