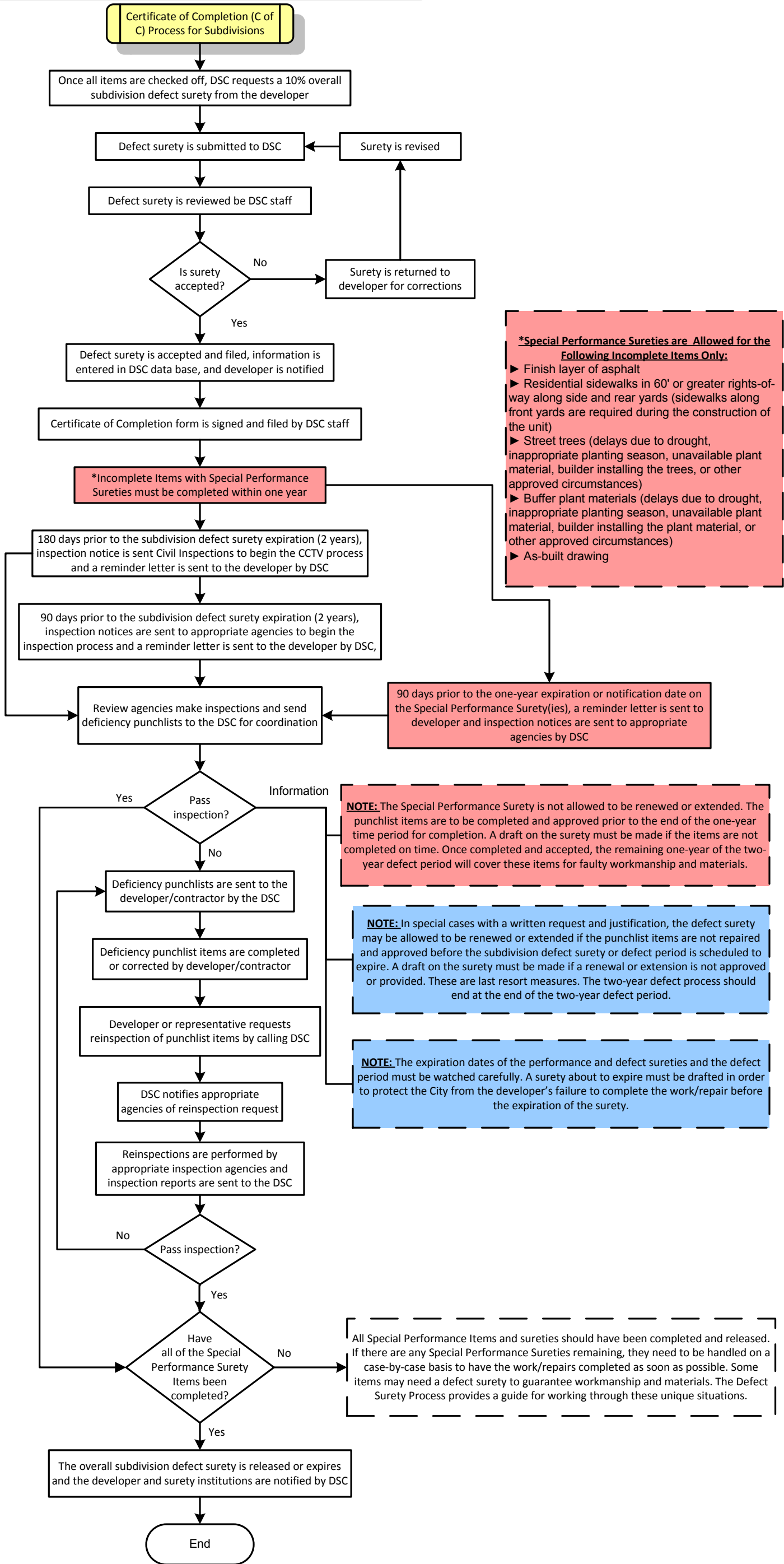


Defect Surety Process for Subdivisions



***Special Performance Sureties are Allowed for the Following Incomplete Items Only:**

- ▶ Finish layer of asphalt
- ▶ Residential sidewalks in 60' or greater rights-of-way along side and rear yards (sidewalks along front yards are required during the construction of the unit)
- ▶ Street trees (delays due to drought, inappropriate planting season, unavailable plant material, builder installing the trees, or other approved circumstances)
- ▶ Buffer plant materials (delays due to drought, inappropriate planting season, unavailable plant material, builder installing the plant material, or other approved circumstances)
- ▶ As-built drawing

NOTE: The Special Performance Surety is not allowed to be renewed or extended. The punchlist items are to be completed and approved prior to the end of the one-year time period for completion. A draft on the surety must be made if the items are not completed on time. Once completed and accepted, the remaining one-year of the two-year defect period will cover these items for faulty workmanship and materials.

NOTE: In special cases with a written request and justification, the defect surety may be allowed to be renewed or extended if the punchlist items are not repaired and approved before the subdivision defect surety or defect period is scheduled to expire. A draft on the surety must be made if a renewal or extension is not approved or provided. These are last resort measures. The two-year defect process should end at the end of the two-year defect period.

NOTE: The expiration dates of the performance and defect sureties and the defect period must be watched carefully. A surety about to expire must be drafted in order to protect the City from the developer's failure to complete the work/repair before the expiration of the surety.

All Special Performance Items and sureties should have been completed and released. If there are any Special Performance Sureties remaining, they need to be handled on a case-by-case basis to have the work/repairs completed as soon as possible. Some items may need a defect surety to guarantee workmanship and materials. The Defect Surety Process provides a guide for working through these unique situations.

Process

