

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # \*B-7

Urgent  Routine

AGENDA DATE February 25, 2014

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Adopt a Resolution Requesting that a Gateway Monument Sign and Historical Marker Announcing the Entrance to Historic La Grange be Erected on State Right-of-Way at Yosemite Boulevard (State Route 132) and La Grange Road (J-59)

STAFF RECOMMENDATIONS:

1. Approve a Request to Construct a Permanent Gateway Monument Sign and Historical Marker Announcing the Entrance to Historic La Grange, California at the Request of the La Grange Improvement Association and to be Constructed by E Clampus Vitus of State Highway Right of Way at the Northeast Corner of Yosemite Boulevard (State Route 132) and La Grange Road (J-59).
2. Adopt a Board of Supervisors' Resolution Number Naming Stanislaus County as the 'Local Entity' with Responsibility for Approval of the Design, Construction, Maintenance and Liability for the La Grange Gateway Monument Sign and Historical Marker.

(Continued on Page 2)

FISCAL IMPACT:

The proposed Gateway Monument and Historical Marker will provide an attractive, permanent introduction and welcome to motorists traveling east on Yosemite Boulevard (Highway 132) or along La Grange Road (J-59.) The proposed permanent sign would replace a dilapidated wooden sign at the same location on the State Highway right of way.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2014-74

On motion of Supervisor Withrow, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

**STAFF RECOMMENDATIONS: (Continued)**

3. Approve the Filing of a Notice of Exemption Finding that the Proposed Project is Exempt Under the Provisions of the California Environmental Quality Act (CEQA) Pursuant to State Guidelines Section 15303.
4. Authorize the Chief Operations Officer to Negotiate and Execute an Encroachment Permit with Caltrans.

**FISCAL IMPACT: (Continued)**

The proposed permanent sign would consist of a steel metal archway across two steel columns 16' 5" tall and 18' 3" wide designating "Historic La Grange Est. 1848." The gateway would also list ten historical points of interest, five on each column, and would include a historical plaque on a concrete base.

The sign was requested and partially funded by the La Grange Improvement Association (LGIA) working in conjunction with the non-profit historical society E Clampus Vitus (ECV), which contributed the balance of the project's cost. ECV and LGIA have committed to provide on-going maintenance and upkeep of the gateway monument, including general maintenance, graffiti abatement, periodic painting and landscape maintenance around the sign. ECV has also provided current evidence of liability insurance to Stanislaus County.

Per current California Department of Transportation (Caltrans) requirements, this proposed Gateway Monument sign can be allowed within the State Highway right of way if it complies with Caltrans' Gateway Monument policy and regulations. One requirement of the Caltrans regulations is that the gateway sign be sponsored by a local government entity, Stanislaus County, to ensure that maintenance, upkeep and liability remain in place in perpetuity.

The La Grange Improvement Association requests that Stanislaus County approve the gateway monument and adopt the resolution accepting responsibility for the construction, maintenance and liability for the sign.

The proposed permanent sign would create no greater maintenance or liability exposure than the original sign it replaces at the same site but it will provide for the upkeep and maintenance by ECV that lacked with the original sign. ECV has constructed and maintained hundreds of historical markers and plaques throughout the region and had routinely inspected and maintained them.

Approval to Adopt a Resolution Requesting that a Gateway Monument Sign and Historical Marker Announcing the Entrance to Historic La Grange be Erected on State Right-of-Way at Yosemite Boulevard (State Route 132) and La Grange Road (J-59)  
Page 3

The proposed La Grange Gateway Monument and Historical Marker will be constructed and maintained at no cost to Stanislaus County and without use of County staff or equipment resources.

