

December 16, 2020

To: Bear Valley Unified School District Governing Board  
Referred as District

Fr: BVUSD Education Foundation

Re: Request to Authorize BVUSD Ed. Foundation to Grade along  
The Property Line on District Property

The BVUSD Education Foundation request authorization from the District's Governing Board for the construction of transitional grading along the north edge of the District's property located between the old football field area and the BVUSD Education Foundation's property line.

BVUSD Education Foundation will provide the District with two Certificates of Insurance forms, one from the BVUSD Education Foundation and the other from the contractor that will perform the transitional grading, naming Bear Valley Unified School District as Additional Insured.

If during the transitional grading on Bear Valley Unified School District's property, the fence surrounding the District's property must be removed, the fence shall be replaced as soon as the transitional grading is completed.

BVUSD Education Foundation agrees to indemnify and protect, defend and hold the District and its agents, officers, directors, and employees harmless from and against all liabilities, losses, costs, damages and expenses (including court costs and attorneys' fees) awarded in connection with claims, actions, suits and demands for personal injury and property damage, caused by the transitional grading, to the extent caused by gross negligence, known and unknown, by the District.

Now, Therefore, the parties agree with the above stated requirements. The Governing Board of the District authorizes BVUSD Education Foundation to construct a transitional grade along the north edge of the District's property located between the old football field area and the BVUSD Education Foundation's property line.

The District

BVUSD Education Foundation

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Superintendent of Schools

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Board President