

A.P.N.: 701-16-02, 08 & 701-17-18

LANDSCAPE AND MAINTENANCE AGREEMENT BETWEEN

A-M COMPANY

AND THE COUNTY OF SANTA CLARA

REC-FEE	NA
RMF	
MICRO	
LIEN	
SMPP	
PCOB	

S.C.G.
 JAN 5 9 53 AM '87
 OFFICIAL RECORDS
 SANTA CLARA COUNTY
 LAURIE KANE
 RECORDER

FILED FOR RECORD
AT REQUEST OF

This is an agreement between A-M Company
 hereinafter called Developer and the COUNTY OF SANTA CLARA,
 hereinafter called "COUNTY".

WHEREAS, the COUNTY is the owner of the real property shown shaded
 on the map attached hereto as Exhibit "A"; and

WHEREAS, Developer desires to landscape and maintain the shaded
 area at its own expense; and

WHEREAS, the Board of Supervisors of the County of Santa Clara finds and
 determines that it is in the best public interest to grant the request
 of Developer;

NOW, THEREFORE, it is mutually agreed as follows:

1. COUNTY hereby grants permission to Developer to landscape
 and maintain the shaded area on the attached Exhibit "A".

1 ORIGINAL

DEC 2 1986

cc: This orig. & conformed copy sent to TA-D.Gullion for recordation & return of original.
 Also, one originally signed copy for Contractor sent to TA for further processing. 12/23/86 jw.
 This orig. (recorded) returned 2/24/87.
 9097443

2. Developer shall assume the defense and agree to save harmless and indemnify COUNTY, its officers and employees from any liability for injury, death, loss, accident or damage to any persons or property arising out of the use of said shaded area for landscaping purposes.

3. Developer hereby agrees at its own expense to landscape and maintain the shaded area, that said landscaping shall be kept trim and shall not interfere with sight clearance for traffic on adjacent roadways, and that said landscaping shall not, in the judgement of the Road Commissioner, become a public eyesore.

4. COUNTY reserves the right to rescind the permission granted herein upon the giving of a sixty (60) day written notice to Developer.

5. Any notices required to be sent under the terms of this agreement shall be addressed as follows:

To COUNTY: Property Division
County of Santa Clara
Transportation Agency
1570 Old Oakland Rd., Ste. 203
San Jose, CA 95131

To: Developer : A-M Company
16795 Lark Avenue Suite 101
Los Gatos, CA 95030

Page 3 - Landscape Agreement, A.P.N.: 701-16-02, 08 & 701-17-18

Kenneth L. R. O.

