

Yosemite West Property & Homeowners, Inc.

Letter of Commitment for Participation in the Yosemite West Defensible Space Project

I/we _____

Print your name(s) above

(hereinafter called “Landowner”) give my/our commitment to participate in the Yosemite West Defensible Space Project. Landowner agrees to participate freely in the project. Landowner agrees and consents to fuel reduction work being undertaken on Landowner’s property.

Landowner agrees to defend, indemnify and hold harmless Yosemite West Property & Homeowners, Inc. (YWPHI) and Yosemite/Sequoia Resource Conservation and Development Council, and the officers, directors, agents, employees, members, and participants in both YWPHI and the Yosemite/Sequoia Resource Conservation and Development Council (collectively, the “Indemnitees”) from and against any and all liability of any type, including but not limited to, all claims, demands, costs, expenses, obligations, liabilities, judgments, losses, damages, recoveries, and deficiencies, including interest, penalties, and reasonable attorney fees and costs arising from any acts, errors, or omissions of any of the Indemnitees in the performance of or in connections with or related to the fuel reduction services or other services of any type under the Yosemite West Defensible Space Project. The foregoing obligations of the Landowner are expressly intended to extend to and encompass liability arising from the sole and/or active negligence of any of the Indemnitees.

Landowner agrees that YWPHI is not obligated to provide services under the Yosemite West Defensible Space Project, and is not liable in the event that it does not provide services for any reason, or for the negligent or incomplete performance of services, under the Yosemite West Defensible Space Project.

The funds for the Yosemite West Defensible Space Project are limited and YWPHI may refuse or be unable to provide service to anyone. Participation in this project is limited to two parcels (defined by the APN) per Landowner as recorded on the Mariposa County Assessor’s records as of April 1, 2009. Landowner agrees to complete and sign *one* Letter of Commitment per parcel, and return it to YWPHI no later than July 1, 2009.

This Letter of Commitment can be amended only by prior written notification of either party executing this Letter of Commitment.

Yosemite West Property & Homeowners, Inc.

7585 Henness Ridge Road, Yosemite National Park, CA 95389

www.YosemiteWest.org

Landowner agrees to participate in the Yosemite West Defensible Space Project in each of the following ways (please initial each item):	Your Initials
<p>A. Landowner agrees to allow fuel reduction services to take place on Landowner's property. Landowner is the legal owner of the property where services will be performed. Landowner hereby agrees and consents to YWPHI and the contractor(s) designated by YWPHI under the Yosemite West Defensible Space Project entering Landowner's property for purposes of arranging for the performance of the below indicated services in connection with this project:</p> <ol style="list-style-type: none"> 1. Remove ladder fuels (fuels that provide vertical continuity between strata, thereby allowing fire to carry from surface fuels into the crowns of trees or shrubs with relative ease). 2. Remove coniferous trees less than 6 inches in diameter at breast height (dbh) measured 5 feet from base, except hardwood trees (dogwood, oak, big-leaf maple, willow, alder). 3. Create horizontal spacing between shrubs, and horizontal and vertical spacing between shrubs and trees. The amount of space will depend on the steepness of the slope and size of the shrubs and trees. 4. Reduce shrubs and trees near driveways and parking areas to provide 6 feet horizontal and 15 feet vertical clearance. 5. Chip debris generated from these fuel reduction services and blow chips back onto the property. Landowner agrees to comply with YWPHI and the contractor's decision on where chips are deposited. <p>Landowner agrees to flag any ladder fuels, coniferous trees less than 6" dbh, or shrubs, using flagging tape, that Landowner does <i>not</i> want removed no later than July 1, 2009. The contractor(s) will <i>not</i> remove any single specimens of trees, ornamental shrubbery, plants used as ground cover, deciduous trees, or any trees larger than 6" dbh unless they act as a ladder fuel. The contractor(s) will remove limbs through the use of pole saws and is <i>not</i> responsible for removing any limbs that the contractor(s) cannot reach through the use of pole saws.</p>	
<p>Landowner agrees that scheduling will be determined by YWPHI and the contractor(s) and that Landowner may <i>not</i> be able to arrange for fuel reduction services on a specific date and time.</p> <p>Please <input checked="" type="checkbox"/> check one of the following: Landowner gives permission for these fuel reduction services to take place: <input type="checkbox"/> without Landowner's presence. <input type="checkbox"/> only with Landowner's presence. Landowner agrees to be present at the date determined by YWPHI and the contractor(s).</p>	

