

MONTGOMERY COUNTY

DEPOSITED IN COMPLIANCE WITH AND SUBJECT TO THE PROVISIONS OF THIS SECTION. THE BOND SHALL OBLIGATE THE PRINCIPAL, HIS EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY WITH THE SURETY AND SHALL INURE TO THE BENEFIT OF MONTGOMERY COUNTY, ITS OFFICERS, EMPLOYEES, AND TO ANY PERSON AGGRIEVED BY THE PRINCIPAL'S FAILURE TO COMPLY WITH THE CONDITIONS THEREOF. THE PRINCIPAL AND THE SURETY SHALL UNDER THE BOND CONTINUE TO BE FIRMLY BOUND UNDER A CONTINUING OBLIGATION FOR THE PAYMENT OF ALL NECESSARY COSTS AND EXPENSES OR LIABILITIES WHICH MAY BE INCURRED OR EXPENDED BY THE DEPARTMENT TO MEET THE MINIMUM REQUIREMENTS OF THIS CHAPTER.

B. WHENEVER THE DEPARTMENT SHALL FIND THAT A DEFAULT HAS OCCURRED IN THE PERFORMANCE OF ANY TERM OR CONDITION OF THE PERMIT OR BOND, WRITTEN NOTICE THEREOF SHALL BE GIVEN TO THE PRINCIPAL AND TO THE SURETY OF THE BOND. SUCH NOTICES SHALL STATE THE WORK TO BE DONE, THE ESTIMATED COST THEREOF AND THE PERIOD OF TIME DEEMED BY THE DEPARTMENT TO BE REASONABLY NECESSARY FOR THE COMPLETION OF SUCH WORK.

C. IF A CASH BOND HAS BEEN POSTED, NOTICE OF DEFAULT AS PROVIDED BY THE PRECEDING PARAGRAPHS SHALL BE GIVEN TO THE PRINCIPAL, AND IF COMPLIANCE IS NOT HAD WITHIN THE TIME SPECIFIED, THE DEPARTMENT SHALL PROCEED WITHOUT DELAY AND WITHOUT FURTHER NOTICE OR PROCEEDINGS WHATSOEVER TO USE THE CASH DEPOSITED, OR ANY PORTION OF SUCH DEPOSIT, TO CAUSE THE REQUIRED WORK TO BE DONE BY CONTRACT OR OTHERWISE IN THE DISCRETION OF THE DIRECTOR.

D. IN THE EVENT OF ANY DEFAULT IN THE PERFORMANCE OF ANY TERM OR CONDITION OF THE PERMIT OR THE BOND, THE COUNTY, THE SURETY OR ANY PERSON EMPLOYED OR ENGAGED ON HIS BEHALF SHALL HAVE THE RIGHT TO GO UPON THE SITE TO COMPLETE THE REQUIRED WORK OR MAKE IT SAFE. IN THE EVENT THE DEPARTMENT UNDERTAKES THE WORK OR TO MAKE THE SITE SAFE WITH THE FUNDS FROM THE FORFEITED CASH OR CORPORATE BOND, SUCH FUNDS SHALL BE USED TO PAY THE COST OF CONTRACTING, INCLUDING ENGINEERING AND ADMINISTRATION, FOR RESTORATION OF THE SITE TO MEET THE REQUIREMENTS OF THE PERMIT, BOND OR CHAPTER. IF THE COST OF THE WORK OR MAKING IT SAFE EXCEEDS THE AMOUNT OF THE CASH OR CORPORATE BOND, THE PERMITTEE SHALL CONTINUE TO BE FIRMLY BOUND UNDER A CONTINUING OBLIGATION FOR PAYMENT OF ALL EXCESS COSTS AND EXPENSES INCURRED BY THE COUNTY. THE COST AND EXPENSES SHALL BE A LIEN UPON ALL PROPERTY AND ALL