## **DISCUSSION:**

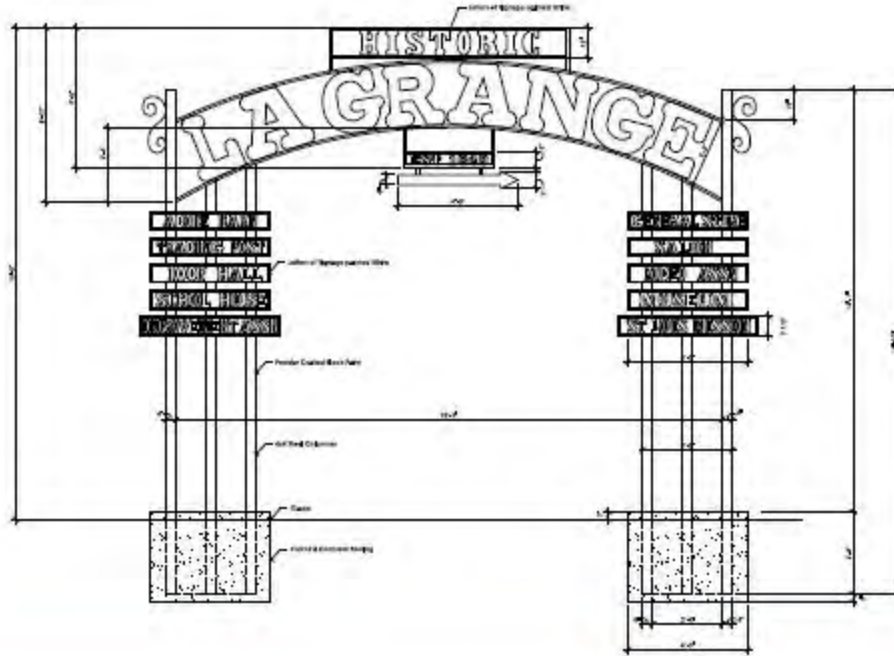
The La Grange Improvement Association has worked with E Clampus Vitus to design and fund construction of a new permanent Gateway Monument and Historical Marker at the northeast corner of Yosemite Boulevard (SR 132) and La Grange Road (J-59.) The proposed sign would consist of a steel metal archway across two steel columns 16' 5" tall and 18' 3" wide designating "Historic La Grange Est. 1848." The gateway would also list ten historical points of interest, five on each column, and would include a historical plaque on a concrete base, as shown in Exhibit 1. The proposed gateway monument will replace an original wooden sign structure at the same location which had fallen into disrepair.

### Design

The proposed monument will consist of two main elements: a) a black powder-coated steel frame with attached lettering announcing Historic La Grange and historical points of interest, and b) a historical marker plaque mounted in a concrete base at the center of the steel archway sign.

Approval to Adopt a Resolution Requesting that a Gateway Monument Sign and Historical Marker Announcing the Entrance to Historic La Grange be Erected on State Right-of-Way at Yosemite Boulevard (State Route 132) and La Grange Road (J-59)  
Page 4

**Exhibit 1**  
**La Grange Gateway Monument Plan**



The sign will announce ten places of historical interest, including the Adobe Barn, Trading Post, I.O.O.F Hall, School House, Improvement Association, General Store,

Approval to Adopt a Resolution Requesting that a Gateway Monument Sign and Historical Marker Announcing the Entrance to Historic La Grange be Erected on State Right-of-Way at Yosemite Boulevard (State Route 132) and La Grange Road (J-59)  
Page 5

Saloon, Rodeo Association, Museum and St. Louis Mission along the supporting columns.

The historical marker will include a plaque, as shown in Exhibit 2.

## **Exhibit 2 Historical Marker**

### **Historic La Grange**

The Township of La Grange, French for “The Barn”, was established in 1852 near the Tuolumne River. By 1853 French, Chinese, Mexicans, Spanish and Americans were here to mine gold, farm and ranch. About 5,000 people lived in the area. In 1854 Stanislaus County was formed and La Grange was the County Seat from 1856 to 1862. It is the only area in the eleven western states to have used all four types of gold mining. Today La Grange is zoned “Historic”, dedicated to preserving its history. The Inmon Trading Post, built in 1850, houses the local museum, organized in 1989. Close by is the Adobe Barn and Stable, 1850, and the Rustic Jail, 1856. Above town the St. Louis Mission, 1854, holds mass and maintains its cemetery. Across the street the Old School House, 1875, is located in a County park near the Citizens Cemetery. Below these on Main Street, Hwy 132, is the 1857 IOOF Hall, Home to Odd Fellows and Rebekahs. On down Main Street find the 1897 Saloon and the 1878 General Store. Up river from town is La Grange Dam, tallest overflow dam in the world when built in 1893. Each year the La Grange Rodeo, organized in 1948, attracts thousands of fans the first Sunday in April. La Grange Improvement Association began in 1974, continues to represent community interests.

