



Charter School Application for Zoning Exemption

Exhibit A: Representations and Warranties

I, _____, (Authorized Applicant Charter School Agent) affirm

on behalf of _____ (Applicant Charter School), requesting a zoning

exemption for the proposed property located at _____

the following:

1. No local jurisdiction with authority over the proposed property has made a decision to deny the Applicant Charter School or its representative a zoning exemption, variance, conditional use permit, or other permit requiring discretionary action related to the proposed property.
_____ Initial
2. The Applicant Charter School agrees and acknowledges that by granting a zoning exemption, the District does not make any representation or warranty, express or implied, regarding the condition, safety or fitness of the property for school use or any other use or purpose.
_____ Initial
3. The proposed property lies within the District's geographical jurisdiction.
_____ Initial
4. The proposed property has undergone or will have completed the necessary Site Screening per the District's Office of Environmental Health and Safety (OEHS) protocol and has complied with the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. (CEQA) prior to site occupancy.
_____ Initial
5. Within 30 days of submitting the completed Charter School Application for Zoning Exemption, all required information will be provided to OEHS to verify qualification for CEQA exemption.
_____ Initial
6. The proposed property will be utilized for classroom facilities.
_____ Initial
7. The Applicant Charter School waives rights under Proposition 39 for a period of time coterminous with the Applicant Charter School's occupancy of the exempted property under the corresponding charter authorized by the District.
_____ Initial



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8. The Applicant Charter School shall execute a waiver and release of liability and indemnity for any claims arising out of the District's exercise of the zoning exemption on behalf of the Applicant Charter School, which shall be in substance and form satisfactory to the District.
- _____ Initial
9. At its sole cost and expense Applicant Charter School shall:
- a. Comply with all standards and requirements of the Division of the State Architect ("DSA") and obtain all required approvals therefrom; **OR**
 - b. Comply with the applicable building codes for the local governmental jurisdiction in which the Applicant Charter School is located and obtain all permits and required approvals therefrom.
- _____ Initial
10. Applicant Charter School agrees that:
- a. The Applicant Charter School, at its sole cost and expense, shall comply with the Office of Environmental Health and Safety ("OEHS") protocol for environmental and CEQA review of proposed charter schools, as provided in the District document entitled, "OEHS Review of Proposed Charter School Projects," and as such document is amended from time to time. This will include conducting an environmental screening of the property as outlined in Title V, California Code of Regulations, Sections 14000-14012, as would be required for a District school project as well as proof of compliance with CEQA. Findings and all relevant documents must be submitted to the District prior to approval of zoning exemption.
 - b. The District's exercise of its zoning exemption authority on behalf of the Applicant Charter School is absolutely conditioned upon the Applicant Charter School complying with CEQA and all environmental laws, regulations, rules and requirements, and if at any time the Applicant Charter School is not in compliance with CEQA or environmental laws, regulations, rules or requirements, then the zoning exemption exercised on behalf of the Applicant Charter School shall be void, automatically invalidated without further action, and shall be immediately revoked.
- _____ Initial
11. Applicant Charter School agrees that it shall be solely responsible to pay for any and all actual and reasonable costs and expenses incurred by the District related to processing, evaluation, investigation or enforcement of any of the conditions and/or representations made in the Charter School Zoning Exemption Application, or findings made by the Board pursuant to its exercise of a zoning exemption.
- _____ Initial
12. The Applicant Charter School shall execute any and all appropriate documents that District staff deems reasonably necessary for compliance with the conditions in the Charter School Zoning Exemption.
- _____ Initial



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13. The Applicant Charter School shall comply with any additional conditions that the District deems reasonably necessary as a condition to the Board's exercise of a zoning exemption.

_____ Initial

14. The Applicant Charter School shall not apply for a zoning exemption on behalf of more than one property.

_____ Initial

Under penalty of perjury under the laws of the State of California I affirm all of the above.

Signature of Authorized Applicant Charter School Agent

Date

Print Name of Authorized Applicant Charter School Agent and Title