MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That _____

(Contractor name, complete address including ZIP Code and legal title)

as Principal, hereinafter called Contractor, and _____

(Surety name and complete address including ZIP Code)

_____ a corporation organized and existing under

the laws of the State of _____ , with its principal office in the City of _____

as Surety, hereinafter called Surety, are held firmly bound unto _____

(Owner name, complete address including ZIP Code and legal title)

_____

as Obligee, hereinafter called Owner, in the amount of _____

Dollars (_____), for the payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, Contractor has by written agreement dated _____

_____ entered into a contract with Owner for _____

_____

in accordance with drawings and specifications prepared by _____

_____

which contract is by reference made a part hereof, and is hereinafter referred to as the CONTRACT.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if Contractor shall, for a period of two (2) years from and after the date of completion and acceptance of same by Owner, replace any and all defects arising in the Work, whether resulting from defective materials or defective workmanship, after such period this obligation shall be null and void; otherwise it will remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time made by the Owner.

Whenever Contractor shall be, and declared by Owner to be in default under the CONTRACT, the Owner having performed Owner's obligations thereunder, the Surety may promptly remedy the default, or shall promptly:

1. Complete the CONTRACT in accordance with its terms and conditions, and
2. Shall save the Owner harmless from any claims, judgments, or liens arising from the Surety's failure to either remedy the default or to complete the CONTRACT in accordance with its terms and conditions in a timely manner.

No right of action shall accrue on this bond to or for the use of any person or corporation other than the Owner named herein or the successors of Owner.

Signed and sealed this * _____ day of _____ 20_____ .

Principal Corporate Seal

_____

(Contractor Name)

BY: _____ (Seal)

(Must be President, Vice President, Owner, Partner, Manager, Member, or other duly Authorized Agent)

_____

(Title)

Surety Corporate Seal

_____

(Surety)

BY: _____ (Seal)

NOTE: Please attach Power of Attorney.

NOTE: Applicable sections of attached acknowledgments must be completed and returned as part of the bond.

*Power of Attorney must be certified on this date or later.

APPROVED AG 09-12-16

ACKNOWLEDGMENTS

Acknowledgment by Principal if individual or Partnership

1. STATE OF _____

2. County of _____ to-wit:

3. I, _____ , a Notary Public in and for the

4. county and state aforesaid, do hereby certify that _____

   whose name is signed to the foregoing writing, has this day acknowledged the same before me in my said county.

5. Given under my hand this _____ day of _____ 20 _____

6. Notary Seal

7. _____
   (Notary Public)

8. My commission expires on the _____ day of _____ 20 _____

Acknowledgment by Principal if Corporation

9. STATE OF _____

10. County of _____ to-wit:

11. I, _____ , a Notary Public in and for the

12. county and state aforesaid, do hereby certify that _____

13. who as, _____ signed the foregoing writing for

14. a corporation, has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.

15. Given under my hand this _____ day of _____ 20 _____

16. Notary Seal

17. _____
    (Notary Public)

18. My commission expires on the _____ day of _____ 20 _____

Acknowledgment by Surety

19. STATE OF _____

20. County of _____ to-wit:

21. I, _____ , a Notary Public in and for the

22. county and state aforesaid, do hereby certify that _____

23. who as, _____ signed the foregoing writing for

24. _____ a corporation,

    has this day, in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.

25. Given under my hand this _____ day of _____ 20 _____

26. Notary Seal

27. _____
    (Notary Public)

28. My commission expires on the _____ day of _____ 20 _____

Sufficiency in Form and Manner
of Execution Approved

Attorney General

This _____ day of _____ 20 ____ .

By: _____
(Deputy Attorney General)

ACKNOWLEDGMENT PREPARATION INSTRUCTIONS

1. IF PRINCIPAL IS AN INDIVIDUAL OR PARTNERSHIP, HAVE NOTARY COMPLETE LINES (1) THROUGH (8).
2. IF PRINCIPAL IS A CORPORATION, HAVE NOTARY COMPLETE LINES (9) through (18).
3. SURETY MUST HAVE NOTARY COMPLETE LINES (19) through (28).
4. **Notaries must:**

ACKNOWLEDGMENT BY PRINCIPAL, IF INDIVIDUAL OR PARTNERSHIP

1. Enter name of State.
2. Enter name of County.
3. Enter name of Notary Public witnessing transactions.
4. Enter name of principal covered by bond if individual or partnership. (Must be Owner or General Partner of Sole Proprietorship or Partnership)
5. Notary enters date bond was witnessed. Must be the same as or later than signature date.
6. Affix Notary Seal.
7. Notary affixes his/her signature.
8. Notary enters commission expiration date.

ACKNOWLEDGMENT BY PRINCIPAL IF CORPORATION

9. Enter name of State.
10. Enter name of County.
11. Enter name of Notary Public witnessing transactions.
12. Enter name of Corporate Officer signing bond.
13. Enter Title of Corporate Officer signing bond. (Must be President or Vice President of Corporation; Manager or Managing Member of Limited Liability Company)
14. Enter name of Company or Corporation.
15. Notary enters date bond was witnessed. Must be the same as or later than signature date.
16. Affix notary Seal.
17. Notary affixes his/her signature.
18. Notary enters commission expiration date.

ACKNOWLEDGMENT BY SURETY

19. Enter name of State.
20. Enter name of County.
21. Enter name of Notary Public witnessing transactions.
22. Enter name of person having power of attorney to bind Surety Company.
23. Enter Title of person binding Surety Company.
24. Enter name of Insurance Company (Surety).
25. Notary enters date bond was witnessed. Must be the same as or later than signature date.
26. Affix Notary Seal.
27. Notary affixes his/her signature.
28. Notary enters commission expiration date.

POWER OF ATTORNEY INSTRUCTIONS

Power of attorney for surety must be attached showing that it was in full force and effect on signature date indicated on the face of the bond. A corporate seal must also be affixed to the Power of Attorney form.

a. Name of attorney in fact must be listed.
b. Power of Attorney may not exceed imposed limitations.
c. Certificate date, the signature date of bond must be entered.
d. Signature of authorizing official must be affixed. (Signature may be facsimile).
e. **Seal must be affixed.**