

PERFORMANCE AND INDEMNITY BOND

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION - HIGHWAY ENCROACHMENT INSTALLATION

PRINCIPAL (Second Party to encroachment agreement)

SURETY

DESCRIPTION OF ENCROACHMENT AGREEMENT:

AMOUNT OF BOND

Encroachment Number

Date of Encroachment Agreement

DATE OF BOND

County

I/US/NC/SR Route Number(s)

BOND NUMBER

Specific Location of Encroachment:

Between _____ & _____

Type of Encroachment _____

(Water, Sewer, Gas, Driveway, Roadway, etc.)

KNOW ALL MEN BY THESE PRESENTS, That we the PRINCIPAL and SURETY above named, are held and firmly bound unto the Department of Transportation, an agency of the State of North Carolina, hereinafter called the DEPARTMENT, in the amount stated above for the payment for which sum we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas the PRINCIPAL entered into a certain Encroachment Agreement with the DEPARTMENT hereinabove described and incorporated herein by reference;

NOW, THEREFORE, if the PRINCIPAL shall well and truly install the said encroaching facilities on and along the highway in accordance with the "Utilities Accommodations Manual" and any supplements thereto and in accordance with the other provisions of the said Encroachment Agreement and shall indemnify the DEPARTMENT for the failure to install the encroachments in accordance with the foregoing manual and provisions of the said Encroachment Agreement, then, this obligation to be void; otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative pursuant to authority of its governing body.

(Seal of Principal)

Attest:

Clerk or Secretary (of Principal)

(Seal of Surety)

PRINCIPAL (Type Name of Principal)

BY:

Mayor or Corporate Officer

(Name of SURETY or Bond Company)

BY:

Attorney-in-Fact

NOTE: Attach Power of Attorney and Certificate of Authority of Attorney-in-Fact.

This form to be used only by second party to encroachment agreement.