

RESOLUTION NO. 2001-61

Exhibit AA@

CONDITIONS OF APPROVAL - FINAL

CONDITIONAL USE PERMIT 99-047 - AGIOTAGE LIMITED

JUNE 5, 2001

GENERAL

1. The use of this site shall be in conformance with the approved exhibits contained in Specific Plan 94-025 (Amendment #1), unless otherwise amended by the following conditions.

2. The developer/property owner 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 including but not limited to indemnifying and holding harmless the City from any challenge regarding SP 94-025 (Amendment #1), FEIR 94-287 Addendum, CUP 99-047 and TPM 28617 and any other challenge pertaining to this project. This indemnification shall include any award toward attorney's fees. The City of La Quinta shall have the right to select its defense counsel in its sole discretion.