

PERFORMANCE AND INDEMNITY BOND
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION – HIGHWAY ENCROACHMENT INSTALLATION

PRINCIPAL (Contractor for second party to encroachment agreement)

SURETY

SECOND PARTY TO ENCROACHMENT AGREEMENT _____

DESCRIPTION OF ENCROACHMENT AGREEMENT:

_____	Encroachment Number _____
Amount of Bond _____	Date of Encroachment Agreement _____
_____	County _____
_____	I/US/NC/SR Route Number(s) _____
Date of Bond _____	Specific Location of Encroachment: Between _____ & _____
_____	Type of Encroachment _____ (Water, Sewer, Gas, Driveway, Roadway, etc.)
Bond Number _____	

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 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 above indicated second party to an Encroachment Agreement named above entered into an Encroachment Agreement with the DEPARTMENT, and the PRINCIPAL (contractor) entered into a contract with the said second party to an Encroachment Agreement named above to perform certain work, including the installation or relocation of certain encroachments described in 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 the "Utilities Accommodations Manual" and any supplements thereto and in accordance with the other provisions of the said Encroachment Agreement, then, this obligation to be void; otherwise to remain in full force and effect.

IN WITNESS THEREOF, the above-bounden parties have executed this instrument under their several seals on the date indicated above, then 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:

PRINCIPAL (Type Name of Principal)

Clerk or Secretary (for Principal)

BY: _____
President or Vice President
(Cross out Inappropriate Title)

(Name of SURETY)

(Seal of Surety)

BY: _____
Attorney-in-Fact

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

(This form to be used only by Contractor for second party to encroachment agreement.)

FORM R/W (16A): Party of the Second Part certifies that this agreement is true and accurate copy of the form

FORM R/W (16A): incorporating all revisions to date. Revised July 2024