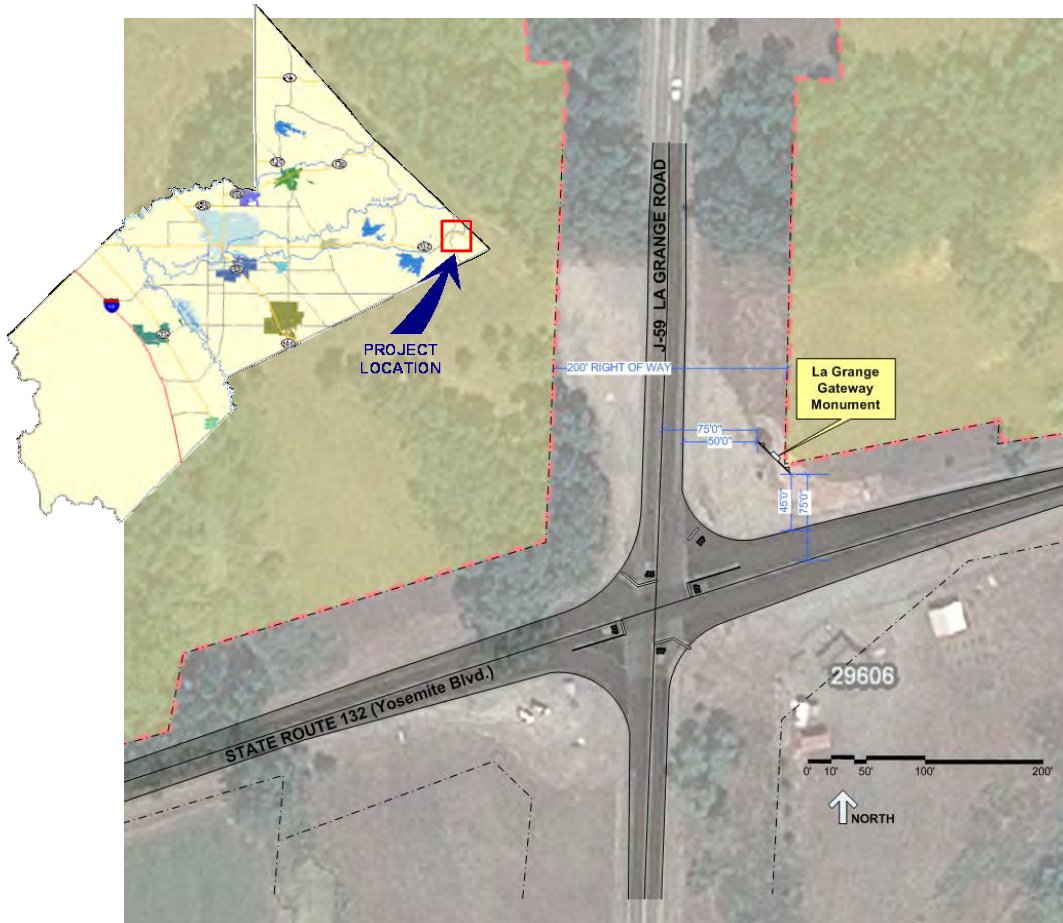
**Presented by La Grange Improvement Association**

### Location

The proposed gateway monument would be located near the intersection of Yosemite Boulevard (State Route 132) and La Grange Road (J-59), as shown in Exhibit 3.

Approval to Adopt a Resolution Requesting that a Gateway Monument Sign and Historical Marker Announcing the Entrance to Historic La Grange be Erected on State Right-of-Way at Yosemite Boulevard (State Route 132) and La Grange Road (J-59)  
Page 6

**Exhibit 3**  
**Gateway Monument Location**



Approval to Adopt a Resolution Requesting that a Gateway Monument Sign and Historical Marker Announcing the Entrance to Historic La Grange be Erected on State Right-of-Way at Yosemite Boulevard (State Route 132) and La Grange Road (J-59)  
Page 7

### Environmental Review

Because the project is proposed to be located within Caltrans right-of-way, a Caltrans Gateway and Monument Permit must be obtained, which requires that an environmental determination be made. The Stanislaus County Planning Department has reviewed this proposed project and considers it to be Categorical Exempt from the California Environment Quality Act (CEQA), pursuant to Section 15303 New Construction or Conversion of Small Structures of the CEQA Guidelines, as the proposed monument does not have the potential to have a significant effect on the environment. Staff requests the Board of Supervisors approve the filing of a Notice of Exemption with the Stanislaus County Clerk-Recorder's Office (pursuant to Public Resources Code Section 21152 and CEQA guidelines section 15062) finding that the proposed project is exempt under the provisions of the CEQA pursuant to State Guideline Section 15303 – New Construction or Conversion of Small Structures.

### Application to Caltrans

If approved by the Board of Supervisors, Stanislaus County will submit an application to Caltrans District Permit Engineer for a permit to allow development of the La Grange Gateway Monument. The application must include:

- a. An adopted Resolution: Requested in this Board action;
- b. The design detail and description of the proposed Gateway Monument;
- c. A detailed siting proposal relative to the roadway;
- d. A construction schedule. The project would be constructed immediately upon issuance of the permit and would be completed within one month. La Grange Improvement Association hopes to achieve completion of the project prior to the annual La Grange Rodeo on April 6, 2014, or as soon thereafter as possible;
- e. Cost estimate. The Gateway Monument and historical marker are estimated to cost \$4,000 and are fully funded by the La Grange Improvement Association and E Clampus Vitus. Neither Stanislaus County nor Caltrans will incur any construction cost for this project;
- f. Traffic control plans. None will be required as the entire placement, construction and maintenance of the sign will occur at least forty feet from the nearest curbing or pavement;
- g. Maintenance plan: Regular monthly inspection and maintenance provided by Stanislaus County under agreement with the La Grange Improvement Association and E Clampus Vitus;
- h. Environmental documentation: Notice of Exemption as attached.

