

*Disclaimer to and Warranty by Users of Lakewood GIS Data  
(Both Digital and Hard Copy (Paper Maps) Data)*

**NOTE:** All references to GIS Data from here on forward will refer to both *Digital GIS Data and Hard Copy Data/Maps*.

- 1) **Limitations**
  - a) The City of Lakewood makes no warranty, expressed or implied, concerning the data's content, accuracy, currency or completeness, or concerning the results to be obtained from queries or use of the data. **All data is expressly provided "AS IS" and "WITH FAULTS"**. The City makes no warranty of fitness for a particular purpose, and no representation as to the quality of any data. Users of the data are responsible for ensuring the accuracy, currency and other qualities of all products (including maps, reports, displays and analysis) produced from or in connection with Lakewood GIS data. No employee or agent of Lakewood is authorized to waive or modify this paragraph. If a user informs others that the product is based upon Lakewood data, the City specifically requests and directs that the user also disclose the limitations contained in this paragraph and in paragraph 4 a) & b).
- 2) **Data Interpretation**
  - a) Lakewood data is developed and maintained solely for City business functions, and use or interpretation of data by the Requestor or others is solely their responsibility. The City does not provide data analysis, technical support or interpretation services.
- 3) **Spatial Accuracy**
  - a) Map data can be plotted or represented at various scales other than the original source of the data. The requester is responsible for adhering to industry standard mapping practices which specify that data utilized in a map or analysis, separately or in combination with other data, will be produced at the largest scale common to all data sets.
- 4) **No City Liability**
  - a) The City shall not be liable to the Requestor (or transferees or vendees of Requestor) for damages of any kind, including lost profits, lost savings or any other incidental or consequential damages relating to the providing of the data or the use of it. The Requestor shall have no remedy at law or equity against the City of Lakewood in case the data provided is inaccurate, incomplete or otherwise defective in any way.
  - b) The City will not redistribute data that has been acquired from other jurisdictions or agencies. This City will direct the Requestor to the jurisdictions or agencies from which it acquired the data.
- 5) **Requestor's Warranty Against Commercial Use of Lists**
  - a) RCW 42.17.260(9) prohibits the release of lists of individuals requested for commercial purposes, and Requester expressly represents that no such use of any such list will be made by Requester or its transferee(s) or Vendee(s). "Commercial purposes" means contacting or in some way personally affecting the individuals identified on the list with the purpose of facilitating one's commercial activities.
- 6) **Secondary Data Dissemination**
  - a) Requesters may not secondarily disseminate (give City of Lakewood data to other entities) without prior written permission from Lakewood.
- 7) **Project Data**
  - a) Requesters are encouraged to supply their data (project) back to the City of Lakewood for use by the City.
- 8) **Delivery of Digital Data**
  - a) The City GIS supports the following formats: *ArcView Shapefiles* and *ARC/INFO Coverages*. All Requestors are required to indicate the format they wish to receive data in. (see Request for Services form)
- 9) **Cost of Providing Digital Data**
  - a) The cost of providing GIS digital data is \$49.00 (forty-nine dollars) per hour for the first hour then billed by 1/4-hour increments thereafter. The cost is the actual cost to prepare the requested data files from the City GIS database. The City Finance Department at month end will bill these costs.
  - b) See Request for Services form for prices of hard copy maps.

Firm \_\_\_\_\_ Authorized Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Sign and return to: Geographic Information Services, 6000 Main St, Lakewood,  
WA 98499-5013