PERFORMANCE AND PAYMENT BOND

Effective Date: _____ Bond No. _____

KNOW ALL MEN BY THESE PRESENTS:

THAT _____ as Principal,

and _____, as Surety, are jointly and severally firmly held and bound unto the CITY OF TULSA, OKLAHOMA, a municipal corporation, in the penal sum of TWO THOUSAND DOLLARS ($2,000.00), for the payment of which well and truly to be made, we hereby bind ourselves, our administrators, executors, successors and assigns, firmly by these presents.

THE CONDITIONS OF THE FOREGOING OBLIGATION ARE SUCH THAT:

WHEREAS, the Principal has applied to the Tulsa City-County Health Department for a license to engage in the business of installing or repairing septic tank systems in the corporate limits of the City of Tulsa, or outside the City wherever the plumbing system is connected directly or indirectly with the water works system of the City of Tulsa, and

WHEREAS, the Board of City Commissioners of the City of Tulsa, Oklahoma, a municipal corporation, has heretofore enacted certain ordinances governing the operation of septic tank installers within said areas:

NOW, THEREFORE, if the Principal shall faithfully comply with the ordinances of the City of Tulsa, with respect to septic tank installers, and shall reimburse the City of Tulsa for any expense which may be incurred by the Tulsa City-County Health Department in remedying any unsanitary conditions which might arise resulting from the faulty or improper construction of any septic tank system constructed or repaired by the Principal or which might arise from the Principal's violations of the ordinances, then this obligation shall be void, otherwise to remain in full force and effect.

Whenever the Principal shall be and be declared by the Tulsa City-County Health Department to be in default under this bond, the Surety may promptly remedy the default, or shall promptly:

(1) Complete the construction or repair in accordance with the ordinances governing the operation of septic tank installers in the City of Tulsa, or

(2) Authorized a bid or bids for submission of Tulsa City-County Health Department to make the needed repairs or corrections and, upon determination by the Tulsa City-County Health Department and Surety of the lowest responsible bidder, arrange for a contract between such bidder and Surety for completion of needed repairs or construction in accordance with the ordinances governing the operation of septic tank installers as promulgated by the City of Tulsa.

It is specifically provided that in the event one or more of the ordinances governing the operations of septic tank installers in the corporate limits of the City of Tulsa or outside the City wherever the plumbing system is connected, directly or indirectly, to the water works system of the City of Tulsa shall be declared by a court to be invalid for any reason whatsoever, that fact shall not be a defense to an action on this bond based upon a violation of such ordinance which has occurred prior to such declaration of invalidity.

THIS BOND is given for the period of time between the date hereof and _____, _____.

DATED _____, _____.

By _____
Principal

_____
Title

Attest:

By _____
Surety

_____
Secretary

_____
, Attorney in Fact Title

(A Power of Attorney, certified by an officer of the Surety, shall accompany all bonds executed by attorneys-in-fact.)