



SANTA

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:

~~2655 PIONEER PKY. SANTA CLARA UT.~~
~~LAVA FALLS SERVICE BUILDING - Lava falls at Entrada~~

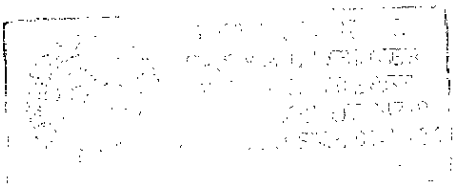
DATE: 12/20/05

Lava Falls Investments, LLC
PROPERTY OWNER

By: Mark Jackson - manager
PROPERTY OWNER

STATE OF UTAH)
 :SS
COUNTY OF WASHINGTON)

On this 28th day of December, 2005 personally appeared before me Hank Isakson and _____, the signers of the above instrument, who duly acknowledged to me that he/she/they executed the same.



Carmel L. Werner
Notary Public

St. George UT
Residing at:

1-11-06
My Commission Expires: