

COUNTY OF MARIN

PERMIT TO ENTER AND CONSTRUCT

Permission is hereby granted to **Las Gallinas Valley Sanitary District, its agents or contractors, (LGVSD)** to enter upon the lands of the **County of Marin, (County)** at Jeannette Prandi County Offices commonly known as Assessor Parcel Number 164-640-01, for demolition, removal, construction and installation of sewer improvements.

This permission is granted by the **County of Marin, a political subdivision of the State of California** subject to the following conditions:

1. LGVSD may only enter upon that portion of the property required for construction of the proposed project as shown on the plans entitled "Miller Creek Sewer Relocation, Sewer Main Rehabilitation 2011" on file with the County in the Capital Improvements Division and Real Estate Division and by reference made a part hereof.
2. During construction of the proposed project LGVSD, its agents and contractors shall not interfere with County's use and operation of its property.
3. At least seven (7) days prior to commencement of construction LGVSD shall provide written notice to County indicating the date that construction will commence. Notices shall be given in writing at the following addresses:

Marin County Department Public Works
Capital Improvements
P.O. Box 4186
San Rafael, CA 94903
Attn: Eric Steger

Las Gallinas Valley Sanitary District
300 Smith Ranch Road
San Rafael, CA 94903
Attn: Mark Williams, General Manager

4. The approval of this permit does not constitute a grant of any real property rights. Conveyance of real property rights will occur upon completion of construction. LGVSD will quitclaim existing rights for the existing sewer lines to be abandoned and County will grant an easement for the new sewer line. Both documents will be executed by the duly authorized officers and include specific descriptions of the rights to be conveyed.
5. It is understood and agreed by the parties hereto that upon completion of construction and at no expense to County, LGVSD shall restore the property to the state that existed prior to commencement of construction. It is further understood and agreed by the parties hereto that the County shall retain the right to inspect and approve the restoration work upon completion or require additional restoration to the reasonable satisfaction of County.
6. It is understood and agreed by the parties hereto that upon completion of construction of the project that the constructed improvements will be operated and

maintained by LGVSD under the easement rights to be conveyed per section 4 herein above.

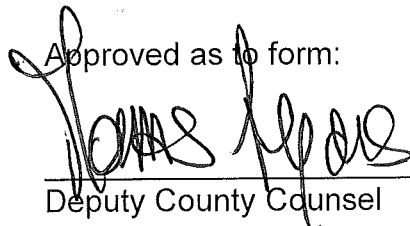
7. LGVSD agrees to indemnify and defend the County, its authorized agents, contractors, and employees against all claims, which may result from the conveyance of this permit, by LGVSD or any third party, excepting claims caused by the sole negligence or intentional acts or omissions of the County.
8. LGVSD agrees to maintain Commercial General Liability insurance in an amount not less than \$2,000,000 per occurrence with a \$4,000,000 aggregate and to name the "County of Marin" as additional insured. LGVSD also agrees to provide proof of commercial auto coverage and workers' compensation.
LGVSD further agrees that any contractor or subcontractor used in this project will maintain the same insurance coverages and name the County as an additional insured on their GL policy. Prior to commencement of construction LGVSD shall provide the County with copies of evidence of insurance from its contractor's insurance carriers.
9. The Real Estate Division of the Marin County Department of Public Works will forward to LGVSD an executed copy of this permit upon approval by the Marin County Board of Supervisors.
10. This permit is to be specifically limited to the purposes stated and described herein and strictly construed and no work other than that specifically provided for herein is authorized without the express written consent of the County.
11. This permit is valid from the date the County approves the permit through December 31, 2012, or upon completion of said project by LGVSD, whichever is sooner.

COUNTY OF MARIN

Susan L. Adams, President
Board of Supervisors

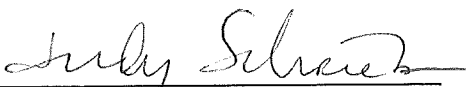
Attest: _____
Deputy Clerk

Dated: _____

Approved as to form:


Deputy County Counsel

LAS GALLINAS VALLEY SANITARY DISTRICT



Judy Schriebman, President
Board of Directors

Dated: 11-30-11