



MASS GRADING – HOLD HARMLESS LETTER
CITY OF NOVI
Community Development Department
(248) 347-0415

TO: The City of Novi

RE: PROJECT: _____

PROJECT ADDRESS: _____

Please be advised that the undersigned has requested a permit from the City for the limited purpose of commencing mass grading of the Project site prior to final stamping set approval, in a manner consistent with the approved final site plan. The undersigned represents, however, that it will continue to seek final stamping set approval and all necessary approvals in respect to the named Project, and within ___ days of the date of this permit, will submit all necessary documents, information, and applications needed to secure final stamping set approval.

The undersigned acknowledges and affirms that the City has agreed to permit mass grading, subject to the following conditions:

In General.

The undersigned agrees to, and hereby does, release, indemnify, and hold harmless the City from any and all claims, demands, causes of action, or damages of any kind or nature against the City, its consultants, employees, agents, representatives, or designees, brought by the undersigned or others, arising by reason of, or in any way associated with, the City’s permission to commence mass grading of the site prior to stamping set approval. This includes, without limitation, claims, demands, costs, or judgments against the City, its employees, consultants, agents, representatives, or designees, whether such liability, loss, or damage is due or claimed to be due to the negligence of the undersigned, its subcontractors, the City of Novi, its consultants, officers, agents, and employees.

In Respect to Mass Grading

The undersigned also agrees to, and hereby does, release, indemnify, and hold harmless the City, its employees, consultants, agents, representatives, or designees and accepts all risks of loss associated with respect to the improvements themselves, as a result of commencing mass grading prior to final stamping set approval. And, further, that in the event of its failure to obtain final stamping set approval, or to satisfy any other applicable law, code, ordinance, or other requirement with respect to the subject project, the undersigned agrees, acknowledges, and affirms that the City retains the authority, at its sole option, to require the undersigned to discontinue the construction and/or use and to require the undersigned to vacate the Project premises, or to issue stop work orders, or to take other appropriate action, including but not limited to prohibiting occupancy with respect to the Project. The undersigned also accepts all risks of loss with respect to commencement of the mass grading before final stamping set approval, including, but not limited to, the risk that final stamping set approval may not be obtained and the project not completed if all requirements are not satisfied,

and the risk of any other loss or damage that may result from Permittee's failure or inability to obtain final stamping set approval or to satisfy all other requirements for occupancy, whether such risks are known or unknown at the time of executing this letter

The undersigned acknowledges that the City is under no obligation, in law or equity, to permit the activity contemplated hereunder. Permission is based upon the unique circumstances of this application and shall have no bearing or effect on the City's rights or authority with respect to any other requests by the undersigned or any other property owner within the City. The undersigned acknowledges that the issuance of this limited permit does not guarantee final stamping set approval.

The undersigned agrees, as owner of the above-described Property, that this document may be recorded, and that the representations and obligations herein are binding upon its successors and assigns.

SIGNATURE: _____
Print Signature Name

TITLE: _____ COMPANY: _____

WITNESS: _____
Signature Print Signature Name

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

Subscribed and sworn to before me this _____ day of _____, 200_ by
_____ of _____, a Michigan _____, on
behalf of said _____.

Notary Public
_____ County, Michigan

My Commission Expires: _____