



Florida Department of Agriculture and Consumer Services
Division of Plant Industry

NICOLE "NIKKI" FRIED
COMMISSIONER

NON-NATIVE SPECIES PLANTING BOND

Section 581.083(4)(e), F. S. / Rule 5B-57.011, F.A.C.

INSTRUCTIONS FOR THE PREPARATION AND EXECUTION OF THIS BOND

- A. The name of principal on the bond should be correctly stated, and should precisely agree with name of applicant on for the special permit.

The name in which business is conducted should follow the name or names of the principal where the applicant does business in a fictitious name.

Examples:

- 1. Individual operating in own name: "Henry Smith"
- 2. Individual owner operating in another name: "Henry Smith d/b/a Biomass Fuels"
- 3. Partners operating in another name: "John Doe, Richard Doe, and Mary Doe d/b/a Biomass Fuels"
- 4. Corporation operating in own name: "Biomass Fuels Company (a corporation)"
- 5. Corporation operating in another name: "Biomass Fuels, Inc. d/b/a BFI Plantings"

- B. The required amount of this bond will be as near as practicable to 150 percent of the estimated cost of removing and destroying the cultivated plants, but no bond may exceed \$5,000 per acre.

EXECUTION BY PRINCIPAL

- C. If the principal of this bond is:

- 1. An individual; this bond must be signed by the individual.
- 2. A partnership; this bond should be executed in the name of the partnership and signed by at least one of the partners.
- 3. A corporation; this bond must be executed in the name of the corporation and signed by the President or Vice President, with impression of corporate seal affixed, and attested by Secretary or Assistant Secretary of the Corporation.

EXECUTION BY SURETY

- D. Execution of the bond should be by a properly authorized person, whose title should be shown with impression of the corporate seal of the surety affixed, and a copy of the Power of Attorney of that person attached to the bond.
- E. A copy of the Power of Attorney for the person executing this bond for the surety must be attached to this bond.
- F. When completed, this bond and Power of Attorney should be mailed to:

**Commissioner of Agriculture
Division of Plant Industry
Bureau of Methods Development
1911 Southwest 34th Street
Gainesville, Florida 32614-7100**

STATE OF _____
COUNTY OF _____

BOND NO. _____

KNOW ALL MEN BY THESE PRESENTS:

That we, _____ of _____, as principal

And _____ of _____,
(Name of Surety Company) (Home Office Address)

as Surety, are held and firmly bound unto **THE COMMISSIONER OF AGRICULTURE OF THE STATE OF FLORIDA**, and his successors in office, for the use and benefit of every person establishing legal rights hereunder, in the full and just sum of _____ Dollars, (\$ _____), to the payment of which well and truly to be made, we hereby bind ourselves, our heirs, administrators, executors, successors and assigns, firmly by these presents.

Whereas by Section 581.083, Florida Statutes, a person who introduces in this State a nonnative plant, algae or blue-green algae including a genetically engineered plant, algae or blue-green algae in plantings greater than two contiguous acres for which a special permit is sought under Section 581.083(4), Florida Statutes, is required to give bond for each separate growing location in such form and amount as shall be approved by the Commissioner, conditioned upon a full compliance with the provisions of the said statutes as amended.

NOW THEREFORE, the condition of this obligation is such that if the above-named principal shall faithfully and truly account for and make payment for the costs and expenses incurred or to be incurred by the Department for removing and destroying the plants cultivated under the special permit issued pursuant to Section 581.083, Florida Statutes, then this obligation is to be void, otherwise to remain in full force and effect.

The aggregate accumulated liability under this bond shall in no event exceed the penal sum named herein, for any and all claims which may accrue during the term hereof.

The inception of this bond begins with _____, 20____ and this bond continues in effect until canceled or released by payment in full for costs and expenses incurred or to be incurred by the Department.

The surety may withdraw from this bond by giving 30 days written notice by certified mail to the Commissioner of Agriculture, provided such withdrawal shall not release any liability existing hereunder at the time of the effective date of said withdrawal.

Signed, sealed and dated this _____ day of _____, 20____.
(Insert actual date of execution)

In the presence of:

_____ (Seal)
_____ (Principal)

_____ By: _____
(Owner, Partner, or Corporate Officer)

_____ (Seal)
(Surety)

By: _____
(Attorney-In-Fact)

Insurance Agency: _____

Agent Name: _____

Address: _____

City: _____ State: ___ Zip _____

Telephone: _____

Attach copy of Power of Attorney for the person executing this bond for the surety.