

FORM

DS-268

October 2022

Agreement to Hold the City Harmless

Approval Number: _____ Project Number: _____ I am the owner of

(Legal Description) (Owner).

I have reviewed the proposed improvements and/or grading as shown on City of San Diego Drawing No. _____ and do hereby grant permission for the City of San Diego to permit the construction of drainage/improvements that will discharge drainage onto my property as shown and described thereon (Describe grading/improvements/drainage to be permitted): _____

Furthermore, owner agrees with the City of San Diego as follows:

- a. I agree to indemnify and save the City, its agents and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the City employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations, or are caused or claimed to be caused by the negligent acts of Owner, or Owner's agents or employees, and all expenses of investigating and defending against same provided, however, that this indemnification and hold harmless shall not include any claim arising from the sole negligence or willful misconduct of the City, its agents or its employees.
- b. This agreement shall run with the land and the drainage or grading/improvements permitted shall be installed and maintained or replaced in a safe and sanitary condition at the sole cost, risk and responsibility of the owners and successors in interest.

(Owner Signature) _____ (Print Name and Title)_____
(Company/Organization Name) _____ (Date)

The City of San Diego Approved: _____ (Deputy City Engineer Signature)

(Print Name) _____ (Date)Note: All signatures must include notary acknowledgments per [Civil Code, Section 1180 Et. Seq.](#)

Reference Table

- [Civil Code, Section 1180](#)

Visit sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities.

DS-268 (10-22)