

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )

SUBDIVISION AGREEMENT  
AND  
SURETY BOND

AGREEMENT

This agreement is made this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, by and between  
\_\_\_\_\_  
(Developer's Name (Individual, Partnership, or Corporation))  
party (parties) of the first part, hereinafter called the Developer and the Lexington County Council, South Carolina, party  
of the second part, hereinafter called the Council.

WITNESSETH

In consideration of the approval by the Council through its designee, of the subdivision known as  
\_\_\_\_\_  
(Subdivision Name and Phase #)  
the Developer, for himself and his heirs, legal  
representatives, assigns, or other successors in interest, agrees to construct and install all of the physical improvements  
shown on the approved plans and specifications, including all approved revisions, by  
the (10-14 days prior to LOC expiration date) \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. Extensions of this  
completion date may be approved by the Public Works Director or their designee for no more than a total of three (3  
years) from the date of this Agreement. Approval of any extension is in the sole discretion of the Public Works Director  
or designee. In this subdivision, physical improvements shall include the construction of any roads, water or sewer  
systems, and storm drainage.

The Developer further agrees to:

- 1. Notify the Stormwater Manager of the Stormwater Management Division of the Public Works Department of Lexington County, two (2) days before the beginning of any road and/or storm drainage work.
- 2. Provide adequate supervision on the site at all times that construction or installation of required improvements is underway; have a responsible foreman or superintendent and one complete set of stamped approved plans, profiles and specifications, including any approved revisions thereof, available at the site at all times that work is performed.
- 3. Comply with all requirements of Lexington County, in order that roads and other improvements in dedicated rights-of-way will be approved by the County; to make prompt application upon completion of the required work, for approval by that Department.
- 4. Comply with bonding requirements of the Land Development Manual for Lexington County. Included therein is a provision for one reduction of the surety amount if approved in writing by the Public Works Director or their designee based on the completed infrastructure certified by the engineer of record. In no case will the amount be reduced below 25% of the total cost of the infrastructure which is proposed to be maintained by Lexington County.

The parties hereto agree that approval of plans and specifications and any revisions thereof, and of completed construction, shall be by the County Administrator or his designee.

The undersigned warrants that this agreement is made and executed pursuant to authority properly granted by the charter, bylaws and action of the Board of Directors of the Corporation.

In witness of all which the Developer has caused his name and/or seal to be affixed hereto, by  
\_\_\_\_\_ its President, and \_\_\_\_\_, its Secretary.

\_\_\_\_\_  
(Developer's name)  
Corporation Name

(Seal)

Attest: \_\_\_\_\_ By: \_\_\_\_\_  
President

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**STATE OF SOUTH CAROLINA  
COUNTY OF LEXINGTON**

I, \_\_\_\_\_, a Notary Public in and for the State aforesaid, do hereby certify that \_\_\_\_\_ and \_\_\_\_\_, president and secretary respectively of the Developer's Name, whose names are signed to the foregoing, this day personally appeared before me in my State aforesaid and acknowledged their signatures affixed above, and the corporate seal as the genuine seal of the said corporation.

Given under my hand this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

My Commission expires: \_\_\_\_\_

Notary Public

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**LEXINGTON COUNTY COUNCIL  
SOUTH CAROLINA**

In witness of which, the Council has caused this agreement to be executed on its behalf, and its seal affixed:

(Seal)

Attest \_\_\_\_\_ By: \_\_\_\_\_

Clerk to Council

County Administrator

**STATE OF SOUTH CAROLINA  
COUNTY OF LEXINGTON**

I, \_\_\_\_\_, a Notary Public in and for the state aforesaid, do hereby certify that \_\_\_\_\_ and \_\_\_\_\_ County Administrator and Clerk to Lexington County Council, respectively, whose names are signed to the foregoing, this day personally appeared before me in my State aforesaid and acknowledged their signatures affixed above, and the seal of said Council, as the genuine seal of said Council.

Given under my hand this \_\_\_\_ day of \_\_\_\_\_ of 20 \_\_\_\_.

My Commission expires: \_\_\_\_\_

Notary Public

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**CERTIFICATION**

I \_\_\_\_\_, Attorney, do hereby certify that Developer's name is legal owner of (Actual name and phase #) on this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
(Subdivision)

\_\_\_\_\_

Witness

Attorney

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In witness of all of the principal has caused its corporate name and seal to be affixed hereto, by \_\_\_\_\_ its President, and \_\_\_\_\_, its Secretary, and the surety has hereunto set their hand and seal this \_\_\_\_ day of *(same as page 1, line 1)*, 20 \_\_\_\_.

\_\_\_\_\_  
Corporation Name

(Seal)

Attest: \_\_\_\_\_ By: \_\_\_\_\_  
Secretary President

(Seal)

Attest: \_\_\_\_\_ By: \_\_\_\_\_  
Surety  
*(must be same as page 3 surety)*

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**STATE OF SOUTH CAROLINA** (PRINCIPAL)  
**COUNTY OF LEXINGTON**

I, \_\_\_\_\_, a Notary Public in and for the State aforesaid, do hereby certify that \_\_\_\_\_ and \_\_\_\_\_, president and secretary respectively of the \_\_\_\_\_, whose names are signed to the foregoing this day personally appeared before me in my State aforesaid and acknowledged their signatures affixed above, and the corporate seal as the genuine seal of the said corporation.

Given under my hand this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
*(on or after date of Agreement)*

My Commission expires: \_\_\_\_\_  
Notary Public

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**STATE OF SOUTH CAROLINA** (SURETY)  
**COUNTY OF LEXINGTON**

I, \_\_\_\_\_, a Notary Public in and for the State aforesaid, do hereby certify that \_\_\_\_\_

\_\_\_\_\_ whose names are signed as Surety acknowledged their signatures affixed above, and the corporate seal as the genuine seal of the said corporation.

Given under my hand this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

My Commission expires: \_\_\_\_\_  
Notary Public

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