Landowner agrees to participate in the Yosemite West Defensible Space Project in each of the following ways (please initial each item):		Your Initials	
B.	Landowner agrees to make a \$160 In-Kind Contribution (i.e., a minimum of \$160 match of time and/or money) no later than July 1, 2009 by any of or any combination of the three following options.		
	In-Kind Contribution Options	Total	
	Option #1: Landowner will volunteer time to conduct fuel reduction work on Landowner's property to be valued at the non-negotiable rate of \$16 per hour and will complete and submit one <i>In-Kind Contribution</i> form per parcel to YWPHI. (For example, you can satisfy the In-Kind Contribution when you spend 10 hours raking and removing pine needles from your property.) Estimate number of hours: _____	\$	
	Option #2: Landowner will provide photocopies of receipts to YWPHI for out-of-pocket expenses Landowner incurred for hiring independent labor to conduct fuel reduction services on Landowner's property.	\$	
	Option #3: Landowner will provide a cash match. Write a check payable to the project's fiscal sponsor, the Yosemite/Sequoia Resource Conservation and Development Council, and mail the check to YWPHI.	\$	
Total In-Kind Contribution (minimum of \$160):		\$	
C.	Please <input checked="" type="checkbox"/> check one of the following: <input type="checkbox"/> If Landowner owns a house, Landowner agrees to accept the 2008 Red Zone Fire Risk Assessment report prepared (for each parcel with a structure) by the Mariposa County Fire Department and mailed to Landowner in November 2008 as a defensible space evaluation of their property. <input type="checkbox"/> If Landowner owns a vacant lot, Landowner agrees to accept an on-site fuel reduction evaluation conducted by the contractor(s) designated by YWPHI who are experienced and knowledgeable about defensible space.		
D.	Landowner agrees to support YWPHI and acknowledge its efforts to obtain the grant funding this project by joining YWPHI and paying its \$25 annual membership dues for the current membership year (9/1/08 to 8/31/09). Dues are not prorated for any portion of the membership year. Please <input checked="" type="checkbox"/> check one of the following: <input type="checkbox"/> Landowner is a YWPHI member and has already paid dues for the current year. <input type="checkbox"/> Landowner is not yet a YWPHI member and agrees to complete the enclosed <i>Membership</i> form and mail it with \$25 dues check payable to YWPHI or send dues payment via PayPal to treasurer@yosemitewest.org.		

Local Street Address:

Please check one:

House

Vacant Lot # _____

Mailing Address
(if different):

Telephone:

Local: (209) 372- _____

Other: _____

Email:

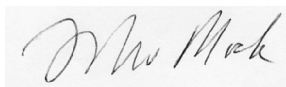
Landowner has read this Letter of Commitment, understands its terms, and has voluntarily entered into these agreements.

Landowner Name(s):

Landowner Signature(s):

Today's Date:

YWPHI Representative's Signature:



John Mock, Ph.D.
Chair, YWPHI Fire Safety Committee

On behalf of the Yosemite West Property & Homeowners Inc., we thank you for your participation in helping to create community-wide defensible space in Yosemite West.

Optional

Yes, I/we will assist in educational efforts to teach my/our neighbors and other community members about the benefits of hazardous fuel reduction work on our properties. I/we are willing to contact neighbors to enlist their participation in this project.

Please check one of the following:

Yes Your initials: _____

No