

FORM H

TOWN OF NORTON MASSACHUSETTS

PERFORMANCE SECURED BY

A SURETY COMPANY

AGREEMENT made this date between the Town of Norton, Massachusetts and _____
hereinafter referred to as the "applicant" of _____;
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 the installation of municipal services in the subdivision of land shown on a plan entitled:
_____ by: _____,
dated: _____, owned by: _____
address: _____ on land located at: _____ and
showing _____ proposed lots.

KNOW 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 Norton, a
Massachusetts Municipal Corporation, acting through its Planning Board, in the sum of _____
dollars, and having secured this obligation by depositing with the Treasurer of said Town of Norton 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. The Application for Approval of Definitive Plan (Form C), dated: _____.
2. The Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land in Norton
Massachusetts and dated _____.
3. The certificate of approval and the conditions of approval specified therein, issued by the Planning Board, dated
_____.
4. The definitive plan as approved and as qualified by the certificate of approval.
5. Other document(s) specifying construction to be completed namely:

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 Section
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 in the Town of Norton in such surety bond shall be released, the surety bond shall be returned to the
surety, and this agreement shall become void. In the event the applicant should fail to complete the construction of ways
and the 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 Norton 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 returned to the surety upon completion of the work by said town; and

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

IN WITNESS WHEREOF we have hereunto set our hands and seals this the _____ day of _____, 19____

• APPLICANT

The Commonwealth of Massachusetts

Bristol ss. _____, 19____

Then personally appeared the above named persons aforesaid and acknowledged the foregoing instrument to be their free act and deed, before me,

Notary Public

My commission expires _____, 19____

• AUTHORIZED REPRESENTATIVE OF THE SURETY

The Commonwealth of Massachusetts

Bristol ss. _____, 19____

Then personally appeared the above named person aforesaid and acknowledged the foregoing instrument to be this/her free act and deed, before me,

Notary Public

My commission expires _____, 19____

• NORTON PLANNING BOARD

_____, Chairman

The Commonwealth of Massachusetts

Bristol ss. _____, 19____

Then personally appeared the above named members of the Norton Planning Board aforesaid and acknowledged the foregoing instrument to be the free act and deed, of The Norton Planning Board, before me,

Notary Public

My commission expires _____, 19____