

**TOWN OF CANTERBURY**

**MAINTENANCE BOND FOR HOOPERS LANE ESTATES IMPROVEMENTS**

**KNOW ALL MEN BY THESE PRESENTS**, that I, **JOHN C. D'AMATO, JR.** (the "Obligor"), of 106 Watch Hill Road, Westerly, Rhode Island 02891 am bound unto the **TOWN OF CANTERBURY, CONNECTICUT** in the sum of Thirty-Six Thousand Five Hundred and 00/100 (\$36,500.00) Dollars, for which payment, well and truly to be made, I, the said **JOHN C. D'AMATO, JR.**, do hereby bind myself and my heirs, executors, administrators and assigns firmly by these presents.

Signed, sealed and delivered this \_\_\_\_\_ day of December, 2010.

\_\_\_\_\_  
John C. D'Amato, Jr.

**THE CONDITION OF THIS OBLIGATION IS SUCH THAT:**

**WHEREAS**, the Obligor has made application to the Town of Canterbury Planning and Zoning Commission (hereinafter "Commission") for the approval of a subdivision of certain lands located in the Town of Canterbury, which plans are entitled ■Title: Record Subdivision Map Hoopers Lane Estates Lisbon Road Canterbury, Connecticut Date: October 5, 2006 Revisions No. 1 11/17/06 Review Comments By CDG 2 12/18/06 Review Comments By RK 3 1/08/07 Add Conserv. Esmt Lot 5 By RK 4 1/17/07 Review Comments By JPB 5 1/23/07 Review Comments By CDG 6 1/30/07 Review Comments By CDG 7 2/07/07 Traffic Comments By RK Scale: 1" = 100' Sheet: 1 of 2 Dwg. No.: 2 Bennett & Smilas Engineering, Inc. 415 Killingworth Rd., P.O. Box 241 Higganum, Connecticut 06441 (860) 345-4553 Fax (860) 345-3858";

**AND WHEREAS**, the Canterbury Planning and Zoning Commission has approved said plans in accordance with its Subdivision Regulations;

**AND WHEREAS**, the Obligor has posted a performance bond required by the subdivision approval for the Hoopers Lane Estates subdivision to ensure the completion of construction of infrastructure improvements for Hoopers Lane in accordance with the requirements of the Canterbury Subdivision Regulations, the Canterbury Road Ordinance and the approval granted for the above referenced subdivision by the Commission;

**AND WHEREAS**, Obligor has substantially completed said construction of infrastructure improvements for the Hoopers Lane Estates subdivision, and now desires the Town of Canterbury to accept such improvements as public highways, with appurtenances, but recognizes that he has an obligation pursuant to the Canterbury Subdivision Regulations and Canterbury Road Ordinance to insure that said improvements maintain their structural integrity for a period of one (1) year subsequent to the date of acceptance of said improvements by the Town meeting of the Town of Canterbury, and in conjunction therewith to repair any deficiencies which occur therein during said one (1) year period, with the attendant risk of erosion and sedimentation;

**AND WHEREAS**, in accordance with Section 5.2 of the Canterbury Subdivision Regulations, a portion of the original bond must be retained for one (1) year after substantially all work is completed "to ensure that the completed, inspected and approved improvements do not require any immediate repair due to unforeseen construction deficiencies or unusual site conditions not revealed during construction;"

**AND WHEREAS**, the Town of Canterbury Planning and Zoning Commission has established a performance bond in the amount of Thirty-Six Thousand Five Hundred and 00/100 (\$36,500.00) Dollars in order to ensure the repair and/or replacement of any components of infrastructure improvements which fail or are deficient during said one (1) year period as a condition precedent to the dedication of the same to the Town of Canterbury as a municipal street, all as delineated on the above referenced plan and the Canterbury Subdivision Regulations (specifically



On this the \_\_\_\_\_ day of December, 2010, before me, Harry B. Heller, the undersigned officer, personally appeared John C. D'Amato, Jr., signer and sealer of the foregoing instrument and acknowledged the same to be his free act and deed.

**IN WITNESS WHEREOF**, I have hereunto set my hand and official seal.

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Harry B. Heller  
Commissioner of the Superior Court