



NORTHWEST PARK

CITY OF BRIDGEPORT

RELEASE, WAIVER OF CLAIMS, HOLD HARMLESS, AND INDEMNITY AGREEMENT

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
 COUNTY OF WISE §

For and in consideration of being permitted by the City of Bridgeport, Texas (“City”), the Bridgeport Economic Development Corporation (“BEDC”) and Upham Oil & Gas Company, L.P. and Upham Producing, L.P. (collectively “Upham”) to utilize the ATV park property owned by the BEDC located at 2962 South Highway 101, Bridgeport, TX 76426 for the purpose of participating in or being a spectator in off road riding and related events, which I acknowledge is an inherently dangerous activity, **I, the undersigned, assume full and complete responsibility for any injury which might occur to myself or my equipment, and do this day release, hold harmless and forever discharge the City, the BEDC, Upham, their officers, agents, servants and employees, and all persons natural or corporate in privity with them, or any of them, from any and all claims or causes of action of any kind whatsoever, whether real or asserted, for property loss or damage and/or personal injury, including death, at common law, statutory or otherwise, which I have or might have, known or unknown, in any way relating to any damage received by me during the above stated activity. Further, I hereby indemnify the City, the BEDC, and Upham against and for all liability, cost, expense, claims and damages which the City, the BEDC, or Upham may at any time suffer or sustain or become liable for by reason of any accident, damages or injuries to any person or property, in any manner arising from the activity described above, including, but not limited to any negligent act or omission of the City, the BEDC, or Upham, their officers, agents and employees.**

It is further agreed that the execution of this release shall not constitute a waiver by the City, the BEDC, or Upham, their officers, agents, officials and employees of the defense of governmental immunity, where applicable or any other defense, claim, cause of action or assertion of any kind or nature, recognized by any court of law, administrative agency, or other entity.

I certify that I am at least eighteen (18) years of age, that I have read the foregoing instrument, and that I understand its terms and conditions, that I make this waiver and release voluntarily and that I have not relied upon any representations made by the City, the BEDC, Upham or their officers, agents, employees in signing this release. It is understood that this permission and release is given by myself individually and as parent or guardian of those minors listed below.

I also give permission for any photographs taken during this activity to be utilized for promotional uses by the City or the BEDC, now and in the future.

_____	_____	_____
Printed Name	Signature or Parent/Guardian	Date
_____	_____	_____
Printed Name	Signature or Parent/Guardian	Date
_____	_____	_____
Printed Name	Signature or Parent/Guardian	Date
_____	_____	_____
Printed Name	Signature or Parent/Guardian	Date
_____	_____	_____
Printed Name	Signature or Parent/Guardian	Date