

PERFORMANCE BOND OF STATE HIGHWAY ENCROACHMENT PERMITTEE

TR-0001 (REV. 10/2007)

PLEASE FILL OUT FORM COMPLETELY

[To Accompany the Permit]

Streets and Highways Code Section 677

BOND NUMBER		ENCROACHMENT PERMIT NUMBER			PRINCIPAL	
LOCATION	DISTRICT	COUNTY	ROUTE	POST MILE	PREMIUM AMOUNT	EFFECTIVE DATE

INSTRUCTIONS TO SURETY COMPANY

On the Surety Bond, under the "Description of Attached Document," on the line labeled "Title or Type of Document," the Surety Company shall list the description of either PERFORMANCE BOND or PAYMENT BOND and shall also include the ENCROACHMENT PERMIT NUMBER.

On the line, under the "signer is representing", the Surety Company shall also include the telephone number of the Principal.

Performance bonds and payment bonds shall be held in force for a period of one-year, from the date of project completion, unless so stipulated differently by the State.

KNOW ALL PERSONS BY THESE PRESENTS:

That _____, as **PRINCIPAL**,
 having an address for service of _____,
 and _____,
 a Surety Company qualified and duly licensed to do business in the State of California, as **SURETY**, are held and firmly bound to the **STATE OF CALIFORNIA**, as **OBLIGEE**, in the sum of _____ Dollars
 (' _____), lawful money of the United States of America, to be paid to the **OBLIGEE**, for which payment, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, to those persons referred to in paragraph 4 below.

THAT THE CONDITION OF THIS OBLIGATION IS SUCH:

1. That whereas **PRINCIPAL** has made, or is about to make, application to the State of California for a permit under Article 2 of Chapter 3 of Division 1 of the Streets and Highways Code to place, change or renew an encroachment in, under or over any portion of a state highway, and Streets and Highways Code Section 677 requires a bond payable to the State of California as a condition therefore, this payment bond is executed and tendered in accordance therewith.
2. That this bond shall be subject to all of the terms and provisions of the afore-mentioned provisions of the Streets and Highways Code.
3. That if the **PRINCIPAL** shall fail to faithfully perform the work for which the encroachment permit was issued, or fail to pay all encroachment permit fees then the **SURETY** herein shall pay for the same, otherwise this obligation is null and void.
4. No right of action shall accrue under this bond to or for the use of any person or entity other than the State of California.

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5. That this bond shall be deemed continuous in form, remain in full force and effect up to a period of one-year from the date of project completion, or until cancellation or withdrawal of the **SURETY COMPANY** from the bond by means of abatement. If no work has commenced under the encroachment permit, the **SURETY** may cancel this bond upon thirty (30) days written notice to the **OBLIGEE**.

Bond cancellation notices shall be sent to the Department of Transportation's District Office issuing the encroachment permit (See Appendix G, Encroachment Permits Manual). The notice of cancellation shall include the Encroachment Permit Number and the project's location: county, route, and post mile.

http://www.dot.ca.gov/hq/traffops/developserv/permits/encroachment_permits_manual/index.html

6. That the **SURETY** shall bear no liability on this bond in the event the encroachment permit issued to the **PRINCIPAL** is cancelled or withdrawn prior to commencement of work on State property by the **PRINCIPAL**.
7. This bond is executed to comply with the provisions of Chapter 3 of Division 1 of the Streets and Highways Code and of Chapter 2, Title 14, Part 2 of the Code of Civil Procedure, and said bond shall be subject to all of the terms and provisions thereof.

NAME OF PRINCIPAL		DATE
BUSINESS ADDRESS OF PRINCIPAL		BUSINESS PHONE
CITY	STATE	ZIP CODE
PRINT OR TYPE NAME OF AUTHORIZED SIGNATURE AND TITLE		AUTHORIZED SIGNATURE AND TITLE

NAME OF SURETY		DATE
BUSINESS ADDRESS OF SURETY		BUSINESS PHONE
CITY	STATE	ZIP CODE

I certify (or declare) under penalty of perjury that I have executed the foregoing bond under an unrevoked power of attorney. Executed on (date) _____ in (CITY) Charlotte _____ (STATE) North Carolina _____ under the laws of the State of California.

PRINT OR TYPE NAME OF ATTORNEY-IN-FACT FOR SURETY	SIGNATURE OF ATTORNEY-IN-FACT FOR SURETY
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