Approval to Adopt a Resolution Requesting that a Gateway Monument Sign and Historical Marker Announcing the Entrance to Historic La Grange be Erected on State Right-of-Way at Yosemite Boulevard (State Route 132) and La Grange Road (J-59)  
Page 8

**POLICY ISSUE:**

The proposed sign provides an informative and welcoming entrance to La Grange and encourages travelers and visitors to stop and explore the historic community. This recommendation supports the Board of Supervisors' priority of A Strong Local Economy.

**STAFFING IMPACT:**

Existing County staff will assist the La Grange Improvement Association with compliance with Caltrans regulations to secure permission for the monument's installation within the State right of way, including providing environmental review of the proposal. All labor for the construction, maintenance and upkeep of the monument will be conducted by ECV on behalf of the La Grange Improvement Association. No other County resources are required for this action.

**CONTACT:**

Patricia Hill Thomas, Chief Operations Officer. Telephone: (209) 525-6333.



THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Date: February 25, 2014

2014-74

On motion of Supervisor Withrow Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # \*B-7

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
SUPPORTING THE LA GRANGE GATEWAY MONUMENT AND HISTORICAL MARKER SIGN  
PROPOSAL**

WHEREAS, The community of La Grange, established in 1852, has historical significance as the third County seat of Stanislaus County (1855-1862), and was an important gold mining region contributing the California's Gold Rush, and one of few active gold rush era communities to retain its historical character; and,

WHEREAS, Historic La Grange resides a short distance east of the intersection of State Route 132 (Yosemite Boulevard) and La Grange Road (J-59), both routes connecting Stanislaus, Merced and Tuolumne Counties, major reservoirs and a gateway to Yosemite and the Sierra Nevada Mountains, and located within Stanislaus County; and,

WHEREAS, The La Grange Improvement Association has requested that a new, permanent gateway monument sign and historical marker be erected within view of the intersection of State Route 132 and La Grange Road to replace a deteriorated wooden sign at the same location and to announce and welcome visitors to the historic community of La Grange; and,

WHEREAS, The La Grange Improvement Association, in collaboration with E Clampus Vitus, has raised all funding required to design, acquire and erect a Gateway Memorial consisting of a steel metal archway across two steel columns 16' 5" tall and 18' 3" wide designating "Historic La Grange Est. 1848"; and,

WHEREAS, The gateway would also list ten historical points of interest, five on each column, including the Adobe Barn, Trading Post, I.O.O.F Hall, School House, Improvement Association, General Store, Saloon, Rodeo Association, Museum and St. Louis Mission; and,

WHEREAS, The Gateway Monument will include a plaque inscribed with the history of La Grange and it's a brief description of the significance of the community to the region; and,

WHEREAS, The proposed Gateway Monument and Historical Marker will be maintained in good condition, free of damage, graffiti, vandalism or deterioration by E Clampus Vitus in association with the La Grange Improvement Association as hundreds of other such monuments have been erected and maintained by the organization throughout Stanislaus County and California. Furthermore, E Clampus Vitus has provided Stanislaus County with evidence of current liability insurance; and,

WHEREAS, The proposed location of the Gateway Monument is proposed to be in State Highway right of way operated by the California Department of Transportation (Caltrans), must comply with Caltrans Gateway Monument policies and requirements, and must be granted approval by Caltrans; and,

WHEREAS, The La Grange Gateway Monument application to Caltrans must be sponsored by the local governmental agency, Stanislaus County, in approving the design, placement, content and by ensuring the ongoing maintenance, responsibility and liability for the Gateway Monument; and,

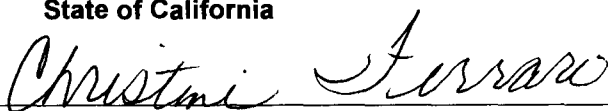
WHEREAS, The proposed site of the La Grange Gateway Monument lies within the jurisdiction of the County of Stanislaus, California; and,

WHEREAS, The proposed Gateway Monument and historical marker attract tourism to La Grange, supporting the Board of Supervisors' priority of providing a strong local economy; and,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Stanislaus County that it hereby finds and determines as follows:

1. The Stanislaus County Board of Supervisors approves the proposed design of a Gateway Monument and Historical Marker as provided in the plans; and,
2. The Board of Supervisors finds the proposed location near the intersection of State Route 132 (Yosemite Boulevard) and La Grange Road (J-59) just west of the community of La Grange to be appropriate, necessary and safe; and,
3. Stanislaus County shall be the responsible local agency for the purposes of an application for approval for construction the Gateway Monument project, and for ensuring the ongoing maintenance and repair of the project in good condition, and liability for the project on behalf of the La Grange Improvement Association and E Clampus Vitus as required by Caltrans.

