

CITY BUSINESS LICENSE TAX #: \_\_\_\_\_

(ATTACH POWER OF ATTORNEY)

**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).

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.

Additionally, Applicant shall indemnify and hold the City of Billings harmless from all suits and actions for damages including costs, expenses and attorneys fees consequent to this undertaking including but not limited to all suits and actions for damages resulting from want of skill, carelessness or negligence of the Applicant or Applicant's employees or agents in carrying- out any of the above described work.

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 mailed to the City Clerk's Office.

The duly executed **original** of this bond shall be filed with the Billings 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