By: _____

Title: President

THIS SPACE FOR NOTARY FORM

Executed this date: DEC 02 1986

COUNTY OF SANTA CLARA

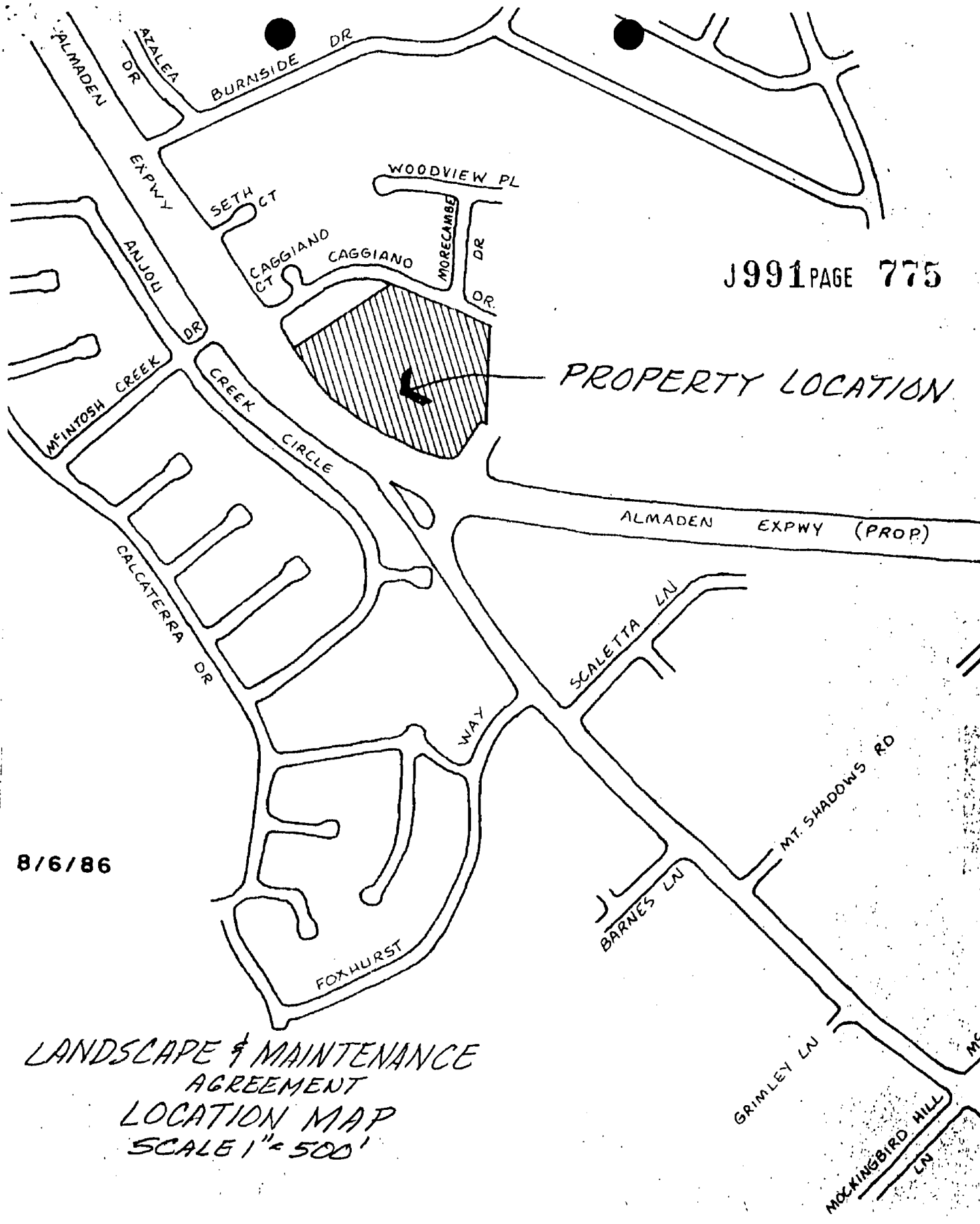
By Susanne Wilson
Chairperson, Board of Supervisors
Susanne Wilson

ATTEST: DONALD M. RAINS, Clerk
Board of Supervisors
Donald M. Rains

APPROVED AS TO FORM AND LEGALITY:

