



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Upon motion of Supervisor Alejo, seconded by Supervisor Salinas and carried by those members present, the Board of Supervisors hereby:

- a. Approved and authorized the Chair to sign an Indemnification Agreement with UCP East Garrison, LLC related to erosion, flooding, stormwater runoff, grading, or discharge as a result of construction of East Garrison as required by Condition of Approval #235 of Combined Development Permit PLN030204; and
- b. Authorized the Clerk of the Board to record the executed Agreement.

PASSED AND ADOPTED this 12th day of December 2017, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams
NOES: None
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting December 12, 2017

Dated: December 12, 2017
File ID: A 17-465

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By *Danise Hancock*
Deputy

2018002994

Stephen L. Vagnini
Monterey County Clerk-Recorder

RECORDING REQUESTED BY)
AND WHEN RECORDED RETURN TO:)
Monterey County Resource Management)
Agency)
Land Use & Community Development Div'n)
Special Programs Section)
1441 Schilling Place South, 2nd Floor)
Salinas, CA 93901)
Attention: G.H. Nichols PE)
)

01/24/2018 03:59 PM
Recorded at the request of:
MONTEREY COUNTY RESOURECE MA
Titles: 1 Pages: 148
Fees: \$0.00
Taxes: \$0.00
AMT PAID: \$0.00



Space above this line for Recorder's use
No fee document pursuant to Government
Code Section 27383

INDEMNIFICATION AGREEMENT

[File No. PLN030204; Condition of Approval No. 235]

THIS AGREEMENT is made and entered into by and between UCP EAST GARRISON, LLC, a Delaware limited liability company, hereinafter call "Owner", and the COUNTY OF MONTEREY, a political subdivision of the State of California, hereinafter called "County",

WHEREAS, Owner is the record owner of the real property described in Exhibit A attached hereto and made a part hereof, hereinafter referred to as the subject property; and

WHEREAS, the subject property is located within the boundaries of the East Garrison Specific Plan of Monterey County; and

WHEREAS, pursuant to the Plan and other applicable regulations of Monterey County and the State of California, Owner applied to Monterey County for a Combined Development Permit for the development of the subject property; and

WHEREAS, the Combined Development Permit No. PLN030204 was granted on October 4, 2005 by the Monterey County Board of Supervisors pursuant to the Findings contained in Resolution No. 05-267 attached hereto as Exhibit B (126 p) and hereby incorporated by reference ("Project"); and

WHEREAS, Permit No. PLN030204 was subject to certain conditions including but not limited to Condition of Approval No. 235 which states, in part, the following:

"The applicant agrees as a condition and in consideration of the approval of this discretionary development permit that it will defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees in connection with any