

**City of Modesto
House Sewer Line Repair
Cost-Share Program
Release and Waiver Agreement**



DATE: _____

NAME(S): _____
Last First Initial

I/We have requested to participate in the City of Modesto's House Sewer Line Repair Cost-Share Program.

In consideration of having my/our request granted:

1. I/We do hereby covenant not to sue, and waive, release and discharge the City of Modesto, including its officers, agents and employees, from all liability to me/us, my/our personal representatives, assigns, heirs, and next of kin, for any and all loss or damage, and any claim or demands therefore on account of any injury to me/us or my/our property, whether caused by the negligence of the City of Modesto, including its officers, agents and employees, or otherwise which was occasioned by the blockage of the house sewer line to my/our residence located at _____, Modesto, CA. In entering into this release, the undersigned waives, each for himself or herself, all of the rights and benefits otherwise conferred upon them under the terms of Section 1542 of the California Civil Code, which provides as follows:

"A general release does not extend to claims which the creditor does not know or suspect exists in his favor at the time of executing the release, which if known by him, must have materially affected his settlement with the debtor."

2. I/We also hereby agree to indemnify, defend and hold harmless the City of Modesto and its officers, agents and employees from and against all claims, actions, losses, damages, costs and expenses that are caused by, arising out of, or in any way connected, directly or indirectly, with the repair of the house sewer line to my/our residence located at: _____, Modesto, CA, including those claims, actions, losses, damages, costs and expenses that may result from the acts, omissions or negligence of the City of Modesto, its officers, agents and/or employees.

3. I/We have read the forgoing waiver and release of liability and indemnity agreement and am/are fully aware of its provisions.

Signature

Date

Signature

Date