

RECORDING REQUESTED BY:

**City of San Diego**

AND WHEN RECORDED MAIL TO:  
**THE CITY OF SAN DIEGO**  
**DEVELOPMENT SERVICES**  
Land Development Review Division  
1222 First Avenue, M.S. 502  
San Diego, CA 92101-4155

(THIS SPACE FOR RECORDER'S USE ONLY)

## Subterranean Facility Abandonment Agreement

W.O. \_\_\_\_\_

COORD. # \_\_\_\_\_

The undersigned, the owner of \_\_\_\_\_  
(Legal Description)  
in the City of San Diego, County of San Diego, State of California, in consideration of the grant of permission by the City of San Diego to abandon the improvements \_\_\_\_\_  
\_\_\_\_\_ for the use and benefit to the owner's property, over, under and across the property located at \_\_\_\_\_ covenants, and agrees with the City of San Diego as follows:

- (a) This agreement shall run with the land until such time that the facility is removed or filled with grout or sand to the satisfaction of the City Engineer or the City Manager's Representative.
- (b) \_\_\_\_\_ (Property Owner) agrees to defend, indemnify, protect and hold the CITY, its agents, officers, and employees harmless from and against any and all claims asserted or liability established for damages, injuries, claims or losses to any person or property including injury to property owners employees, invitee, guests, agents, officers, or uninvited visitors which arise out of or are in any manner directly or indirectly connected with this property, including any and all injuries (including personal injury, disability, dismemberment or death), illness loses, loss of or damage to property, damages, claims liabilities or expenses of any kind or nature and all expenses of investigating and defending against same, provided, however; that the property owner's duty to indemnify and hold harmless shall not include any claims or liability arising from the established active negligence, sole negligence or sole willful misconduct of the CITY, its agents, officers, or employees.
- (c) The current property owner and successors in interest must inform any subsequent owner(s) that there is a subterranean void within the limits of the property, so long as this agreement is in effect.
- (d) The owner must fill the void or remove the subterranean facility prior to placing foundations, structures, or other vulnerable improvements over or within the influence of the subterranean facility. The remediation shall be approved by the Building Official.

### SEE ATTACHED EXHIBITS

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name & Title)

\_\_\_\_\_

See Dwg. Nos: \_\_\_\_\_

**For City Engineer  
APPROVED:**

By: \_\_\_\_\_  
Deputy

*NOTE: NOTARY ACKNOWLEDGES (FOR ALL SIGNATURES) MUST BE ATTACHED, PER CIVIL CODE SEC. 1180 ET. SEQ.*

To request this information in formats for person(s) with disability, call (619)446-5446 or (800)735-2929 (TT)  
DS - 201 (02-01)