



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Albert J. Genetti, Jr., P.E.
Director

glas M. Duncan
County Executive

INDEMNIFICATION OF MONTGOMERY COUNTY, MARYLAND

THE APPLICANT HEREBY INDEMNIFIES MONTGOMERY COUNTY AND HOLDS MONTGOMERY COUNTY HARMLESS FOR ANY CLAIMS FOR DAMAGES OR INJURY BY THE APPLICANT OR ANYONE CLAIMING THROUGH THE APPLICANT ARISING OUT OF THE PURCHASE OF FUEL BY THE APPLICANT OR THE APPLICANT'S AGENTS, EMPLOYEES, CONTRACTORS, ASSIGNEES, OR REPRESENTATIVES. THE APPLICANT AGREES THAT THE APPLICANT WILL NOT ENGAGE IN ANY CRIMINAL OR UNLAWFUL CONDUCT AT THE MONTGOMERY COUNTY FACILITIES OR USE THE ETHANOL E-85/E-90 PURCHASED FROM THE COUNTY FOR ANY ILLEGAL OR UNLAWFUL ACT OR PURPOSE OR FOR OTHER THAN ITS INTENDED PURPOSE AS FUEL FOR A MOTOR VEHICLE PROPERLY EQUIPPED TO USE ETHANOL E-85/E-90.

MONTGOMERY COUNTY RESERVES THE RIGHT TO RESTRICT ACCESS TO ITS FUELING FACILITY, AND TO DENY ACCESS TO THE FACILITY TO ANY PERSON FOR ANY REASON IN MONTGOMERY COUNTY'S SOLE AND ABSOLUTE DISCRETION. THE APPLICANT ACKNOWLEDGES THAT MONTGOMERY COUNTY HAS MADE NO WARRANTIES OR REPRESENTATIONS ABOUT THE AVAILABILITY OF THE ETHANOL E-85/E-90. FURTHERMORE, THE APPLICANT ACKNOWLEDGES THAT MONTGOMERY COUNTY HAS MADE NO GUARANTEES THAT THE ETHANOL E-85/E-90 WILL BE AVAILABLE FOR APPLICANT'S PURCHASE AT ANY TIME. ANY STATEMENTS MADE BY ANY EMPLOYEE, AGENT, OR REPRESENTATIVE OF MONTGOMERY COUNTY CONCERNING THE AVAILABILITY OF ETHANOL AFTER THE DATE THAT APPLICANT SIGNS THIS APPLICATION IS ADVISORY ONLY, AND IS NOT INTENDED TO CREATE ANY WARRANTIES OR GUARANTEES BY MONTGOMERY COUNTY, MARYLAND CONCERNING THE AVAILABILITY OF ETHANOL E-85/E-90 FOR PURCHASE. THE APPLICANT HEREBY INDEMNIFIES MONTGOMERY COUNTY AND HOLDS MONTGOMERY COUNTY HARMLESS FOR ANY CLAIMS MADE BY APPLICANT OR ANY PERSON OR ENTITY CLAIMING THROUGH APPLICANT FOR ANY DAMAGES OR INJURY RESULTING FROM APPLICANT'S NEGLIGENT ACTS AND THE UNAVAILABILITY OF ETHANOL E-85/E-90 OR FOR DENIAL OF ACCESS TO THE MONTGOMERY COUNTY FACILITIES.

THE APPLICANT FURTHER ACKNOWLEDGES THAT MONTGOMERY COUNTY HAS MADE NO REPRESENTATIONS OR WARRANTIES ABOUT THE QUALITY OF THE ETHANOL E-85/E-90 PURCHASED BY THE APPLICANT OR ABOUT THE SUITABILITY OF THE FUEL FOR USE BY THE APPLICANT. THE APPLICANT HEREBY INDEMNIFIES MONTGOMERY COUNTY AND HOLDS MONTGOMERY COUNTY HARMLESS AGAINST ANY CLAIMS FOR DAMAGES OR INJURY ARISING FROM THE MISUSE OR INAPPROPRIATE USE OF THE ETHANOL E-85/E-90 BY THE APPLICANT OR BY APPLICANT'S AGENTS, EMPLOYEES, CONTRACTORS, ASSIGNEES, OR REPRESENTATIVES OR FOR ANY USE OF THE ETHANOL E-85/E-90 BY THE APPLICANT OR THE APPLICANT'S AGENTS, EMPLOYEES, CONTRACTORS, ASSIGNEES, OR REPRESENTATIVES FOR OTHER THAN ITS INTENDED PURPOSE AS A FUEL SOURCE FOR MOTOR VEHICLES EQUIPPED FOR THE USE OF ETHANOL E-85/E-90.

APPLICANT'S SIGNATURE

APPLICANT'S PRINTED NAME

DATE