

**ARTICLE 31.00**  
**PERFORMANCE AGREEMENT**

If all improvements, required by the Director, Planning Commission or Board of Commissioners and this Ordinance, are not completed according to specifications as required herein prior to the time the final plat or map is duly submitted for consideration and approval, the Department may accept in lieu of said completion of improvements, a performance agreement and financial surety executed by the developer and his surety company conditioned upon faithful performance and completion of all such improvements within a period of time stated in such agreement and approved by the Department. Such agreement shall follow the procedures outlined below:

1. The developer's engineer or qualified contractor will prepare cost estimates on completion of roads and/or utilities. Road cost estimates shall be based upon road standards as designated in this Ordinance. Sewer and water system improvement estimates shall be based upon designs approved by the State. All estimates shall be signed by the engineer or qualified contractor who prepared them.
2. All estimates shall be submitted to the Union County Planning Director. Copies of water and/or sewage service estimates will be sent to the utilities district and/or to other authorities for review and comment. Road cost estimates shall be submitted to the Department for review.
3. The Planning Director shall notify the developer on the amount of financial surety to any additional performance agreement conditions required, and to any changes necessary for financial surety acceptance.
4. The developer shall submit the financial surety and performance agreement and a copy thereof to the Planning Department. If the Director finds the agreement in order, he shall approve and accept the agreement.
5. Release of the financial surety may be made by the Director in response to a written request for such release, and upon determining that improvements have been completed in accord with the performance agreement.