

Roads *Permits & Agmts*
Cost Drawing - Steeling
Sunnyvale City

December 5, 1955

Re: Agreement For Delmas Avenue

Mr. M. S. Hetzel
Asst. to Director of Public Works
City Hall
Sunnyvale, California

Dear Sir:

Enclosed please find certified duplicate copy
of subject agreement.

Very truly yours,

BOARD OF SUPERVISORS

By _____
Clerk of the Board

cc: County Engineer

City of Sunnyvale

November 23, 1955

CITY HALL
Sunnyvale
California
REgent 9-0531

27

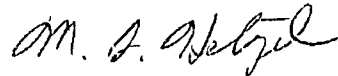
County Counsel
County of Santa Clara
1st and Rosa
San Jose, California

Gentlemen:

Enclosed are two copies of the proposed agreement between the City of Sunnyvale and the County of Santa Clara for the cooperative construction and maintenance of road systems adjoining the City of Sunnyvale.

A resolution was adopted on November 15, 1955 by the City Council of the City of Sunnyvale authorizing the Mayor to execute this agreement. We request that this agreement be placed before the County Board of Supervisors at the earliest possible date. After the agreement has been executed by the Chairman of the Board of Supervisors we would appreciate receiving a copy of this agreement at your earliest convenience.

Yours very truly



M. S. Hetzel

Assistant to Director of Public Works

MSH:cp

DATE NOV 5 - 1955

APPROVED *D. B.*

RECEIVED

NOV 28 1955

COUNTY COUNSEL

A G R E E M E N T

The following is an Agreement between the County of Santa Clara, hereinafter referred to as "County", and the City of Sunnyvale, hereinafter referred to as "City":

WHEREAS, City has requested County assistance on the construction and maintenance of certain streets which are part of the road system of City; and

WHEREAS, pursuant to the Streets and Highways Code of the State of California, County has determined that it would be in the County's interest to assist City in portions of its work; and

WHEREAS, the parties hereto wish to reduce their Agreement in this matter to writing;

NOW, THEREFORE, the parties agree as follows:

1. Materials and Equipment Supplied by County.

County agrees to make available to City 2,030 tons, more or less, of rock base from its Saratoga Quarry. County further agrees to make available to City necessary trucks and drivers to deliver such rock base to the point or points designated by City and to remove from streets in the City road system waste rock in the amount of 3,470 yards, more or less. Such waste rock shall be taken to a disposal site provided by City or to such other more convenient points as County may determine.

County agrees to make the materials, equipment and drivers available as soon as practicable after receipt from City of a request to do so.

2. Construction and Maintenance.

City agrees to handle all the engineering and other necessary details for the construction and maintenance of any streets on which are used the materials and equipment provided for in this Agreement. Nothing by this Agreement shall be construed as imposing upon County the duty of maintaining or accepting any streets or roadways which are improved under the terms of this Agreement.

3. Hold Harmless.

City agrees to hold County free and harmless from any damage, claim of damage or liability which may arise by reason of this Agreement or by reason of accidents or injuries arising through the use of County equipment and materials, or arising on any roadway or street to which such materials or equipment are devoted.

IN WITNESS WHEREOF, the parties have executed this Agreement, this 5th day of December, 1955.

COUNTY OF SANTA CLARA

By Walter Gospar
Chairman of the Board of Supervisors
of the County of Santa Clara, State
of California

"County"

CITY OF SUNNYVALE

By Ernest A. Stout
Mayor

By Ida Trubschenck
City Clerk

"City"