

**RELEASE AND WAIVER**

The Washington Suburban Sanitary Commission (WSSC Water) is transferring, by donation to \_\_\_\_\_ (“Transferee”) the equipment identified on Exhibit A attached hereto (the “Equipment”). Transferee desires and is accepting such Equipment, and acknowledges that the Equipment itself constitutes sufficient, good and valuable consideration to Transferee.

The Equipment is being accepted by the Transferee in “as is” and “without faults” condition. WSSC Water assumes no responsibility, and expressly disclaims any and all warranties for the Equipment's present condition, past or future maintenance, or longevity. Transferee acknowledges and agrees that the implied warranty of merchantability and any implied warranty of fitness have been excluded and disclaimed as to the Equipment. Transferee acknowledges that no representations are being made by WSSC Water as to the condition or maintenance of the equipment, nor to its fitness for any purpose that Transferee may intend for it.

Transferee states that it has had an opportunity to inspect the Equipment, and that Transferee believes in its sole judgment that the Equipment is useful to Transferee and is not being accepted as waste or for disposal.

Transferee hereby fully releases, absolves and holds harmless WSSC Water and its employees from any harm which arises out of the acceptance, use or eventual disposal of the Equipment. Transferee further agrees that Transferee shall indemnify WSSC Water and its employees against all claims, demands, suits, judgments, and all costs, expenses and counsel fees incurred on account thereof, which are based upon injuries, sickness, or damages suffered by Transferee or by third parties caused in any manner by the Equipment, and/or arising in whole or in part from any negligent acts or omissions of Transferee, or the Transferee's successors, assigns, agents, employees, directors, and volunteers.

I have carefully read this Release and Waiver Form, understand its contents, and sign this form of my own free act.

**[TRANSFEREE]**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name:

Title: