

NORTHBRIDGE PLANNING BOARD

FORM H

PERFORMANCE SECURED  
BY A SURETY COMPANY



\_\_\_\_\_, 19\_\_\_\_  
Northbridge, Massachusetts

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

AGREEMENT made this date between the Town of Northbridge and the applicant named above, hereinafter referred to as "the applicant", and \_\_\_\_\_ a corporation duly organized and existing under the laws of the state of \_\_\_\_\_ and having a usual place of business at \_\_\_\_\_ hereinafter referred to as "the surety," to secure the construction of ways and installation of municipal services in the subdivision of land shown on a plan entitled \_\_\_\_\_ dated \_\_\_\_\_, 19\_\_\_\_, owned by \_\_\_\_\_ address \_\_\_\_\_, land located \_\_\_\_\_ and showing \_\_\_\_\_ proposed lots.

KNOWN ALL MEN by these presents that the applicant and the surety hereby bind and obligate themselves, their, or its executors, administrators devisees, heirs, successors and assigns jointly and severally to the Town of Northbridge, a Massachusetts municipal corporation, acting through its Planning Board, in the sum of \$ \_\_\_\_\_ dollars, and has secured this obligation by depositing with the Treasurer of Northbridge a surety bond to secure the above sum of money, said surety bond to be used to insure the performance by the applicant of all covenants, conditions, agreements, terms and provisions contained in the following:

1. Application for Approval Definitive Plan (Form C), dated \_\_\_\_\_, 19\_\_\_\_
2. The subdivision control law and the Planning Board's Rules and Regulations governing this subdivision and dated \_\_\_\_\_, 19\_\_\_\_
3. Conditions included in the Certificate of Approval issued by the Planning Board and dated \_\_\_\_\_, 19\_\_\_\_
4. The definitive plan as qualified by the Certificate of Approval; and
5. Other documents specifying construction or installation to be completed, namely; (specify other documents, if any, and list lots secured if only a part of the subdivision is secured by a deposit of money) \_\_\_\_\_

This agreement shall remain in full force and effect until the applicant has fully and satisfactorily performed all obligations or has elected to provide another method of securing performance as provided in M.G.L., Chapter 41, § 81-U.

Upon completion by the applicant of all obligations as specified herein, on or before \_\_\_\_\_, 19\_\_\_\_ or such later date as may be specified by vote of the Planning Board with a written concurrence of the applicant and the surety, the interest of the Town of Northbridge in such surety bond shall be released. In

the event the applicant should fail to complete the construction of ways and installation of municipal services as specified in this agreement and within the time herein specified, the surety bond may be enforced in whole, or in part, by the Planning Board for the benefit of the Town of Northbridge to the extent of the reasonable cost to the Town of completing such construction or installation as specified in this agreement. Any unused portion of the surety bond will be released and the unused portion of the surety bond will be returned to the surety upon completion of the work by Northbridge.

The Town of Northbridge acting by and through its Planning Board hereby agrees to accept the aforesaid surety bond in the amount specified in this agreement as security for the performance of the project aforesaid.

Any amendments to this agreement and/or to the aforesaid security shall be agreed upon in writing by all parties to this agreement.

IN WITNESS THEREOF we have hereunto set our hands and seals this \_\_\_\_\_ of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Authorized Rep. of the Surety

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Acceptance by a Majority of the  
Northbridge Planning Board

### COMMONWEALTH OF MASSACHUSETTS

Worcester County, \_\_\_\_\_, 19\_\_\_\_

Then personally appeared \_\_\_\_\_ one of the above named members of the Planning Board of Northbridge, Massachusetts and acknowledged the foregoing instrument to be their free act and deed.

\_\_\_\_\_  
Signature of Notary Public

My Commission expires: \_\_\_\_\_

Duplicate Copy Sent to:  
Applicant  
Surety  
Town Clerk

Town Treasurer