

FINANCIAL GUARANTEE INFORMATION AND PROCESS -- FOR COMPLETION OF IMPROVEMENTS

FOR SUBDIVISIONS APPROVED PRIOR TO DECEMBER 2, 2008:

When **forty per cent (40%)** of the improvements, based on the total estimated cost of the improvements to be installed, have been completed and all weather access for emergency vehicles has been provided, upon request, the County may enter into a ***contract** with the applicant under which the applicant agrees to complete all required improvements. To secure the obligation under the contract, the applicant shall provide any one or a combination of the guarantees set forth below to cover the costs of the uncompleted improvements. The amount of the security shall not be less than **125%** of an amount determined by a licensed architect, registered engineer, surveyor, or licensed contractor acceptable to the County as sufficient to secure to the County the satisfactory construction, installation and dedication of the incomplete portion of required improvements including labor and material payments.

The developer must submit the following to the County. The information is for review and approval by the County Attorney of the form and manner of execution and review and approval by the Planning Director as to sufficiency :

1. Documentation of total cost of improvements to include:
 - a. Estimate of total cost of improvements
 - b. Name of licensed architect, registered engineer, surveyor, or licensed contractor acceptable to the County, preparing estimate
 - c. License number of person preparing estimate
 - d. Date of estimate
 - e. Description of various improvements that the estimate covers
 - f. The standards to which improvements are to be installed
 - g. Signature and seal (if appropriate) of person preparing estimate
 2. Draft copy of the financial guarantee
- After approval of the documents listed above by the Planning Director and the County Attorney, the contract form will be provided to the developer for completion. A contract, satisfactory to the county as to form, shall accompany any security accepted by the county and shall be signed by the developer and approved by the county manager prior to recordation of the Final Plat.

The form of a financial guarantee may be one of the following:

1. Surety Performance Bond
2. Cash or Equivalent Security, i.e. cash, an irrevocable letter of credit ,or other instrument readily convertible to cash at face value

See the Chatham County Subdivision Regulations, Section 3, *Security for Completion and Maintenance of Improvements*, Item 3.1, A, B, (1), (2), and (3) for complete language.