



**SANTA CLARA CITY**  
2127 Santa Clara Dr.  
Santa Clara, UT 84765  
(435) 673-6712 Fax: (435) 628-7338

## RELEASE OF LIABILITY

In consideration of the agreement of the City of Santa Clara to issue the undersigned property owner a Building Permit for the construction of a structure upon the real property described below, the undersigned agrees as follows:

1. I am aware that groundwater and unstable soil conditions have been found to exist in certain areas of the City of Santa Clara.
2. I acknowledge that for my own protection, I have obtained, from a competent soils engineer, a soils and groundwater test analysis of my property described below. I acknowledge it is my responsibility to cause the construction of my house to be in strict compliance with the recommendations of the soils test analysis, and I acknowledge that the inspections performed by the City of Santa Clara will not include compliance with said soils test.
3. If a soils test indicates conditions with recommended corrective action, and I choose not to receive nor follow such recommendation, I hereby release the City of Santa Clara from any and all responsibility and/or liability for any and all damages, or consequences that may arise therefrom.
4. I hereby release the City of Santa Clara from any and all liability for damages which I or my successors in interest might suffer by reason of unstable soil conditions upon or under the property described below, and waive any and all claims against the City of Santa Clara by reason thereof.

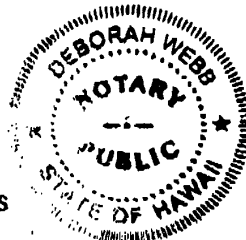
The covenants and agreements herein made shall run with the land and shall be binding upon the heirs, successors and assigns of the undersigned.

THE REAL PROPERTY AFFECTED BY THIS AGREEMENT IS DESCRIBED AS:

Lava Cove Lot #41  
at Entrada

DATE: 10/18/05

sw RF  
Hawaii  
STATE OF UTAH )  
Honolulu : SS  
COUNTY OF WASHINGTON )



PROPERTY OWNER Craig E. Paxman

PROPERTY OWNER \_\_\_\_\_

On this 18th day of October, 2005, personally appeared before me Craig E. Paxman and \_\_\_\_\_, the signer(s) of the above instrument, who duly acknowledged to me that he/she/they executed the same.

Deborah Webb  
Notary Public  
**Deborah Webb**  
Residing at:  
Kahuku, Hawaii  
My Commission Expires: 12-7-2007