RELEASE

By signing below, the owner of the property (hereinafter LANDOWNER) located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (hereinafter PROPERTY), hereby agrees to the following as it relates to the services, including but not limited to the delivery of compost material, provided by the North Carolina Department of Agriculture and Consumer Service (herein after DEPARTMENT):

1. DEPARTMENT shall have no responsibility for the safety and/or security of any property belonging to LANDOWNER or to those persons participating in the use of the PROPERTY by LANDOWNER. LANDOWNER expressly releases and discharges the DEPARTMENT for any and all liabilities for any loss, injury, or damages to any such property.
2. DEPARTMENT shall have no responsibility for the safety and/or security of any person participating in the use of the PROPERTY by LANDOWNER except as may arise from the negligence of the DEPARTMENT. LANDOWNER expressly agrees to indemnify and hold harmless DEPARTMENT and its employees and agents, from all cost, loss and expense arising out of any liability or claim of liability for injury or damage to persons resulting directly or indirectly from their participation in LANDOWNER’S use of the PROPERTY, regardless of whether such use was authorized or not, and regardless of whether the liability or claim of liability arises out of the act or omission of LANDOWNER.
3. DEPARTMENT is an agency of the State of North Carolina, and its liability, if any, shall be determined in accordance with the North Carolina Tort Claims Act (Article 31 of Chapter 143 of the North Carolina General Statutes).

**LANDOWNER**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(signature) (date)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(printed name) (position/title/capacity or “personal”)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(address)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(phone number)