

## Contractor – Erosion Control Surety Acknowledgement

*This form is required when the contractor is providing an Erosion Control Surety – cash deposit or LOC, on behalf of the owner/developer*

City Permit No: \_\_\_\_\_ Project Name: \_\_\_\_\_

I, a duly authorized representative of the contractor, are hereby providing an erosion and sediment control surety to satisfy Overland Park Municipal Code Chapter 16.200 requirements for the above referenced project on behalf of the property owner/developer. I acknowledge that the City considers a property owner responsible for continual erosion and sediment control; however, I have elected to assume that responsibility by posting a surety. I have read and understand the following:

- The land disturbance surety is available for the City to use to abate erosion and sediment control violations caused by any party at any location on the site covered by the permit indicated above
- The erosion and sediment control surety can be utilized for City abatement of erosion control violations that are the fault of other contractors, utility owners, the property owner, and others, including those which I have no contractual relationship with.
- The unused portion of the erosion and sediment control surety will not be refunded until the associated permit is closed and that permit closure may occur only when the entire site is permanently stabilized in accordance with Chapter 16.200 of the Overland Park Municipal Code.
- Completion of work authorized under my contract with the owner/developer does not constitute a condition for closing the erosion and sediment control permit nor for returning the surety I posted.
- Should the property owner or developer not fulfill their contractual obligations to me, including non-payment, the surety posted by me on their behalf will still be utilized by the City to fulfill all erosion and sediment control requirements of Overland Park Municipal Code Chapter 16.20.

Note: This document must be executed by an Officer of the Corporation or Owner – and must match the performance/maintenance bond signature

\_\_\_\_\_  
Printed or Typed Name

\_\_\_\_\_  
Signature of Contractor Representative

Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_