Herbert L. Henderson
Deputy County Counsel

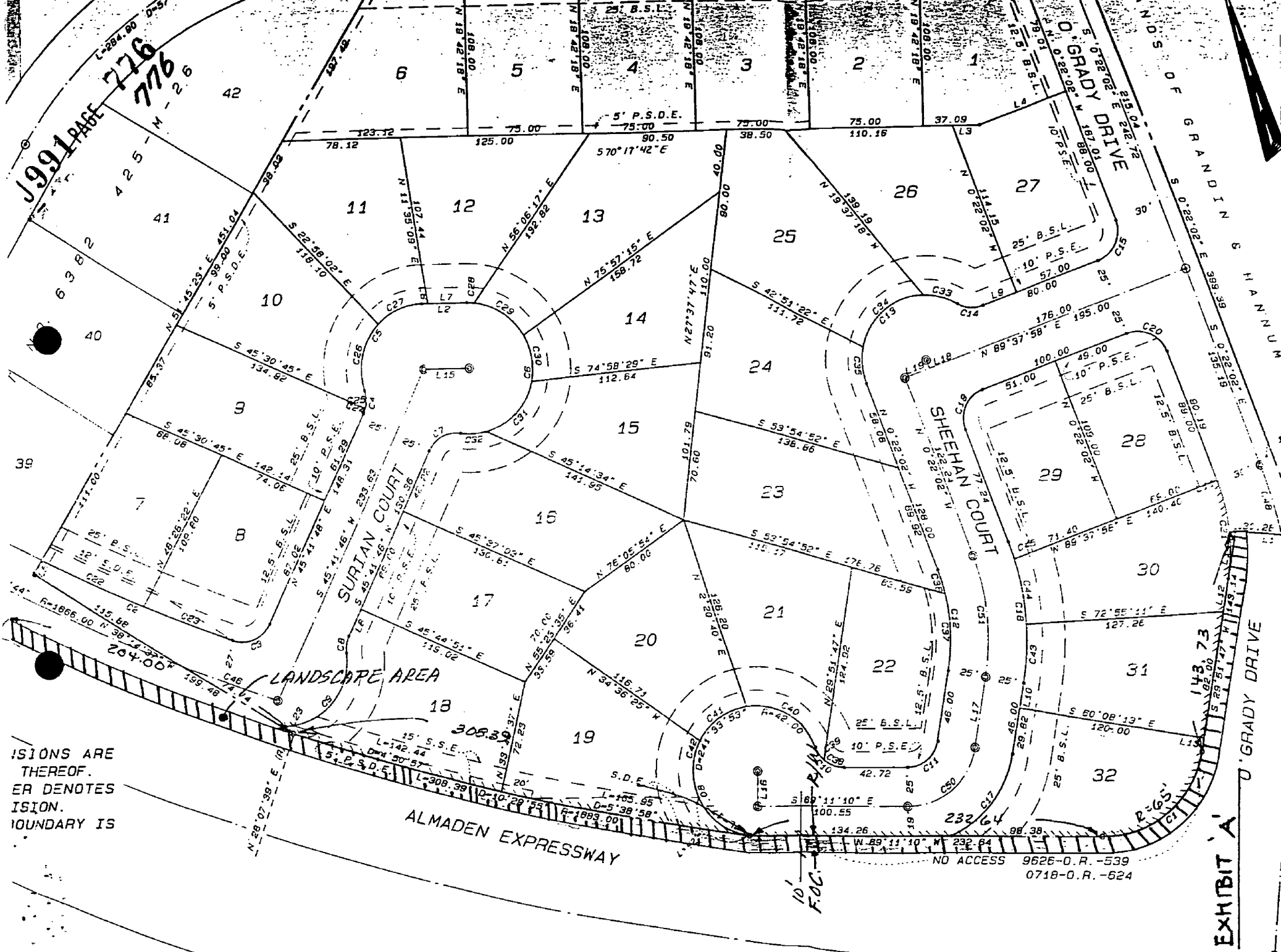
WPYGO1
0194w



PROPERTY LOCATION

8/6/86

LANDSCAPE & MAINTENANCE
AGREEMENT
LOCATION MAP
SCALE 1" = 500'



