

When Recorded Return to:  
 Hurricane City  
 147 N. 870 West  
 Hurricane, UT 84737

Release Page 1 of 1  
 Russell Shirts Washington County Recorder  
 05/14/2020 04:41:48 PM Fee \$ 0.00  
 By HURRICANE CITY



Parcel ID#: H-TAR-1-1 thru 104

Legal Description: Tava Resort at Sand Hollow I Lots 1-104

**Acknowledgement, Waiver and Release**

In consideration of the agreement by the City of Hurricane to issue the undersigned property owner a building permit for the construction of a home, structure or other improvement upon the real property described below, the undersigned acknowledges, covenants and agrees as follows:

1. I am aware that subsurface water, high groundwater, unstable soil conditions, or other geological hazards have been found to exist in areas of the City of Hurricane, which may include the property described below.
2. I acknowledge that I have obtained or have been advised by the City of Hurricane to obtain from a competent engineer a geotechnical report which analyzes subsurface water, groundwater and soil conditions on my property described below.
3. I acknowledge that it is my responsibility to cause the construction of my structure to be completed in strict compliance with the recommendations of any such geotechnical report, and I understand and agree that the inspections performed by the City of Hurricane will not include inspection for compliance with said geotechnical report.
4. I understand and assume all risk and responsibility for any damages to, diminution in value of, or payment of all costs and expenses for maintenance, repair or replacement of any home, structure or other improvement constructed on the property.
5. In view of the foregoing, I agree on behalf of myself, my heirs, successors and assigns to waive any and all claims as against the City of Hurricane, and, further, do hereby release said City from any and all liability for damages to, diminution in value of, and payment of all costs and expenses for maintenance, repair or replacement of any home, structure or improvement which is in any way attributable to subsurface water, groundwater, unstable soil conditions and/or any other geological hazards upon or under the property described below, or by reason of my own or my agent's or contractor's violation of any applicable laws, ordinances, or city standards.

The covenants and agreements herein made shall run with the land and shall be binding upon the heirs, successors, and assigns of the undersigned.

**THE REAL PROPERTY AFFECTED BY THIS AGREEMENT IS DESCRIBED AS:**

Address: \_\_\_\_\_

Subdivision: Tava Resort

Phase: 1 Lot: 1-104

DATE: 12-17-19

Roger Ball

Property Owner Signature

Roger Ball

Please Print

Property Owner Signature

Please Print

(Owner Notary)

STATE OF UTAH )

: ss.

COUNTY OF WASHINGTON)

On the 6 day of January, 2020, personally appeared before me Roger Ball, the signer(s) of the foregoing instrument, who did say that he/she/they is/are the owner(s) of the above-described property and that he/she/they has/have signed the foregoing instrument for the reasons stated therein.

A. K.

Notary Public

