

Bond No. \_\_\_\_\_

MAINTENANCE & OPERATIONS  
DEPARTMENT OF PUBLIC WORKS  
2220 Tulare Street, Sixth Floor  
Fresno, California 93721

**ENCROACHMENT PERMIT PERFORMANCE BOND**

KNOW ALL MEN BY THESE PRESENTS:

That \_\_\_\_\_, as Principal, and \_\_\_\_\_ as Surety, are held and firmly bound unto the COUNTY OF FRESNO of the State of California, in the sum of \$6,000.00 lawful money of the United States for the payment whereof well and truly to be made, said Principal and said Surety bind themselves, their heirs, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of the foregoing obligation is such that whereas the above principal will from time to time during the course of his business obtain encroachment permits from the County of Fresno for the performance of work within the County right-of-way and pursuant thereto shall be subject to the performance of certain conditions to be set forth in each encroachment permit; and

WHEREAS, the Director of Public Works of Fresno County has required the Principal to obtain a surety bond payable to County of Fresno to assure the performance of each condition set forth in such encroachment permit.

NOW, THEREFORE, if the above Principal shall well and truly perform all the conditions set forth in each and every encroachment permit to be issued by the County to the above stated principal, then this obligation shall be void, otherwise to remain full force and effect.

It is understood and agreed that this bond shall be continuous in form and shall remain in full force and effect unless terminated or cancelled by act of the Surety. That any termination or cancellation shall not be effective as to any encroachment permit issued by the County prior to receiving written notice of such termination or cancellation.

The said Surety hereby further stipulates and agreed that no change, extension of time, alteration or modification of any encroachment permit to be issued to the Principal as contemplated herein shall in any way affect its obligations under this bond and Surety does hereby waive notice of the issuance of any encroachment permit or of any change, extension of time, alteration or modification to such permit.

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In the event it becomes necessary to file a civil action to enforce the provisions of this bond, the prevailing party shall be entitled to recover court costs and reasonable attorney's fees.

Dated: This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at  
Charlotte \_\_\_\_\_, North Carolina \_\_\_\_\_.

\_\_\_\_\_  
Principal Signature

\_\_\_\_\_  
Surety Signature

\_\_\_\_\_  
Principal Company Name

\_\_\_\_\_  
Surety Company Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Phone Number

## 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)