

INDEMNIFICATION RELEASE AND AGREEMENT FOR VISITOR ACCESS

Project Name: Fort Worth Multi-Purpose Arena Project No.: 169124

Location: 1911 Montgomery St. Fort Worth, TX 76107 Date: _____

The undersigned, being aware that the nature of activity conducted and facilities to be found at and around construction sites such as this one may render visitation to such sites physically dangerous to both himself and his personal property, and/or vehicle, hereby acknowledges that his present visit, or future visit, to this site is being conducted solely at his own risk and in full awareness of the potential for personal injury and/or damages to personal property brought on to the site with him.

Accordingly, the undersigned hereby **RELEASES** Owner and all Contractors working at the site from all liability associated with the access provided to such site other than that which is caused by grossly negligent or intentional misconduct.

FOR SEPARATE CONSIDERATION THE RECEIPT AND SUFFICIENCY OF WHICH IS HEREBY ACKNOWLEDGED. THE UNDERSIGNED FURTHER AGREES TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, UNCONDITIONALLY INDEMNIFY, HOLD HARMLESS, PROTECT AND DEFEND (USING COUNSEL ACCEPTABLE TO EACH INDEMNITEE) OWNER AND ALL CONTRACTORS, EMPLOYEES OR AGENTS AND ALL OF THEIR RESPECTIVE AGENTS AND EMPLOYEES (THE "INDEMNITEE" OR "INDEMNITEES") FROM AND AGAINST ALL CLAIMS, LOSSES AND LIABILITIES (INCLUDING, WITHOUT LIMITATION, REASONABLE ATTORNEY'S FEES AND COSTS) OF ANY TYPE RELATING TO THE UNDERSIGNED'S ACCESS TO THE SITE.

THIS INDEMNIFICATION OBLIGATION SHALL EXPRESSLY INCLUDE BUT NOT BE LIMITED TO, PROTECTING, DEFENDING AND HOLDING HARMLESS EACH INDEMNITEE FROM AND AGAINST ALL CLAIMS, LOSSES, FINES, PENALTIES AND LIABILITIES ARISING OUT OF THE ACTS OR OMISSIONS OF ANY OF THE INDEMNITEES (INCLUDING, WITHOUT LIMITATION, ACTIVE NEGLIGENCE).

EXECUTED this _____ day of _____, 20__.

Visitor:

Print Name

Company

Signature

Date

Owner/Contractor Representative:

Name/Title

Date





Waiver and Release for Visitor Access

"Project": Fort Worth Multipurpose Arena -- "Dickies Arena" located near the intersection of Harley and Gendy Streets in Fort Worth, Tarrant County, Texas

In consideration of the Project owner, developer, and contractor giving me permission to visit the Project construction site, I acknowledge and agree to the following:

I am aware that the nature of construction activities, construction equipment, and site conditions in and around construction sites such as the Project can be dangerous to me as a visitor and may cause damage to any vehicle or other personal property that I may bring onto the Project site. I agree that my current visit and any future visits I may make to the Project site are at my sole risk. I knowingly assume all risks of my personal injury and damage to my personal property in connection with my visits to the Project site.

I WAIVE AND RELINQUISH, COVENANT NOT TO SUE, AND FULLY RELEASE AND FOREVER DISCHARGE MULTIPURPOSE ARENA FORT WORTH, EVENT FACILITIES FORT WORTH, INC., SOUTHWESTERN EXPOSITION AND LIVESTOCK SHOW, THE CITY OF FORT WORTH, TEXAS, THEIR CONTRACTORS AND SUBCONTRACTORS, AND EACH OF THEIR RESPECTIVE OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES, AND AGENTS (COLLECTIVELY, "RELEASED PARTIES") FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES, LIENS, CAUSES OF ACTION, SUITS, JUDGMENTS, AND EXPENSES, INCLUDING ATTORNEYS' FEES, OF ANY KIND (COLLECTIVELY, "CLAIMS") WHICH MAY ARISE IN CONNECTION WITH MY ACTIVITIES ON OR AROUND THE PROJECT SITE, EVEN IF SUCH CLAIMS ARE CAUSED BY THE CONCURRENT NEGLIGENCE OF ANY OF THE RELEASED PARTIES.

EXECUTED this _____ day of _____, _____

Visitor:

Print Name

Company

Signature

Date

Project Representative:

Name/Title

Date