

CONTRACTOR'S RELEASE OF LIABILITY AND INDEMNITY

_____ (the "Contractor"), wishes to perform work or provide services described as _____ (the "Work") on the property of the Union Pacific Railroad Company ("UPRR") or other property on which UPRR operates. The Contractor fully understands and acknowledges that its performance of the Work may involve it being upon or about UPRR's premises, including, but not limited to, tracks and other UPRR facilities, UPRR's offices or other buildings, and on or about engines, trains, railroad cars and equipment (the "UPRR Premises"). The Contractor acknowledges that it may face risks of personal injury or property damage as a result of the Work, its presence on or in the vicinity of the UPRR Premises, as the result of acts or omissions of an officer, agent or employee of UPRR, or as a result of defects in the UPRR Premises. The Contractor further understands that execution of this instrument is a condition of its performance of the Work as an independent contractor or subcontractor for UPRR. The Contractor acknowledges and affirms that my execution of this instrument and performance of the Work is voluntary.

THEREFORE, THE CONTRACTOR DOES HEREBY ASSUME THE ENTIRE RESPONSIBILITY AND LIABILITY FOR, AND HEREBY RELEASES UPRR FROM, ANY CLAIM OR ACTION ARISING OUT OF ANY LOSS OR INJURIES, INCLUDING BODILY INJURY OR DEATH TO PERSONS, OR DAMAGES TO, LOSS OF USE, OR DESTRUCTION OF PROPERTY SUSTAINED OR ALLEGED TO HAVE BEEN SUSTAINED BY ANY PERSON IN CONNECTION WITH OR TO HAVE ARISEN OUT OF OR INCIDENTAL TO THE PERFORMANCE OF THE WORK BY CONTRACTOR, ITS AGENTS AND EMPLOYEES, *REGARDLESS OF WHETHER SUCH CLAIMS OR ACTIONS ARISE IN WHOLE OR IN PART OUT OF ANY ACTUAL OR ALLEGED NEGLIGENCE, INCLUDING SOLE NEGLIGENCE, OF UPRR, ITS REPRESENTATIVE OR THE EMPLOYEES, AGENTS, INVITEES, OR LICENSEES THEREOF.* CONTRACTOR FURTHER AGREES TO INDEMNIFY, DEFEND AND HOLD

HARMLESS UPRR, ITS REPRESENTATIVE, OR THE EMPLOYEES, AGENTS, INVITEES, OR LICENSEES THEREOF FOR ANY LIABILITY DESCRIBED IN THIS RELEASE, *REGARDLESS OF WHETHER SUCH LIABILITY ARISES IN WHOLE OR IN PART OUT OF ANY ACTUAL OR ALLEGED NEGLIGENCE, INCLUDING SOLE NEGLIGENCE, OF UPRR, ITS REPRESENTATIVE, OR THE EMPLOYEES, AGENTS, INVITEES, OR LICENSEES THEREOF.*

DATED this _____ day of _____, 20__.
THE CONTRACTOR HAS READ AND UNDERSTOOD THIS DOCUMENT

CONTRACTOR

Signature: _____

Printed Name: _____

Address: _____

WITNESS

Signature: _____

Printed Name: _____

Address: _____
