

Fieldston Property Owners Assn., Inc.

279 WEST 231st STREET

BRONX, N.Y. 10463

PERMIT TO OPEN STREET

Date: _____

_____, [the "Permittee"], is

permitted by Fieldston Property Owners Association, Inc. ["FPOA"] to open

_____ for the purpose of _____ ["Work"].

The Permittee assumes all liability for the Work and agrees to indemnify FPOA for any claims made against it on account of the Street Work. The Permittee hereby represents that it possesses liability insurance in the amount of \$1,000,000.00 with FPOA as a named party.

The Permittee undertakes to complete the work as expeditiously as possible and to take all reasonable and necessary safety precautions. Restoration of the Street, including losing and resurfacing ["Restoration"] shall be included in the description of the Work. The Backfill Procedure will be discussed and supervised by our crew chief Anthony. The Work and the restoration shall be undertaken by a licensed contractor. Restoration shall be guaranteed by the Permittee for a period of ten [10] years.

A deposit of \$5,000 shall be paid to FPOA upon issuance of this Permit. If the Work and the Restoration is completed in a manner satisfactory to FPOA in its sole discretion, this deposit will be returned, without interest, within sixty [60] days of the presentation by the Permittee to FPOA of [A] a written statement by the Permittee that the Work and the Restoration have been completed and [B] a written statement by the contractor [I] that the Work and the Restoration have been completed in compliance with all laws and [II] that there are no outstanding sums due it or outstanding. FPOA reserves the right to utilize the deposit to make any necessary repairs to the Street if the Work and the Restoration in not completed in a manner satisfactory to FPOA in its sole discretion.

Fieldston Property Owners Association, Inc.
By: Robert E. Hill, Inc. - Agent

Per: _____

Agreed & Accepted: _____

Permittee