

**REQUIREMENTS FOR AGREEMENTS AND SECURITIES
COUNTY OF RIVERSIDE
DEPARTMENT OF BUILDING AND SAFETY**

Successful processing of improvement agreements and securities by this department and County Counsel requires the submittal of specific information regarding the entity executing the documents. To expedite the processing of your submittal, ***please read the following information prior to the filling out of the attached security package.*** Return the Security Package Information Sheet; the agreements and security, as well as the appropriate supporting documentation at the time of initial submittal to this Department.

Business and Residential Addresses

Both the business and residential addresses for each signatory of the agreements shall be provided. This includes agreements executed by corporations, limited partnerships, partnerships and limited liability corporations, etc. Street addresses, not post office box numbers, are required; a separate sheet is provided with all security packages for this purpose. This information is recognized as being highly sensitive and will therefore be kept confidential.

General Information Regarding Agreements

All signatures on the agreements shall be notarized with a notary acknowledgment attached to each document. Residential/business name(s) and addresses shall be listed, as required, according to the name and address sheet. All agreements shall be submitted on County standard forms. Modifications to the agreements will not be allowed. Correction fluid changes will not be allowed. If corrections are necessary, new forms must be secured and re-executed. Should interlineations be necessary, it must be initialed by each of the signatories. If a separate signature page is necessary, that page must be clearly identified by including the type of improvement, Name of the principal and the legal description of the site.

Private Person

If the entity executing the agreement is a private person, the residential address for that party shall be included on the last page of the agreement under "Landowner". Each individual signature included shall be notarized, with the notary acknowledgment attached.

General Partnership

If the signatory or entity is a general partnership, a copy of the partnership agreement is required. Signatures included shall be of one or more partners, accompanied by documentation of his/her/their authority to bind the remaining partners (articles of co-partnership, partnership resolution etc.). All signatures are to be notarized with acknowledgment attached.

To obtain state filings, go to the California State Business Portal website: kepler.ss.ca.gov/list.html

Limited Partnership

If the signatory or entity is a limited partnership, a copy of the LP-1 (filed with the State) which designates the general partner(s), shall be provided. Agreements shall be signed by the general partner(s). Signatures must be notarized with acknowledgment attached and a copy of the articles of limited partnership shall accompany the agreement at the time of submittal. See: kepler.ss.ca.gov/list.html

Domestic Corporation

If the entity is a corporation, the signatures of two corporate officers (the president or vice president and secretary, CFO, or treasurer) are required. If signed by a single corporate officer, a corporate resolution, authorizing the single officer to bind the corporation, signed by the Board of Directors of the corporation is required. The corporate resolution must authorize the signatory to sign the agreements/security on behalf of the corporation. A statement of the officers of the corporation (without specific language authorizing them to sign on behalf of the corporation) is insufficient. Verification that the corporation is in good standing is also required. All signatures must be notarized with acknowledgment attached. See: kepler.ss.ca.gov/list.html

Foreign Corporation

If the entity executing the agreement is a foreign corporation (not incorporated with the State of California), a copy of the Statement of Foreign Corporation (filed with the State of California) shall be included. Agreements shall be executed as per the requirements for a domestic corporation above. See: kepler.ss.ca.gov/list.html

Limited Liability Company

If the entity is a limited liability company (LLC), a copy of the operating agreement for the limited liability company is required. A copy of the Statement of Information filed with the State, designating the managing member of the LLC is requested. The managing member of the LLC may sign on behalf of the LLC. If a managing member is not designated, the operating agreement must specify the party who can sign or how that party is authorized to bind the LLC during transactions. See: kepler.ss.ca.gov/list.html

Trust

If the signatory or entity is a trust, the trustee is required to sign the agreements and a copy of the trust document is required. Signature(s) shall be notarized with acknowledgment attached.

Signatory That Are A combination Legal Entity

If the signatory or entity, for example, is a limited liability company, with a managing member a limited partnership, whose general partner is a corporation, all documentation and information required above for each of the entities involved must be submitted for review by County Counsel.

General Information Regarding Securities

1. All signatures must be notarized, with acknowledgment attached.
2. Securities must be executed using the appropriate County Standard form, which will be provided by the Grading Division. Please do not re-type or amend forms. Modifications will not be allowed. If interlineation is necessary, it must be initialed by each of the signatories.
3. Security amounts of \$2,500 or less, require a cash deposit in the form of cash/check/money order or cashier's check.

Bonds

Bonds will only be accepted from sureties admitted to do business in the State of California. Bonds from Surplus lines or off-shore carriers will not be accepted. A power of attorney must be submitted with each bond authorizing the attorney-in-fact, to sign on behalf of the surety. The appropriate partnership agreement, corporate resolution or operating agreement authorizing signatures to sign and bind the entity shall accompany the submittal.

Letter of Credit

A letter of credit may be submitted using the County Standard form, or the form itself, without modification, may be retyped on the stationary of the financial institution. In either case, include the letter of credit document number, and the financial institution name, address and telephone number. The letter of credit must be signed by an officer of the financial institution, with notary acknowledgment attached.

Instrument of Credit

An instrument of credit may be submitted using the County Standard form, or the form itself, without modification, may be re-typed on the stationary of the financial institution. In either case, include the instrument of credit document number, and the financial institution name address and telephone number. The instrument of credit must be signed by an officer of the financial institution, with notary acknowledgment attached.

Certificate of Deposit

The actual certificate or passbook issued by the bank accompanied by County Encashment Instructions re-produced by the bank on bank letterhead, (may be photocopied) shall be submitted for review if the certificate of deposit security option is selected. The encashment letter shall be signed by a bank officer and shall reference the account number of the certificate of deposit. The certificate of deposit must be automatically renewable and payable only to the County of Riverside (or the State Department of Conservation for a reclamation security). The amount of the certificate of deposit shall not exceed \$100,000.00, as any excess amount will not be insured.