

**CITY OF LAGUNA NIGUEL  
COMMUNITY DEVELOPMENT DEPARTMENT  
GRADING SECTION**

**GRADING PERMIT SURETY BOND**

Bond No. \_\_\_\_\_

KNOWN ALL MEN BY THESE PRESENT: That \_\_\_\_\_ as Principal, and \_\_\_\_\_, a corporation organized and existing under the laws of the State of \_\_\_\_\_, and duly authorized to transact a surety business in the State of California, as Surety, are held and firmly bound unto the City of Laguna Niguel in the just and full sum of \_\_\_\_\_ DOLLARS, for the payment of which, well and truly to be made, said Principal and Surety Bind themselves, their heirs, administrators, successors and assignee, jointly and severally, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, WHEREAS, the said Principal above named is applicant under Grading Permit No. \_\_\_\_\_ of the City of Laguna Niguel, California, for grading, on following described property:

NOW, THEREFORE, IT IS AGREED that if the Principal shall:

- a. Comply with all the provisions of the City of Laguna Niguel Grading and Excavation code and other applicable laws and ordinances; and
- b. Comply with all the terms and conditions of the permit to the satisfaction of the Building Official; and
- c. Complete all of the work contemplated under the said permit within the time limit specified in the permit, and any extension or extensions thereof; and
- d. Reimburse the City for any work required by the permit that the Building Official deems necessary to complete, correct or otherwise undertake for the public safety, because of failure on the part of Principal, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

PROVIDED, HOWEVER, that the said Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or modification of the permit or of the work to be performed thereunder shall in any way affect its obligation on this bond and it does hereby waive notice of any such change, extension of time, alteration or modification of the permit or of work to be performed thereunder, and

PROVIDED FURTHER, that in case suit is brought upon the bond by the City of Laguna Niguel or any other person who may bring an action on this bond, a reasonable attorney's fee, to be fixed by the court, shall be paid by the Principal or Surety.

IN WITNESS WHEREOF, the said Principal and said Surety have caused these presents to be duly signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Principal

(Attach acknowledgement)

By: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Surety

(Attach acknowledgement)

By: \_\_\_\_\_

Attorney-in-Fact

Address: \_\_\_\_\_

\_\_\_\_\_

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_)

On \_\_\_\_\_ before me, \_\_\_\_\_  
(insert name and title of the officer)

personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

## CITY OF LAGUNA NIGUEL

### GRADING PERMIT SECURITY REQUIREMENTS GRADING PERMIT SURETY BOND FORM

Use of this form requires Surety and Attorney-in Fact to be registered with the probate Department of the Superior Court, County of Orange.

#### I. Instructions for completing Grading Permit Surety Bond Form:

1. Fill in name of principal, surety company, state of surety company incorporation and bond amount in designated spaces.
2. Fill in project address including tract and lot number or parcel map number and parcel if applicable.
3. Date form is signed and sealed.
4. Attach acknowledgements (see below).

#### II. Acknowledgements Required:

1. Notarization for signature of Principal and/or signature of authorized officer of Principal.
2. Notarization for signature of Attorney-in-Fact of Surety.

#### III. Definitions:

- Principal - Person or corporation applying for grading permit.
- Surety - Corporation authorized to transact surety business in the State of California.
- Grading Permit - To be entered by the City.
- Property - Property identification indicating the job address where proposed work is to be performed under the grading permit.
- Building Official - Community Development Director or his designee authorized to enforce the provisions of the Grading Code.