

# Early Grading Agreement for Development

\_\_\_\_\_ (“Developer”), the owner of the land located at \_\_\_\_\_ (“the Property”) and applicant for City of Happy Valley Land Use Number \_\_\_\_\_ is requesting to start early grading activities as allowed under the City’s Site Development and ROW permit. Under this Early Grading Agreement, Developer acknowledges the following items:

1. Civil improvement plans for the Property have not been approved by the City, WES, SWA or other affected agencies.
2. Developer is responsible for obtaining and maintaining all federal, state, and jurisdictional permits required to perform the proposed work throughout construction.
3. All grading performed prior to final approval of civil improvement plans by the City will be performed at Developer’s sole cost and expense.
4. Final approval of civil improvement plans may require changes to the grading of the Property;
5. Final approval of civil improvement plans may increase Developer’s grading costs and may require regrading of the Property at Developer’s sole cost and expense.
6. Developer will not request other permits beyond the early grading permit until civil improvement plans for the Property are fully approved by the City.
7. All grading performed on the Property that is completed prior to final approval of civil improvement plans will conform to the plans ultimately approved by the City.
8. Erosion and Sediment Control BMP’s installed onsite, shall be regularly inspected and kept in good working order throughout construction to ensure the protection of public rights of way, environmentally sensitive areas, and adjacent properties. Failure to provide sufficient erosion and sediment control during construction, including implementing additional measures as required, may result in violations, fines, and a stop work order.
9. A site that is inactive for 14 days will be required to start installing permanent erosion control measures.
10. Additional water quality measures may be necessary to prevent sediment laden runoff from leaving the site including, but not limited to, Baker Tanks, storm ponds and pumps.

### Developer

\_\_\_\_\_  
Signature of Developer

\_\_\_\_\_  
Printed Name of Developer

\_\_\_\_\_  
Date