ATTEST: **CHRISTINE FERRARO TALLMAN, Clerk**  
**Stanislaus County Board of Supervisors,**  
**State of California**



File No.

**STANISLAUS COUNTY**  
DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, California 95354

---

## NOTICE OF EXEMPTION

---

**Project Title:** Gateway Monument Sign And Historical Marker Announcing The Entrance To Historic La Grange.

**Applicant Information:** Tim Fedorchak, Senior Management Consultant, Chief Executive Office (209) 525-4380.

**Project Location:** APN 008-042-005, located on the northeast corner of Yosemite Boulevard (SR 132) and La Grange Road (J-59) in the town of La Grange, California.

**Description of Project:** Request to replace an original wooden sign structure with a steel monument sign, funded by the La Grange Improvement Association and E Clampus Vitus, at the west entrance of the town of La Grange. The proposed monument sign will consist of a steel metal archway across two steel columns 16' 5" tall and 18' 3" wide designating the entrance to the town of La Grange with the words "Historic La Grange Est. 1848." The gateway would also list ten historical points of interest, five on each column, and would include a historical plaque on a concrete base.

**Name of Agency Approving Project:** Stanislaus County Board of Supervisors

**Lead Agency Contact Person:** Kristin Doud, Associate Planner

**Telephone:** (209) 525-6330

**Exempt Status:** (check one)

- Ministerial (Section 21080(b)(1); 15268);
- Declared Emergency (Section 21080(b)(3); 15269(a));
- Emergency Project (Section 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15303 New Construction or Conversion of Small Structures
- Statutory Exemptions. State code number: \_\_\_\_\_
- General Exemption.

**Reasons why project is exempt:** The proposed sign consists of the construction of a small structure replacing a dilapidated wooden sign at the same location.

JULY 22, 2013

I TALKED WITH MRS. MARCIA INGALLS MEMBER AND OFFICER IN THE LA GRANGE IMPROVEMENT ASSOCIATION. WE DISCUSSED THE CARE AND MAINTENANCE OF THE MONUMENT WE WISH TO ERECT AT J-59 AND HWY 132 AT LA GRANGE. SHE ASSURED ME THEY WILL REGULARLY CHECK THE CONDITION AND CARE FOR THE MONUMENT BETTER THAN THE COUNTY OF STANISLAUS WOULD BE ABLE TO DO.

I, AS A MEMBER OF E. CLAMPUS VITUS, ESTANISLAO CHAPTER 58, ASSURED HER OUR GROUP HAS A COMMITTEE OF 8-12 MEMBERS WHO CHECK ALL OF OUR MONUMENTS IN STANISLAUS AND MERCED COUNTIES REGULARLY. THEY CLEAR, WEED, AND REPAIR WHEN NECESSARY. THIS WILL CONTINUE BE DONE WELL INTO THE FUTURE AS AN IMPORTANT FUNCTION OF OUR CHAPTER.

A COPY OF THIS LETTER SENT TO L.G.I.A FOR SIGNATURE.

I, AS A PAST OFFICER AND BOARD MEMBER OF E. CLAMPUS VITUS ADD MY SIGNATURE.

LGIA SIGNATURE

*Susan Zanker, President LGIA*  
*Susan Zanker*

E. CLAMPUS VITUS REPRESENTATIVE

*Don Lucas* *Don Lucas* ANGA ECV

**IMPROVEMENT MAINTENANCE AGREEMENT  
WITHIN STATE HIGHWAY RIGHT OF WAY  
ON ROUTE 132 WITHIN THE COUNTY OF STANISLAUS**

THIS AGREEMENT is made effective this 28 day of July, 2014, by and between the State of California, acting by and through the Department of Transportation, hereinafter referred to as "STATE" and the COUNTY of STANISLAUS; hereinafter referred to as "COUNTY" and collectively referred to as "PARTIES".

**SECTION I**

**RECITALS**

1. PARTIES desire to work together to allocate their respective obligations relative to newly constructed or revised improvements within STATE's right of way by Permit Number 1014-NGM-0166.
2. This Agreement addresses COUNTY responsibility for the maintenance of Gateway Monument Sign (collectively the "IMPROVEMENT") placed within State Highway right of way on State Route 132, as shown on Exhibit A, attached to and made a part of this Agreement.

