



Public Works Department

433 N. Virginia Street
Prescott AZ 86301
928-777-1130

RELEASE AND INDEMNITY AGREEMENT

These Computer Aided Design and Drafting (CADD) documents are instruments of professional services developed specifically for the City of Prescott. Ownership of the documents is retained by the City of Prescott. However, the documents nonetheless shall in this instance, be released to the User for general reference and information in a format approved by the City of Prescott. The User agrees that the documents shall not, without the written consent of the City of Prescott, be used for any other purpose than what is authorized herein. User acknowledges and agrees that the City of Prescott provides no representation as to the accuracy, reliability, or applicability of the documents for the purpose stated herein, or for any purpose than what was originally intended by these documents. The User shall notify the City of Prescott about all inconsistencies and other indications of non-coordination between the drawings, specifications, other documents and data prepared or supplied by the City of Prescott, or as indicated by field conditions. In return for the City of Prescott's release of the documents, User agrees to waive any claim against the City of Prescott and shall assume the defense of, indemnify and hold the City of Prescott harmless from any claim of liability for injury or loss allegedly arising from this authorized use, or any unauthorized reuse of the documents, excepting only such liability as determined by a court of competent jurisdiction to arise out of the sole negligence or willful misconduct of the City of Prescott. User agrees to compensate the City of Prescott for any time spent or expenses incurred by the City of Prescott in defense of any such claim in accordance with any prevailing rates, actual costs and/or actual fees incurred. Said expenses include, but are not limited to, court costs and reasonable attorneys' fees. User acknowledges that in a conflict between sealed drawings and the electronic files, the sealed drawings shall govern. **User accepts that opening and activation of these files, by turning on any layers or levels constitutes agreement with this Release and Indemnity Agreement.** In order to properly review the CADD format documents, the User will need to turn on all layers or levels. Any changes, revision, additions, or deletions from these files shall require the renaming of the detail to reflect said changes, and the detail and/or detail sheet shall be signed by the design engineer of record. The signatory to this Agreement has the lawful authority to bind the individual and/or business listed below.

Print Name and Company: _____

Signature: _____ Date: _____

Documents: _____