

**STREET OPENING BOND PURSUANT TO SECTION 34.02.030 OF THE
MUNICIPAL CODE OF THE CITY OF BOZEMAN**

KNOW ALL MEN BY THESE PRESENT, That we, the undersigned _____, a corporation organized and existing under and by virtue of the laws of the State of _____, hereinafter referred to as the "EXCAVATION CONTRACTOR," and _____, _____, a corporation organized and existing under and by virtue of the laws of the State of _____, and authorized to transact business in the State of Montana, as Surety, are held and firmly bound unto the CITY OF BOZEMAN, a municipal corporation of the state of Montana, hereinafter referred to as the "CITY," in the penal sum of _____, (\$ _____) lawful money of the United States of America, for the payment of which sum, well and truly to be made, we bind ourselves and our heirs, executors, administrators, successors and assigns, jointly and severally, firmly to these present:

THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH THAT:

WHEREAS, the above bounden EXCAVATION CONTRACTOR has on the _____ day of _____, 20 ____, Sought the issuance of a permit from the CITY pursuant to Bozeman Municipal Code Section 34.02.030 for excavation work in a public street, alley or other public property of the CITY;

WHEREAS, execution of this bond is a condition precedent to the issuance of such permit;

NOW, THEREFORE, if the said EXCAVATION CONTRACTOR shall and will, in all particulars well and truly and faithfully observe, perform and abide by each and every ordinance relating to excavating in the right-of-way or other public property of the City and the Rules and Regulations of the Department of Public Works, according to the true intent and meaning in such case; and

PROVIDED FURTHER, that if the said EXCAVATION CONTRACTOR shall satisfy all claims and demands incurred by the EXCAVATION CONTRACTOR in the