

**EXCAVATION BOND**

WHEREAS, \_\_\_\_\_ ("Applicant"), of \_\_\_\_\_ (address) and \_\_\_\_\_ ("Surety"), of \_\_\_\_\_ (address) are held firmly bound unto the **City of Billings, Montana**, a municipal corporation, in the sum of TEN THOUSAND DOLLARS (\$10,000) to be paid to the City, its legal representative and successors, for which payment shall bind all heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS, Applicant wishes to open up, dig into, excavate, and tunnel in the streets, avenues or alleys of the City of Billings in accordance with Section 22-301 of the Billings, Montana City Code (BMCC). Only the digging, excavation, tunneling, or opening up of public places or alleys are covered by this bond. The actual connection and installation of the water and/or sewer pipe requires a separate Utility Bond and compliance with Article 6-500, BMCC, dealing with utility connections and bonds.

Once Applicant or Applicant's employees or agents complete the work in a manner conforming to the rules, regulations, requirements and procedures prescribed by the Billings, Montana City Code (BMCC) and fully comply with all other laws of the State of Montana and the United States, this undertaking shall be **VOID**, otherwise this undertaking shall remain in full force and effect.

In the event Surety should cancel this undertaking, Surety must provide to the City thirty (30) days written notice prior to such cancellation. Notice must be mailed certified mail to the City Clerk's Office.

The duly executed original of this bond shall be filed with the Billings, Montana City Clerk.

This obligation will be effective starting \_\_\_\_\_, 20\_\_\_\_, and terminate \_\_\_\_\_, 20\_\_\_\_. **NO CONTINUATION CERTIFICATES WILL BE ACCEPTED FOR BOND RENEWAL PURPOSES.**

IN WITNESS WHEREOF, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

\_\_\_\_\_  
Applicant

Countersigned in Montana by:

\_\_\_\_\_  
Montana Resident Agent

Approved as to form:

\_\_\_\_\_  
Attorney-in-Fact

\_\_\_\_\_  
City Attorney