J991 AVE 776
776
425
M-2.6

VISIONS ARE
THEREOF.
ER DENOTES
VISION.
BOUNDARY IS

ALMADEN EXPRESSWAY

LANDSCAPE AREA

SURIAN COURT

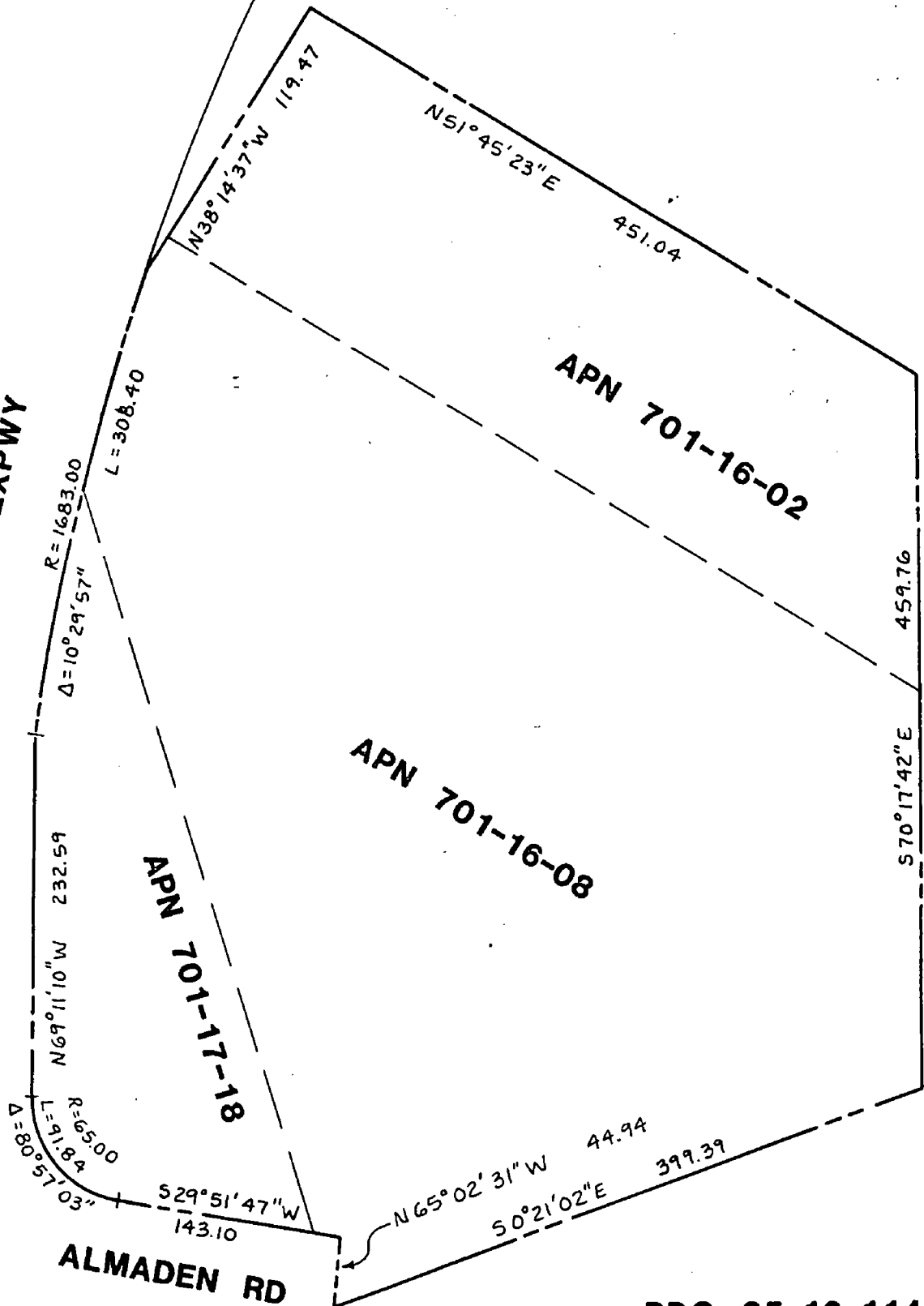
SHEEHAN COURT

EXHIBIT 'A'
O'GRADY DRIVE

NO ACCESS 9626-O.R.-539
0718-O.R.-624

ALMADEN EXPWY

CAGGIANO DR



NORTH ↗

PDC 85-12-114

LANDS OF SURIAN
 SAN JOSE CALIFORNIA

DATE 6-2-86
 SCALE 1" = 100'
 DRAWN BY M.L.D.
 CHECKED BY
 JOB # 1368

Charles W. Davidson Co.
 CONSULTING CIVIL ENGINEERS
 SAN JOSE CALIFORNIA

ATTACHMENT TO EXHIBIT "A"

_____, R.C.E. NO. _____

California

TRANSMITTAL MEMORANDUM

Prepared by D. Logan

Page 1 of 2

S.D. 2

Reviewed by S. Bruce

Submitted by J. Reading

DATE: October 31, 1986

APPROVED: DIRECTOR

TRANSIT DISTRICT BOARD: Agenda Date _____ Item No. _____

COUNTY BOARD OF SUPERVISORS: Agenda Date December 2, 1986 Item No. _____

TRANSPORTATION COMMISSION: Agenda Date _____ Item No. _____

FROM: *ef* FIGONE, PROPERTY, TRANSPORTATION DEVELOPMENT

SUBJECT: LANDSCAPE AGREEMENT WITH A-M COMPANY ON ALMADEN EXPRESSWAY

RECOMMENDED ACTION:

Authorize the chairperson to execute the agreement between A-M Company and the County of Santa Clara for the installation and maintenance of landscape improvements on Almaden Expressway and Old Almaden Road.

FISCAL IMPLICATIONS:

No expenditure of County funds is involved.

REASONS FOR RECOMMENDATION/BACKGROUND:

On a typical section of County expressway where access is restricted, the County is responsible for the installation of landscaping and maintenance of the landscaped areas. In some cases private companies located adjacent to these areas are allowed to landscape and maintain them with the approval of the County.

This landscape agreement, which is on the County's standard form, permits A-M Company to landscape and maintain the area shown on the Exhibit "A" attached to the agreement. A-M Company will assume liability for injury, death, loss, accident or damage to any persons or property arising out of the use of this area for landscaping purposes.

DATE: October 31, 1986

TRANSIT DISTRICT BOARD AGENDA DATE:

COUNTY BOARD OF SUPERVISORS AGENDA DATE: December 2, 1986

TRANSPORTATION COMMISSION AGENDA DATE:

SUBJECT: LANDSCAPE AGREEMENT WITH A-M COMPANY ON ALMADEN EXPRESSWAY

REASONS FOR RECOMMENDATION/BACKGROUND: (con't)

The County reserves the right to rescind this agreement after giving a sixty day written notice to A-M Company.

CONSEQUENCES OF NEGATIVE ACTION:

The County would continue responsibility for maintenance of this area.

STEPS FOLLOWING APPROVAL:

The original fully-executed agreement will be returned to the Property Division of the Transportation Agency. The agreement will then be forwarded to the County Recorder's Office for recordation and subsequently returned to the Clerk of the Board.

EAF:DL:kr

cc: S. Bruce, Trans. Dev.
R. Van Etten, Trans. Dev.

WPLD13