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

**SECTION II**

**AGREEMENT**

3. In consideration of the mutual covenants and promises herein contained, COUNTY and STATE agree as follows:
  - 3.1. PARTIES have agreed to an allocation of maintenance responsibilities that includes, but is not limited to, inspection, providing emergency repair, replacement, and maintenance, (collectively hereinafter "MAINTAIN/MAINTENANCE") of IMPROVEMENT as shown on said Exhibit "A."
  - 3.2. When a planned future improvement is constructed and/or a minor revision has been effected with STATE's consent or initiation within the limits of the STATE's right of way herein described which affects PARTIES' Division of Maintenance's responsibility as described herein, PARTIES will agree upon and execute a new dated and revised Exhibit "A" which will be made a part hereof and will thereafter supersede the attached original Exhibit "A" to thereafter become a part of this Agreement. The new exhibit can be executed only upon written consent of the PARTIES hereto acting by and through their authorized representatives. No formal amendment to this Agreement will be required.
4. COUNTY agrees, at COUNTY expense, to do the following:

- 4.1. COUNTY may install, or contract, authorizing a licensed contractor with appropriate class of license in the State of California, to install and thereafter will MAINTAIN (Section 27 of the Streets and Highways Code) IMPROVEMENT conforming to those plans and specifications (PS&E) pre-approved by STATE.
- 4.2. COUNTY will submit the final form of the PS&E, prepared, stamped and signed by a licensed civil engineer, for IMPROVEMENT to STATE's District Permit Engineer for review and approval and will obtain and have in place a valid necessary encroachment permit prior to the start of any work within STATE'S right of way. All proposed IMPROVEMENT must meet STATE's applicable standards.
- 4.3. COUNTY shall ensure that IMPROVED areas designated on Exhibit "A" are provided with adequate scheduled routine MAINTENANCE necessary to MAINTAIN a neat and attractive appearance.
- 4.4. An Encroachment Permit rider may be required for any changes to the scope of work allowed by this Agreement prior to the start of any work within STATE's right of way.
- 4.5. COUNTY contractors will be required to obtain an Encroachment Permit prior to the start of any work within STATE's right of way.
- 4.6. To prune shrubs, tree plantings, and trees to control extraneous growth and ensure STATE standard lines of sight to signs and corner sight distances are always maintained for the safety of the public.
- 4.7. To control weeds at a level acceptable to the STATE. Any weed control performed by chemical weed sprays (herbicides) shall comply with all laws, rules, and regulations established by the California Department of Food and Agriculture. All chemical spray operations shall be reported quarterly (Form LA17) to the STATE to: District Maintenance at 1976 E. Dr. Martin Luther King Jr. Blvd., Stockton, CA. 95205.
- 4.8. To remove IMPROVEMENT and appurtenances and restore STATE owned areas to a safe and attractive condition acceptable to STATE in the event this Agreement is terminated as set forth herein.
- 4.9. To inspect IMPROVEMENT on a regular monthly or weekly basis to ensure the safe operation and condition of the IMPROVEMENT.
- 4.10. To expeditiously MAINTAIN, replace, repair or remove from service any IMPROVEMENT system component that has become unsafe or unsightly.
- 4.11. To MAINTAIN the gateway monument sign within the Agreement limits of the STATE highway right of way, as shown on Exhibit A, at COUNTY expense. MAINTENANCE includes, but is not limited to, access area, removal of dirt, debris,

graffiti, weeds, and any deleterious item or material on or about gateway monument sign or the IMPROVEMENT in an expeditious manner.

- 4.12. To MAINTAIN all parking or use restrictions signs encompassed within the area of the IMPROVEMENT.
  - 4.13. To allow random inspection of IMPROVEMENT by a STATE representative.
  - 4.14. To keep the entire improved area policed and free of litter and deleterious material.
  - 4.15. All work by or on behalf of COUNTY will be done at no cost to STATE.
5. STATE agrees to do the following:
- 5.1. May provide COUNTY with timely written notice of unsatisfactory conditions that require correction by the COUNTY. However, the non-receipt of notice does not excuse COUNTY from maintenance responsibilities assumed under this Agreement.
  - 5.2. Issue encroachment permits to COUNTY and COUNTY contractors at no cost to them.
6. LEGAL RELATIONS AND RESPONSIBILITIES:
- 6.1. Nothing within the provisions of this Agreement is intended to create duties or obligations to or rights in third PARTIES not PARTIES to this Agreement, or affect the legal liability of either PARTY to this Agreement by imposing any standard of care respecting the design, construction and maintenance of these STATE highway improvements or COUNTY facilities different from the standard of care imposed by law.
  - 6.2. If during the term of this Agreement, COUNTY should cease to MAINTAIN the IMPROVEMENT to the satisfaction of STATE as provided by this Agreement, STATE may either undertake to perform that MAINTENANCE on behalf of COUNTY at COUNTY's expense or direct COUNTY to remove or itself remove IMPROVEMENT at COUNTY's sole expense and restore STATE's right of way to its prior or a safe operable condition. COUNTY hereby agrees to pay said STATE expenses, within thirty (30) days of receipt of billing by STATE. However, prior to STATE performing any MAINTENANCE or removing IMPROVEMENT, STATE will provide written notice to COUNTY to cure the default and COUNTY will have thirty (30) days within which to affect that cure.
  - 6.3. Neither STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by COUNTY under or in connection with any work, authority or jurisdiction arising under this Agreement. It is understood and agreed that COUNTY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all

claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by COUNTY under this Agreement.

