

REQUEST FOR TIME EXTENSION AND
WAIVER AND RELEASE OF CLAIMS RELATING TO
CALIFORNIA ENVIRONMENTAL QUALITY ACT

The undersigned is the applicant (the "Applicant") for Conditional Use Permit No. 836 and Demolition Permit No. 68 (the "Entitlements") and has requested a ninety (90) day extension of time for the City of Redlands' preparation and completion of the environmental documents for the Entitlements pursuant to Public Resources Code section 21151.5, and the City hereby consents to that ninety (90) day extension. The Applicant is aware of, and has read the provisions of, Public Resources Code Section 21151.5 and Section 15107 of Title 14 of the California Code of Regulations and, by executing this Waiver and Release of Claims expressly waives any and all rights the Applicant may have to enforcement of those provisions against the City with regard to the Entitlements.

The Applicant also expressly waives any rights it may have pursuant to Civil Code Section 1542 which reads:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE
CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST AT THE TIME OF
EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE
MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR.

The Applicant agrees that it shall defend, indemnify and hold harmless the City and its elected officials, officers and employees from and against any and all claims, losses, damages, causes of action and liability that the City may incur as a result of the City's grant of this time extension, and the City's reliance upon this Waiver and Release of Claims from the Applicant.

In the event any action is commenced by the City to enforce or interpret any of the provisions of this Request for Time Extension and Waiver and Release of Claims Relating to the California Environmental Quality Act, the City shall be entitled to recover, in addition to its costs and other relief, its reasonable attorneys' fees, including in-house counsel fees at rates prevailing in San Bernardino County, California.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates shown below.

CITY OF REDLANDS

By: 
Jon Harrison, Mayor
City of Redlands

Date April 4, 2006

ATTEST:


Lorrie Poyzer, City Clerk

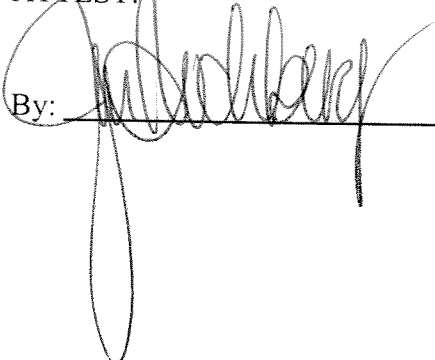
Date April 4, 2006

BULLDOG COMMONS LLC

By: 

Date 3/14/06

ATTEST:

By: 

Date 3/14/2006

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

San Bernardino

} ss.

On March 14, 2006, before me,

Date

Jen Heichberger, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

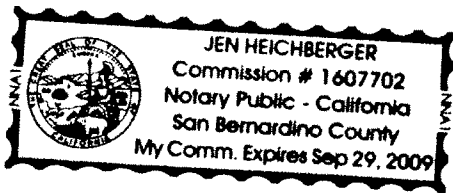
personally appeared

Richard A. Feenstra

Name(s) of Signer(s)

☐ personally known to me

☒ proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here