

Rule No.: 941 - 7501 - 09009

Agency: Mississippi Department of Transportation

Agency Effective Date: May 15, 2005

Agency Issued Date: March 8, 2005

Secretary of State Authority Date: May 15, 2005

Supercedes Rule:

Division: MAINTENANCE

Rule Title: Vegetation Removal Performance Bond, Form MND-835

The person to be contacted regarding the proposed rule is: Facility and Records Management Director

Name of person originating the proposed rule: John Vance

Name of supervisor or person who approved the proposed rule: Melinda McGrath

Purpose:

To provide a Form for processing a Vegetation Removal Performance Bond.

Summary:

This rule provides Form MND-835, Vegetation Removal Performance Bond.

The full text of the proposed rule is:

All cites herein refer to the most current version of the cited document.

MND-835
(Rev.XX.XX)

**MISSISSIPPI DEPARTMENT OF TRANSPORTATION
VEGETATION REMOVAL PERFORMANCE BOND**

SURETY

STATE OF MISSISSIPPI
COUNTY OF _____

KNOW ALL MEN BY THESE PRESENTS: That we, the _____ of _____ as Principal, and _____ Company, as surety are held and firmly bound in solido to the Mississippi Transportation Commission, hereinafter "Commission", Jackson, Mississippi, in the full sum of \$5,000.00 lawful money of the United States of America for payment of which we bind ourselves, in solido, and our respective successors, assigns, executors and administrators.

The condition of this obligation is such that, whereas the said _____, hereinafter called the Principal, has applied to the Commission for a permit to enter upon state highway right of ways to selectively control and remove that vegetation which is obscuring the visibility of legally erected outdoor advertising devices, and

WHEREAS, the said Principal has agreed to control and remove that vegetation obscuring the visibility of legally erected outdoor advertising devices in accordance with the certain regulations as shown on the permit; and further agrees to be held strictly liable for any

property damage or destruction to portions of the presently maintained highway right of way or drainage facilities regardless of fault.

NOW, THEREFORE, if the said Principal faithfully complies with the terms of said permit, then this obligation shall be null and void; however, in the event of a violation of the conditions enumerated in the permit, or a failure to leave the work site in an acceptable condition as provided for in the permit, the full sum of the bond shall be forfeited immediately.

The bond shall be effective from this _____ day of _____ 20 ____ and expire on the _____ day of _____, 20 _____.

SIGNED, SEALED AND DELIVERED this _____ day of _____, 20 _____.

_____ PRINCIPAL

COUNTERSIGNED

BY _____

BY _____

_____ COMPANY.

ADDRESS _____

BY _____

ADDRESS _____