

PERFORMANCE BOND

Surety's Bond Number _____

KNOW ALL MEN BY THESE PRESENTS, that we(I), the undersigned

_____ of _____

as principal, and _____

of _____, as surety, are

held and firmly bound unto the State of Ohio in the amount of _____

_____ Dollars, (\$ _____)

(If the foregoing blank is not filled in, the penal sum will be fifty percent of the estimated cost of the project), for the payment of which will and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns

THE CONDITION OF THIS OBLIGATION IS SUCH: that whereas the above named principal did on the _____ day of _____, 20 ____, file with the Chief, Division of Water, Department of Natural Resources, State of Ohio, plans and specifications for the construction of a dam and spillway(s), dike(s), or levee(s), to be located in Section _____, _____ Township, _____ County; and the plans and specifications are made a part of this bond the same as though set forth herein. Now, if the said principal shall faithfully perform each and every term of the construction permit issued by the Chief, Division of Water, pursuant to section 1521.06 of the Ohio Revised Code, and the plans and specifications made subject thereto; and shall indemnify the State of Ohio against all damage suffered by failure to perform such work in accordance with the plans and specifications during the period of time covering the actual work performed and for a period of one year following the approval by the Chief, Division of Water, of such work; then this obligation shall be null and void; otherwise it shall remain in full force and effect; it being expressly understood and agreed that the liability of the surety for any and all claims hereunder shall in no event exceed the amount of this obligation as herein stated.

The said surety hereby stipulates and agrees that no modifications, omissions or additions in or to the plans and specifications therefore shall in any wise affect the obligation of said surety on this bond.

SIGNED AND SEALED THIS _____ day of _____, 20 _____

Date _____

By _____
(Principal)

(Official Position)

Subscribed and sworn before me this _____ day of _____, 20 _____

My commission expires _____ day of _____, 20 _____

(Notary Public)

Date _____

By _____
(Surety)

(Official Position)

Subscribed and sworn before me this _____ day of _____, 20 _____

My commission expires _____ day of _____, 20 _____

(Notary Public)

NOTE Ohio Revised Code section 1521.061 requires all of the following:

- The amount of this bond must be not less than fifty percent (50%) of the total estimated cost of the project.
- Where one signs by virtue of attorney in fact for a surety company, a current certified copy of the power of attorney must be attached and filed with the bond.
- A copy of the current Certificate of Compliance from the Superintendent of Insurance stating that the company is authorized to transact a fidelity and surety business in Ohio must be attached and filed with the bond.
- All signatures must be notarized, also.