

BOND # _____

PROJECT # _____

DATE _____

CASH BOND
GRADING AND RESEEDING

This cash bond is provided to obtain approval of a permit for grading at the Premises identified as Street Address (Identify structures to be connected if less than the entire project). The grading and other associated work on the Premises are referred to as "the Work".

The contractor or party responsible for the Work, who is referred to in this cash bond as "Principal", is Principal's corporate or individual name and address.

(Check and initial the box corresponding to whichever of the two following provisions applies:)

Initials Principal is the owner of the Premises, and hereby expressly grants the City of Tucson a right of entry onto the Premises, if necessary, to bring the Work into conformance with the requirements of this Bond.

Initials Principal has received an express delegation of authority from the owner of the Premises and, pursuant to that delegation, Principal hereby (1) represents that Principal is authorized to do the Work and (2) expressly grants the City of Tucson a right of entry onto the Premises, if necessary, to bring the Work into conformance with the requirements of this Bond.

To secure and assure performance of the obligations described in this cash bond, Principal has deposited with the City of Tucson the cash sum of _____

Principal has applied for a grading permit for the Premises. This cash bond is provided to comply with and shall be construed and interpreted in harmony with City of Tucson Building Code Chapter 36, Section 6, paragraph 6.6.2 and Chapter 36, Section 11.

Principal shall comply with the requirements of City of Tucson Building Code Chapter 36 and any other City of Tucson codes that apply to the work authorized by this grading permit. Principal shall also comply with all rules, regulations, and requirements lawfully promulgated under those codes regulating the issuance, termination and revocation of the grading permit. If the City of Tucson determines that Principal has failed to comply with these requirements, the City of Tucson shall notify Principal that it intends to, and after such notice may, withdraw and use that amount of the cash bond necessary to bring Principal's work into conformance with these requirements.

The City of Tucson shall hold this cash bond until final approval of the work by the Building Official in accordance with City of Tucson Building Code Chapter 36, Section 18, paragraph 18.2, or until reseeding has occurred in accordance with City of Tucson Building Code Chapter 36, Section 6, paragraph 6.6.1. If prior to that time any of the following events occurs, this cash bond shall be retained by the City of Tucson until Principal's default is cured or until final disposition of all legal actions and claims, whichever occurs last:

- The City of Tucson gives Principal notice of default.
- A legal action or claim is filed relating to this cash bond.
- The City of Tucson notifies Principal that it reasonably believes there is an impending legal action or claim relating to this cash bond.

Notice to Principal shall be sufficient if mailed or hand delivered to Principal's address inserted where indicated above.

This cash bond shall neither be void nor terminate when the City withdraws less than the full amount of this bond, but may be used and recovered upon from time to time until the full amount of this bond is exhausted.

This cash bond is for the benefit of the City of Tucson and any person damaged as a result of any violation of the technical codes referred to in this cash bond.

Principal and Principal's heirs, personal representatives, successors, and assigns are jointly and severally liable for and bound by the obligations described in this cash bond.

IN WITNESS WHEREOF the Principal has duly executed this cash bond and has deposited the cash bond amount with the City of Tucson this _____ day of Month, 2002.

"PRINCIPAL":
CORPORATE NAME HERE; LEAVE BLANK IF

By: _____
Signature of Principal or authorized agent
Printed name of signer

Its: _____
Signer's title, if any

STATE OF ARIZONA)
County of Pima)ss.

SUBSCRIBED AND SWORN TO BEFORE ME this _____ day of Month, 2002 by
name of signer, and if signing on behalf of a corporation, insert ", [signer's title] of [name of

My commission expires:

_____ Notary Public

Form approved this 8th day of July, 2002. (Form with original signature of approval is on file in the City Clerk's Office.)

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Michael D. House
Michael D. House, City Attorney

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