

Newton County Georgia.

## LANDSCAPE PERFORMANCE BOND

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 installation of and for ensuring the proper growth of the required landscaping, 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 submitted construction plans for the development known as  
\_\_\_\_\_ hereinafter called "Project," and located at  
\_\_\_\_\_ in Newton County, Georgia, and Principal now desires a  
Final Project Approval; and

WHEREAS, the Newton County Development Regulations require a Performance Bond to ensure the  
completion of proper installation and growth of landscaping for the Project, said work including but not  
limited to procurement and planting of landscape plant material, mulch, irrigation systems, fertilizer and  
watering said plants as required by the Director or his/her designee, as shown on the approved permit/plans or  
as required by County codes for a period of \_\_\_\_ months from \_\_\_\_\_ [date], through and including  
\_\_\_\_\_ [end date];

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. Complete the proper soil preparation, planting, mulching and watering required under the direction  
and approval of Newton County; or,
2. Replace any dead and/or diseased or missing plants and complete the proper soil preparation,  
planting, mulching and watering required under the direction and approval of Newton County; or, at the  
option of the County,
3. Pay Newton County for all costs of preparation, planting, mulching and watering of said facilities  
in the Project and other aforementioned items in the following manner: (a) make an initial payment to Newton  
County within 10 business days of receipt of a cost estimate; and (b) make additional payments to the County  
within 10 days of receipt of supplemental cost estimates and/or receipts for work performed;

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.

Landscape Bond # \_\_\_\_\_

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 \_\_\_\_\_, 20\_\_.

PRINCIPAL: \_\_\_\_\_  
[Corporation or entity name]

SURETY: \_\_\_\_\_  
[Corporation or entity name]

By: \_\_\_\_\_  
[print name of officer] L.S.

By: \_\_\_\_\_  
[print name of officer] L.S.

its: \_\_\_\_\_  
[title]

its: \_\_\_\_\_  
[title]

Attest:

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Secretary  
[Attach power of attorney]

Landscape Bond # \_\_\_\_\_