

10. FLOODPLAIN INDEMNIFICATION

FLOOD PLAIN INDEMNIFICATION – For Plats

STATE OF GEORGIA

CITY OF BROOKHAVEN

For good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged,

(herein after referred to as "Owner") does hereby agree to indemnify and hold harmless the CITY OF BROOKHAVEN (herein after "Brookhaven") from any and all liability, claims, demands or courses of action, whatever nature arising out of or related in any manner to the construction activities to be conducted by Owner pursuant to the plat on file in the of City Brookhaven Community Development Department in or around the designated flood plain area located upon Owner's property for _____

(herein after referred to as "Property"), including but not limited to claims on the part of any person or entity for damages or injury as a result of increase of flow of surface or flood waters, diversion of surface or flood waters, impeding of flow of waters within the flood plain, siltation, or any other event resulting from either said construction activities or Owner's failure to properly maintain drainage structures and facilities in the future.

Owner further covenants and agrees to perform such construction within the flood plain in strict compliance with the plans and specifications approved by the City of Brookhaven as the basis of recording the aforesaid plat and to maintain all drainage structures and facilities detailed in such plans and specifications so as to assure that the flood carrying capacity of the flood plain is maintained.

This agreement shall be binding upon the heirs or successors of Owners, and shall constitute a covenant running with the land. Owner expressly agrees that this agreement shall be recorded in the real property records of DeKalb County, Georgia, and shall be binding upon all subsequent transferees of said Property.

IN WITNESS WHEREOF, Owner has hereunto set his hand and affixed his seal this

_____ day of _____, _____
Date Month Year

Signature of Owner

NOTARY PUBLIC SIGNATURE & SEAL

UNOFFICIAL WITNESS SIGNATURE