

BOND OF STREET OBSTRUCTION AND/OR EXCAVATION, WITH CORPORATE SURETY

Know all men by these presents:

That _____
of the City of _____, in the County of _____
and the State of _____, (as principal), and _____
_____ a corporation organized under
the laws of the State of _____, and holding a certificate of
the Insurance Commissioner of the State of Minnesota, showing that it is authorized to contract as a
surety (as surety) are held and firmly bound, jointly and severally, unto the City of Duluth, in the State of
Minnesota, in the sum of _____,
good and lawful money of the United States, to be paid to the said City of Duluth, for which payment in
full, well and truly to be made, we do bind ourselves, our heirs, executors and administrators, successors
or assigns, jointly and severally, firmly by these presents.

Sealed with our seals, and dated this _____ day of _____, 20_____.

WHEREAS, Sec. 45-15 through Sec. 45-26 of the Legislative Code of the City of Duluth,
declares among other things, that it is unlawful for any person whatsoever to make any excavation for any
purpose in the streets, avenues, alleys, highways, and public grounds or to place any obstruction therein,
or to place or cause to be placed any scaffold, obstruction, equipment or materials of any kind in, upon or
above any of the public sidewalks, or immediately adjacent thereto, whether or not said application be for
a permit authorizing an excavation as a necessary incident to the connection of a private sewer, water or
gas service with any of the sewer, water and gas mains owned by the City of Duluth, without first
applying for and obtaining a permit so to do from the City Engineer under the terms and conditions as set
forth in those said sections; and

WHEREAS, as a condition to the allowance and issuance of a permit, the applicant therefor, or
his duly authorized agent or contractor, as the case may be, must file with the City Engineer a corporate
surety bond of an insurance company duly authorized by the laws of the State of Minnesota to transact
business as a surety, in the sum of at least Ten Thousand (\$10,000) Dollars. Permittee shall provide, in
addition thereto, a certificate from an insurance company duly authorized by the laws of the State of
Minnesota to transact business as an insurance company, certifying that the applicant has in force with
such company a comprehensive general liability policy, including completed operations, products
liability, explosions, collapse, and underground property liability coverage to cover his operations under
such permit in the amount of One Million Five Hundred Thousand (\$1,500,000) Dollars for bodily injury
occurring in any year and Five Hundred Thousand (\$500,000) Dollars for property damage in any year,
and also, that such bond and certificate of insurance have been approved as to form, correctness and
validity by the City Attorney and shall contain a condition that they may not be cancelled without thirty
(30) days written notice to the City of Duluth, and certificate of insurance shall list the City of Duluth as
additional insured; and

WHEREAS, the above bounden principal is desirous of obtaining a permit under the aforesaid
sections;

NOW, THEREFORE, the condition of this obligation is such that if a permit is allowed and issued to or on behalf of the above bounden principal, and if such principal shall restore the street, avenue, alley, highway, sidewalk or other public ground to the condition it was prior to the making of such excavation or obstruction, and that any work done under any permit, including the installation of any sewer, gas or water connections, is done in accordance with all applicable ordinances and rules and regulations of the City of Duluth, and also indemnifies and saves the City harmless from any and all claims, demands, damages or causes of action of any kind whatsoever arising or to arise out of the doing of the work or the thing authorized by such permit, then this obligation to be void; otherwise, it shall remain in full force and effect.

Signed, Sealed and Delivered

In the Presence of:

(As to Principal)

(As to Surety)

Approved as to form, correctness and validity this

_____ day of _____, 20_____

Principal

By: _____

President

Attest: _____

Secretary

Surety

By: _____

Attest: _____

