



City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

GRADING BOND INSTRUCTIONS

A grading bond is required for all grading work of 1000 cubic yards or more.

1. Download Grading Bond forms from the City of Malibu website at www.malibucity.org or obtain bond forms from the Environmental Sustainability Department Building Safety.
Cash bond required two (2) copies. Surety Bond requires three (3) copies.

Forms are to be executed as per the following instructions:

- a) The grading bond must be taken in the name of the owner and signed by the owner. The owner on the application for grading permit and the principal shown on the bond must be identical.
 - b) The address and the legal description on the bond and on the grading permit application must be identical. (Attach a copy of the metes and bounds description, if used, to each bond copy)
 - c) The surety company must be named on all surety bonds and its corporate seal impressed thereon. The signatures of its attorney-in-fact must be acknowledged by a notary public.
 - d) If applicant is a partnership, the bond must be signed by at least one general partner and the signature acknowledged by a notary public on a partnership form of acknowledgment.
 - e) For cash bond, signatures of individual owners shall be acknowledged by a notary public.
 - f) Certified or cashier's check are required for a cash bond. Check to be made to City of Malibu.
2. Present the grading bond form and the grading permit application to your plan check engineer for verification of the bond amount, and items (a) and (b) above, and his/her signature. The bond amount is base on the number of cubic yards of cut and fill, **plus** the cost of all drainage and other protective devices such as retaining walls.
 3. Present the bond application at the time of permit issuance to the Permit Services Technician. Present bond to plan checker at the time of permit issuance for second verification before proceeding to the cashier.
 4. Post bond and have grading permit application stamped at Malibu City Hall.

CASH BOND RELEASE: When all phases of the job have been completed and have been approved and signed off by all inspectors (the Grading Inspector will give the approval for release), the owner, owners, or corporation listed on the bond will be notified by the Department or the bond release by the Administrative Services Department. Approximately ten days are required to process the owner's claim for refund after the receipt is received by the Administrative Services Department.

SURETY BOND RELEASE: Notice of release upon completion of the job will be mailed to the surety company.



City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

Grading Cash Bond

Legal Address of property covered by this bond: _____

Legal Description: _____

THIS AGREEMENT, made and entered into this _____ day of _____ 20____, by hereinafter _____ (address) _____ hereinafter called the "Principal," with the CITY OF MALIBU, a municipal corporation, hereinafter called the "City".

WITNESSETH

WHEREAS, the above named Principal has applied to the Building Safety Division of the City of Malibu for issuance to said Principal, of a permit to do and perform excavation and/or fill work within the City of Malibu at the above location owned by said Principal, more specifically described in the application for a Grading Permit, and in accordance with the provisions of Title 15, Chapter 15.04 of the Malibu Municipal Code, and the principal is required to furnish a bond in the sum hereinafter mentioned, conditioned as hereinafter set forth; and

WHEREAS, the principal has deposited or will deposit with the City an amount in cash or _____ as hereinafter mentioned, the receipt of which cash or _____ is hereby acknowledged; and the City has agreed to hold said deposit in trust to indemnify the City for all costs and expenses incurred by the City by reason of the violation by the principal of any of the provisions of Title 15, Chapter 15.04 of the Malibu Municipal Code, and particularly Section J103.7.2, & J103.7.4 thereof.

NOW THEREFORE: If the Principal shall well and truly comply with all of the requirements of Municipal Code Section J103.7.5 and all of the applicable provisions of Title 15, Chapter 15.04 of said Code, and

If all work required to be done complies with all of the terms and conditions of the permit for excavation or fill to the satisfaction of the Building Safety Division, and completed within the time limit specified in the grading permit or in the event of a change in ownership prior to the completion of the grading and the new owner selects to secure a new permit and post a new bond for the completion of the grading work then this obligation shall be void; otherwise to remain in full force and effect.

