As requested, we have enclosed the drawing file (Village Loop Water Mains) for the Town of Marion – Contract No. 3. Please note the following conditions for use of this material. Any person(s) utilizing the enclosed file is hereinafter referred to as "USER."

"Unless authorized in writing by TOWN OF MARION DEPARTMENT OF PUBLIC WORKS (OWNER), copying, duplicating, reselling or distributing the contents of this electronic media is NOT authorized. USER agrees to defend, indemnify and hold harmless OWNER, CONSULTANT, and his Agents for or on account of any damages, liabilities, claims or expenses incurred and/or alleged for or on account of USER's unauthorized copying, duplicating, reselling or distributing of the contents of this electronic media.

The OWNER owns all rights and interests in the contents of this electronic media pursuant to its agreement with TATA & HOWARD, INC. (CONSULTANT); and OWNER has retained physical copies, as well as electronic or machine-readable media copies, of the materials contained on this electronic media. Such physical copies shall govern in the event of any inconsistency or discrepancy between them and what is included on this electronic media.

Any user(s) of this electronic media agrees to assume all risks and liabilities associated with the use and modification, by USER, or others, of electronic or machine-readable copies of the materials contained in this electronic media and, to the fullest extent permitted by law, agrees to defend, indemnify and hold harmless the TOWN OF MARION DEPARTMENT OF PUBLIC WORKS (OWNER) (and to defend the OWNER and CONSULTANT using counsel satisfactory to the OWNER), from and against all claims, liabilities, losses, damages, judgments, awards and costs incurred and/or alleged, including, but not limited to, court costs and attorneys' fees arising from, related to, or in manner connected with the use or modification by USER or others of the electronic or machine-readable copies of the materials contained on this electronic media".

The opening of the attached drawing file is acknowledgement and acceptance of the above described terms.