

**CITY COUNCIL RESOLUTION NO. 2004-151
CONDITIONS OF APPROVAL - FINAL
CONDITIONAL USE PERMIT 2003-074
PACIFIC RETIREMENT SERVICES AND WESTPORT LA QUINTA LP
ADOPTED:**

GENERAL

1. The use of the subject property for a congregate care facility shall be in conformance with the approved exhibits and conditions of approval contained in Conditional Use Permit 2003-074, Specific Plan 2004-071, Site Development Permit 2003-762 and Environmental Assessment 2003-470, unless otherwise amended by the following conditions.
2. The Conditional Use Permit shall be expire after two years of the effective date of approval, and shall become null and void. A time extension for this Conditional Use Permit may be requested as permitted in Municipal Code Section 9.200.080 D.
3. Developer agrees to indemnify, defend, and hold harmless the City of La Quinta in the event of any legal claim or litigation arising out of the City's approval of this project. The City of La Quinta shall have the right to select its defense counsel in its sole discretion.

The City shall promptly notify the developer of any claim, action or proceeding and shall cooperate fully in the defense.