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DATED 6th November 2014

NATIONAL HOUSE BUILDING COUNCIL

-and-

HAMPSHIRE COUNTY COUNCIL

B O N D

in relation to development of Land at Beech Grove, Hayling Island

Legal File Ref: PT33A/2166

File Ref: 6/3/13/150

Unique No.

Kevin Gardner LLB, Solicitor
Head of Legal Services
Hampshire County Council
The Castle
Winchester
Hampshire SO23 8UJ

BY THIS BOND

NATIONAL HOUSE BUILDING COUNCIL (Company Registration Number 00320784) whose registered office is situate at NHBC House, Davy Avenue, Knowlhill, Milton Keynes, Bucks, MK5 8FP (hereinafter called "**the Surety**") is held and firmly bound to **HAMPSHIRE COUNTY COUNCIL** (hereinafter called "**the County Council**") in the sum of one hundred and four thousand five hundred pounds pounds (£104,500.00) to be paid to the County Council for the payment of which sum the Surety binds itself and its successors

EXECUTED and **DELIVERED** as a Deed this day of
2014

WHEREAS

- (1) By an Agreement dated 2014 and made between the County Council (1) and (hereinafter called "**the Developer**")
- (2) ("**the Agreement**") the Developer covenanted to undertake certain highway works as detailed in the Agreement ("**the Works**")
- (2) By the provisions of the Agreement the Developer contracted to provide a Bond to secure their obligations under the terms of the Agreement in respect of carrying out the Works and the Developer now intend to discharge such obligation

NOW THIS DEED WITNESSETH as follows:

The Surety is hereby bound to the County Council in the sum of ONE HUNDRED AND FOUR THOUSAND FIVE HUNDRED POUNDS (£104,500.00) (“**the Bond Figure**”)

The Surety shall in the event of any breach or non-observance of any of the terms or covenants on the part of the Developer contained in the Agreement or in the event of the Developer going into bankruptcy or liquidation or entering administrative receivership or entering into a deed of arrangement for the benefit of its creditors pay to the County Council on demand such sum of money as the County Council’s Director of Economy Transport and Environment for the time being (“**the Director**”) reasonably certifies to be necessary to complete the Works or reinstate the highway or complete such alternative works as the Director considers appropriate and to remedy any defects prior to the Works becoming maintainable at public expense and of maintaining the Works for the Maintenance Period as defined in the Agreement and the cost of remedying any defects occurring or discovered during the Maintenance Period and the cost of any other sums due under the terms of the Agreement together with such further sum as the County Council’s Head of Legal Services for the time being (“**the Head of Legal Services**”) may certify to be necessary to fully reimburse the County Council in respect of any costs incurred in the enforcement of the obligations on the part of the Developer under the Agreement and of preparing an alternative contract for the Works and of supervising the execution of this alternative contract provided that the total sums payable by the Surety shall not exceed the Bond Figure

1. Reference wherever it appears in this Deed to the Developer the Director and the Head of Legal Services shall include any successor in title thereto

EXECUTED as a Deed)
the day and year first before written by)
NATIONAL HOUSE BUILDING)
COUNCIL in the presence of :)



BUSINESS SUPPORT MANAGER
AUTHORISED SIGNATORY

A handwritten signature in cursive script, appearing to read 'Geeze'.

CUSTOMER CONTACT MANAGER
AUTHORISED SIGNATORY