

City of Klamath Falls
Wastewater Division

**Release, Waiver of Liability, Indemnity Agreement and Covenant not to Sue
Regarding Fill Dirt**

In consideration for fill dirt received free of charge from the City of Klamath Falls Spring Street Wastewater Treatment Facility, I hereby promise and agree as Follows:

1. I hereby release, waive, discharge and covenant not to sue the City of Klamath Falls its officers agents and employees(collectively referred to as "City") from all liability to me, my personal representative, my assigns, my heirs and my next of kin, for any and all injury, loss or damage, and an claim, suit or demands arising out of my receiving the fill dirt or my use or application of the fill dirt
2. I agree to indemnify, defend and hold harmless the City from any loss, liability, damage, cost of claim City may incur, or be subjected to, due to my use or application of the fill dirt.
3. I hereby assume full responsibility for and risk of bodily injury, death or property damage while in or upon the City's Spring Street Wastewater Divisions Facility property for purposes of receiving the fill dirt.
4. I hereby promise and agree to apply and use the fill dirt exclusively at the address indicated below.

I hereby affirm that I have read, understand and have voluntarily signed this release, Waiver of Liability, Indemnity Agreement and Covenant Not to Sue, and I further affirm that no oral representations, statements or inducement have been made.

(Printed Name of Person Receiving fill dirt)

(Date)

(Signature)

(Quantity Received)

(Address of Person Receiving fill dirt)

(Address where fill dirt is used)

(City, State & Zip Code)

(Phone Number)