

MAINTENANCE BOND FOR DRAINAGE FACILITIES

KNOW ALL MEN BY THESE PRESENTS, that _____
[name of developer/owner] hereinafter called "Principal," and _____
[name of surety company] hereinafter called "Surety," are held and firmly bound unto Newton County,
Georgia, in the sum of _____ [amount of bond] for securing the maintenance of the
required improvements and works, as hereinafter set forth, for the payment of which sum Principal and Surety
do well and surely bind themselves, their heirs, executors, administrators, successors and assigns, jointly and
severally, firmly by these presents, acknowledge and agree as follows:

WHEREAS, the Principal has completed a development known as _____
hereinafter called "Project," and located at _____ in Newton
County, Georgia, and Principal now desires a Final Plat approval, Certificate of Occupancy or Letter of
Completion; and

WHEREAS, the Newton County Development Regulations require a Development Performance and
Maintenance Agreement and maintenance bond to insure maintenance of drainage facilities for a period of
the greater of thirty-six (36) months from _____ [date of final plat approval by the
Development Director], through and including _____ [end date] or through the issuance
of seventy-five (75) percent of the total Project's certificates of occupancy;

NOW THEREFORE, the conditions of this obligation are as follows, that whenever the Principal is declared
in default by the Newton County Planning Director or his designee, the Surety shall promptly remedy the
default as follows:

1. Reimburse Newton County for all costs of repair and maintenance of drainage facilities in the Project
during the bond period; or at the option of the County,
2. Complete the repairs and maintenance required under the direction and approval of Newton County.

The Surety shall commence performance of its obligations and undertakings under this Bond promptly and
without delay, after written notice from the Newton County Planning Director to the Surety.

This bond is intended to comply with the requirements of the Newton County Development Regulations and
shall be interpreted so as to comply with the minimum requirements thereof. However, in the event the
express language of this bond exceeds the minimum requirements, then the additional protection shall be
enforced to the benefit of the County. All legal proceedings initiated with respect to this document shall be
subject to Georgia courts and law.

Newton County, Georgia

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed and their respective corporate seals to be affixed and attested by their duly authorized representatives this ____ day of _____, 200__.

PRINCIPAL:

[corporation or entity name]

by: [print name of officer] L.S.
its: [title]

Attest:

Secretary

SURETY:

[corporation or entity name]

by: [print name of officer] L.S.
its: [title]

Attest:

Secretary

[attach power of attorney]