7. PREVAILING WAGES:

7.1. Labor Code Compliance- If the work performed on this Project is done under contract and falls within the Labor Code section 1720(a)(1) definition of a "public work" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code section 1771. COUNTY must conform to the provisions of Labor Code sections 1720 through 1815, and all applicable provisions of California Code of Regulations found in Title 8, Chapter 8, Subchapter 3, Articles 1-7. COUNTY agrees to include prevailing wage requirements in its contracts for public work. Work performed by COUNTY'S own forces is exempt from the Labor Code's Prevailing Wage requirements.

7.2. Requirements in Subcontracts - COUNTY shall require its contractors to include prevailing wage requirements in all subcontracts funded by this Agreement when the work to be performed by the subcontractor is a "public work" as defined in Labor Code Section 1720(a)(1) and Labor Code Section 1771. Subcontracts shall include all prevailing wage requirements set forth in COUNTY's contracts

8. INSURANCE - COUNTY and its contractors shall maintain in force, during the term of this agreement, a policy of general liability insurance, including coverage of bodily injury liability and property damage liability, naming the STATE, its officers, agents and employees as the additional insured in an amount of \$1 million per occurrence and \$2 million in aggregate. Coverage shall be evidenced by a certificate of insurance in a form satisfactory to the STATE that shall be delivered to the STATE with a signed copy of this Agreement.

8.1. SELF-INSURED - COUNTY is self insured. COUNTY agrees to deliver evidence of self-insured coverage in a form satisfactory to STATE, along with a signed copy of the Agreement.

8.2. SELF-INSURED using Contractor - If the work performed on this Project is done under contract COUNTY shall require its contractors to maintain in force, during the term of this agreement, a policy of general liability insurance, including coverage of bodily injury liability and property damage liability, naming the STATE, its officers, agents and employees as the additional insured in an amount of \$1 million per occurrence and \$2 million in aggregate. Coverage shall be evidenced by a certificate of insurance in a form satisfactory to the STATE that shall be delivered to the STATE with a signed copy of this Agreement.

9. TERMINATION - This Agreement may be terminated by timely mutual written consent by PARTIES, and COUNTY's failure to comply with the provisions of this Agreement may be grounds for a Notice of Termination by STATE.



10. TERM OF AGREEMENT -This Agreement shall become effective on the date first shown on its face sheet and shall remain in full force and effect until amended or terminated at any time upon mutual consent of the PARTIES or until terminated by STATE for cause.

PARTIES are empowered by Streets and Highways Code Section 114 & 130 to enter into this Agreement and have delegated to the undersigned the authority to execute this Agreement on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this Agreement.

IN WITNESS WHEREOF, the PARTIES hereto have set their hands and seals the day and year first above written.

THE COUNTY OF STANISLAUS

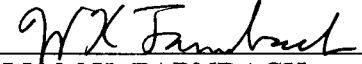
STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

By:   
JIM DE MARTINI  
Chairman, Board of Supervisors

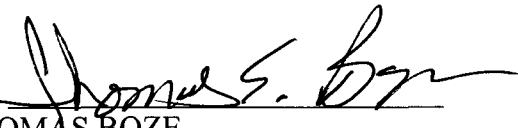
MALCOLM DOUGHERTY  
Director of Transportation


ATTEST:

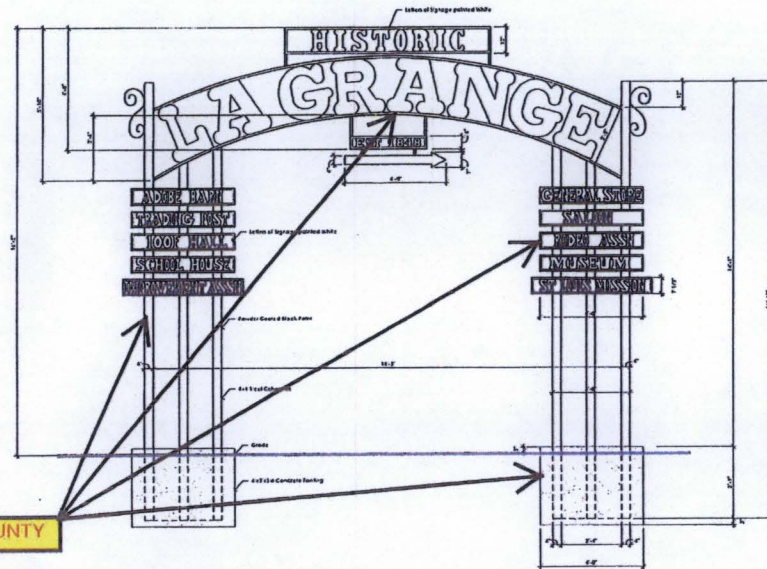
By:   
CHRISTINE FERRARO TALLMAN  
Clerk of the Board of Supervisors

