



WAIVER AND RELEASE OF LIABILITY

I, _____ (*print name*), hereby agree to waive any and all claims against the City of Austin and/or its electric utility department, Austin Energy, arising or which may arise in any fashion from my presence or activities at the City of Austin's Holly Street Power Plant ("Plant"). **I HAVE BEEN DULY NOTIFIED THAT THIS IS A RETIRED POWER PLANT, WITH POTENTIALLY DANGEROUS MACHINERY AND CONDITIONS, INCLUDING THE PRESENCE OF HIGH VOLTAGE ELECTRIC LINES AND EQUIPMENT AND HAZARDOUS OR POTENTIALLY HAZARDOUS CHEMICALS, SUBSTANCES OR OPERATIONS.** I acknowledge that being near such substances and in such locations is inherently dangerous, and I have nonetheless opted to enter the site voluntarily and assume any and all risks. I agree to observe and follow all posted signs that deny access to portions of the facility and I agree to assume any and all risk for failing to abide by such postings. In consideration for being allowed onto the Plant, **I HEREBY FOREVER RELEASE AND DISCHARGE** the City of Austin and Austin Energy, as well as their officers and employees, from any and all claims that may arise as a result of contact with machinery, contact with electric lines or equipment, exposure to hazardous substances, or any other conditions or activities at the Plant, including all claims for death, personal injury or illness. I acknowledge that no warranties, representations, or guarantees have been made to me by the City, Austin Energy, or their employees regarding the safety or suitability of the site. **THIS RELEASE APPLIES EVEN WITH RESPECT TO DEATH, INJURIES, OR ILLNESS CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OF THE CITY OF AUSTIN OR ITS EMPLOYEES.**

By my signature below, I further acknowledge that I am being provided the opportunity to visit the Plant in advance of issuance of the Plant decommissioning solicitation, and that any oral explanation, clarification, instruction or statements made during the Site Visit are not binding upon the City. I understand that any Response submitted during the Plant decommissioning solicitation process must be solely based upon the information provided during the solicitation when it is issued.

Signature/Date

Title/Company

Address

Phone