

**SOIL EROSION**

**PERFORMANCE BOND WITH SURETY**

Know all men by the present, that we, the undersigned  
\_\_\_\_\_, principal(s), and  
\_\_\_\_\_, surety, are held and firmly bound unto  
the County of Fluvanna, in the penal sum of \_\_\_\_\_, 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 said obligation is such that whereas the said  
\_\_\_\_\_ did on the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, file with the County of Fluvanna plans and specifications for certain  
improvements and other measures relating to the control of erosion and sedimentation from land  
disturbing activities as shown on the said plans and specifications, numbered \_\_\_\_\_, were  
submitted pursuant to Section 6-1-3 of the Fluvanna County Code, and which are attached hereto are  
incorporated herein by reference, relating to property which is briefly described as follows:

\_\_\_\_\_  
\_\_\_\_\_  
Now therefore, if the said principal shall complete the said land disturbing activities and shall  
well and faithfully complete and perform the said improvements and measures relating thereto, in  
accordance with the said plans and specifications, on or before the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, then this obligations shall be void, otherwise the same shall remain in full force and effect;  
provided that if, at any time during the term hereof, the principal shall commit and/or suffer or permit  
the commission or existence of any act, omission, or condition which shall constitute a violation of  
the Fluvanna County Code, including any failure to comply with the plans and specifications as  
aforesaid in accordance with the Virginia Erosion and Sedimentation Control Handbook, and shall  
fail to abate such violation after written notification thereof by the Erosions and Sedimentation  
Program Administrator of Fluvanna County within the time specified in such notification, then all or  
such part of this obligation as may be required, including the security hereof shall be immediately  
payable to the County of Fluvanna for purposes of abating such violations; and provided further than  
no payment made under the authority of the preceding provision shall in any way effect, impair, or

diminish the obligation of the principal to complete, and perform the improvements and measures herein above described.

The said surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the plans and specifications aforesaid shall in any way affects its obligation on this bond and it does hereby waive notice of any such change, extension of time, alteration or addition.

Upon notification in writing by the Erosion and Sedimentation Program Administrator for Fluvanna County that the principal has defaulted and is in default under the terms of this bond, the surety shall immediately acknowledge receipt of the County's notification and shall thereafter pay to the County of Fluvanna promptly, within no more than 15 business days, the entire sum secured under this bond. The County or its agents shall apply the proceeds to abatement of the violation including any actual costs of administration to the County, upon completion of which any remaining sum shall be reimbursed to the surety.

In witness whereof, the said \_\_\_\_\_  
and \_\_\_\_\_ have caused this instrument to be executed  
and sealed by their respective duly authorized officers this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

**PRINCIPAL**

**BY:**

\_\_\_\_\_

(Please sign above and print name below)

**TITLE:**

\_\_\_\_\_

\_\_\_\_\_

**ADDRESS:**

\_\_\_\_\_

\_\_\_\_\_

**SURETY (must be signed by a Virginia agent of surety)**

**BY:**

\_\_\_\_\_

(Please sign above and print name below)

**TITLE:**

\_\_\_\_\_

\_\_\_\_\_

**ADDRESS:**

\_\_\_\_\_

\_\_\_\_\_

**BOND NO:**

\_\_\_\_\_

**ADDRESS OF SURETY'S HOME OFFICE**

\_\_\_\_\_

\_\_\_\_\_

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**Approved as to form:**

\_\_\_\_\_

County Attorney

\_\_\_\_\_

Date

**Accepted:**

\_\_\_\_\_

Erosion & Sedimentation Program Administrator

\_\_\_\_\_

Date