By:   
WILLIAM K. FARNBACH  
Interim Deputy District Director  
Maintenance and Operations  
District 10

As to Form and Procedure:

By:   
THOMAS BOZE  
Deputy County Counsel

By:   
Denise Zuniga  
Attorney  
Department of Transportation



TO BE MAINTAINED BY COUNTY

Elevation  
 Scale: 1/4" = 1'-0"

EXHIBIT A

La Grange

Gateway Signage

Page 1 of 2



Exhibit 3

La Grange Gateway Monument and  
Historical Marker

Proposed Site Location

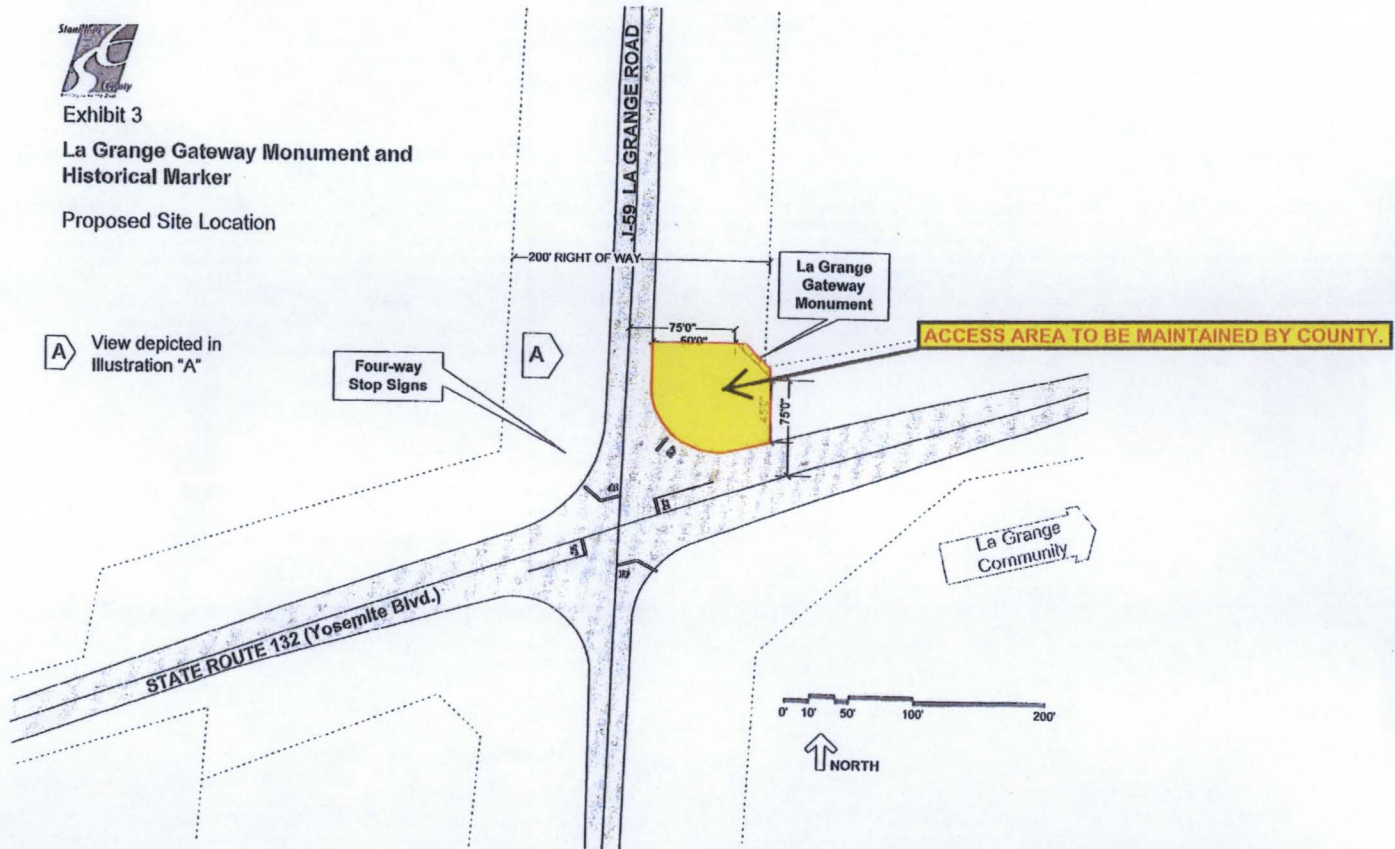


EXHIBIT A