As security for the performance of his obligations hereinabove mentioned, the Principal does hereby forthwith upon the execution of this agreement, transfer and deliver unto said City of Malibu, to be held for the purposes and upon the terms and conditions hereinabove set forth, the following amount of cash or:

_____ Dollars
 (\$ _____)

IT IS FURTHER AGREED, that in the event of any default by the Principal in the performance of any of his obligations required herein, the cash deposit or bonds shall, without any notice to or authority from the undersigned, be used by the City to complete the required work to the satisfaction of the Building and Safety Division as provided in said Municipal Code Section J103.7.6.

WITNESS my hand and seal the day and year first above written.

_____ (Seal)

_____ (Seal)

All Signatures must be acknowledged before a Notary Public

FOR DEPARTMENT USE ONLY

Permit No.	Legal description and ownership compared with the Grading Permit application and found to be identical. By _____ PLAN CHECKER	Approved as to Form _____
Date: _____	Trust Fund Receipt No.: _____	City Attorney By _____

Refund Demand No.: _____

Date: _____



City of Malibu

23825 Stuart Ranch Road · Malibu, California · 90265-4861
Phone (310) 456-2489 · Fax (310) 456-3356 · www.malibucity.org

Grading Surety Bond

Legal Address of property covered by this bond: _____

Legal Description: _____

KNOW ALL MEN BY THESE PRESENTS:

That we, _____ of _____ California, as
(mailing address of principal, include zip code)
principal, and _____

a corporation, as surety, are held and firmly bound unto the CITY OF MALIBU, 23825 Stuart Ranch Road, Malibu, CA 90265, a municipal corporation of the State of California in the sum of _____, \$ _____, lawful money of the United States, for the payment of which well and truly to be made bind ourselves, jointly and severally, firmly by these presents.

Signed, sealed and dated this _____ day of _____, 20____.

WHEREAS, an application by the above-named principal has been made to the City of Malibu Building and Safety Division for the issuance, to said principal, of a permit to perform excavation and/or fill work within the City of Malibu more specifically described in the application for a Grading Permit, at the above location and owned by said principal, in accordance with the provisions of Title 15, Chapter 15.04 of the Malibu Municipal Code, and particularly Sections J103.7.2 & J103.7.4 thereof, and

WHEREAS, the Malibu Municipal Code Section J103.7 requires as a condition precedent to the issuance of said permit that the principal shall furnish a bond in the sum above named to the City of Malibu, conditioned as hereinafter set forth:

NOW THEREFORE,

- (1) If the Principal shall well and truly comply with all of the requirements of Municipal Code Section J103.7.5 & J103.7.6 and with all of the applicable provisions of Title 15, Chapter 15.04 of said Code, and
- (2) If all work required to be done complies with all of the terms and conditions of the Permit for excavation or fill to the satisfaction of the Building and Safety Division and completed within the time specified in the Grading Permit, then this obligations shall void; otherwise it shall remain in full force and effect.

It is understood that the liability of the principal and surety upon this bond is a continuing obligation and shall be in effect from the date hereof until the completion, to the satisfaction of the Building and Safety Division of all the terms and conditions of said Grading Permit, or in the event of a change in ownership prior to the completion of the grading and the new owner selects to secure a new permit and post a new bond for the completion of the grading work, than this obligation shall be void; otherwise to remain in full force and effect.

It is further understood that the time limit specified in the permit above mentioned, may be extended for good and sufficient cause by the Building and Safety Division Manager. No such extension of time shall be valid unless the same be in writing and no such extension of time shall release the principal or surety from the obligation of this bond.

IN WITNESS WHEREOF the principal and surety caused this bond to be executed the day and year first above written.

(Seal) Principal _____

(Seal) Surety _____

Address of Surety Co. _____

(This bond must be acknowledged both as to principal and surety before a Notary Public)

FOR DEPARTMENT USE ONLY

Permit No.	Legal description and ownership compared with the Grading Permit application and found to be identical. By _____ PLAN CHECKER	Approved as to Form _____, 20__
Date:	Receipt No.:	City Attorney By _____ Deputy