

## Release of All Claims & Assignment of Claims

### *Release of All Claims*

FOR THE SOLE CONSIDERATION of the sum of \*\*\* Thousand Dollars (\$000.00) paid by or on behalf of the **CITY OF PORTLAND (release)**, the receipt and sufficiency of which is hereby acknowledged, the undersigned [Claimant Name] hereby releases and forever discharges the City of Portland, its agents, employees, successors, heirs, personal representatives and assigns, from any and all claims, suits, actions, demands, rights, damages, costs and expenses whatsoever, which the undersigned now has or which may hereafter arise from any and all foreseen and unforeseen property damage and/or injuries and the consequences thereof resulting from the incident(s), casualty or event which occurred at or near [Incident Location], Portland, Oregon occurring on or about March 16, 2019, due to the water main break involving the City of Portland, Portland Water Bureau, and [Claimant Name].

IT IS UNDERSTOOD AND AGREED that the payment made to the undersigned under this agreement is not to be construed as an admission of liability. The City of Portland expressly denies liability to the undersigned, or any other person for injuries or damages arising out of the aforementioned incident, and intends merely to avoid litigation and buy peace thereby.

IN MAKING THIS SETTLEMENT, the undersigned declares that the accompanying property damage and/or injuries may prove to be mistaken or incomplete. It is further understood and agreed that the undersigned relies wholly upon their judgment, belief and knowledge as to the nature, extent, effect and duration of said property damage and/or injuries, and liability therefor, and that this settlement is made without reliance on any statement or representation of the party or parties hereby released or their representatives.

IT IS FURTHER UNDERSTOOD AND AGREED that this agreement releases the City of Portland from any and all claims arising out of the above-described causes of action, and claims against the proceeds of said action including, but not limited to, medical liens, hospital liens, Social Security Administration liens, Medicare / Medicaid liens, workers' compensation liens, liens of the State of Oregon Department of Human Services and all other liens against the above-described causes of action at the time of execution hereof.

THE UNDERSIGNED HAS READ THE FOREGOING RELEASE OF ALL CLAIMS, fully understands that no other consideration or payment will be given and that this Release of All Claims contains the entire agreement between the parties hereto and that there is no other agreement, promise or inducement for this payment other than as expressed by this Agreement.

### *Assignment of Claims*

[Claimant Name] hereby assigns and transfers to the City of Portland any and all rights and claims [Claimant Name] has against any and all third parties, including

without limitation any insurance carrier for [Claimant Name] related to damage, costs, or injuries caused the water main break on March 16, 2019.

IN WITNESS WHEREOF, the undersigned hereby signed this Release of All Claims & Assignment of Claims this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
[Claimant Name]

APPROVED as to form:

\_\_\_\_\_  
\*\*\*\*\*

Attorney for [Claimant Name]