



Henrico County Department of Public Works

Information for Submitting Erosion and Sediment Agreements

Because of various legal requirements, all Erosion and Sediment Control Agreements and financial guarantee documents are reviewed by the County Attorney's Office for proper signatures and form. The acceptable forms of financial guarantee are (a) cash, (b) letter of credit, and (c) assignment of a bank certificate of deposit.

In order to help you submit documents, the County Attorney's Office has prepared the following information. Any documents that do not comply will be rejected.

1. **If there is a need to erase, cross out, or add any information to a preprinted form, the persons who sign the document must also initial each change.** To prevent fraud, the document may not be modified by anyone other than the persons signing it. **Changes must be on the original document** to ensure there are not multiple versions of the document.
2. If a **church is a contracting party**, all trustees for the church must sign. If the document requires notarization, all signatures must be notarized. The notary's acknowledgement should state that each person signing is "Trustee of _____."
3. There must be at least **one document with original signatures** and, on forms which require notary signatures, original notary signatures.
4. The **name of the applicant** on the first sheet of the Erosion and Sediment Control Agreement must match the applicant's name on the signature page. For example, if the applicant listed on the first page is an individual, the individual, not a company office, must sign on the signature page.
5. The **applicant** listed in the Letter of Credit or Assignment must be the same as the applicant in the Erosion Control Agreement.
6. The **date** of the Erosion and Sediment Control Agreement listed in the Letter of Credit must match the date of the Erosion and Sediment Control Agreement.
7. If a **corporation** is the contracting party, an officer authorized to sign for the corporation must sign as officer of the corporation and the signature should be notarized as such, e.g., "XYS Corporation, by John Smith, President." If a **partnership** is the contracting party, a partner or officer of the partnership authorized to sign must sign for the partnership and have the signature notarized as such.
8. **Letters of Credit** may be issued on out-of-area banks but must provide a draw address at a bank in the City of Richmond, Chesterfield County, or Henrico County, Virginia.
9. When submitting an **assignment of a bank certificate of deposit** as the financial guarantee, be sure to include a legal description of the property as Exhibit "A" and a copy of the certificate as exhibit "B".

For additional information, please call Ms. Debra Brocco at (804) 501-5488 or visit the Public Works website at www.henrico.us/works/ and refer to the tabs labeled "Environmental" and "DPW Forms"

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