

Data Use and Legal Responsibility by Users of Skagit County GIS Data

1. Limitations

Requester seeks access to the data described in the attached request. The County 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 ALL FAULTS"**. The County makes no warranty of fitness for a particular purpose, and no representation as to the quality of any data. Users of 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 Skagit County – Geographic Information Services data. No employee or agent of Skagit County is authorized to waive or modify this paragraph. If a user informs others that a product is based upon Skagit County's data, the County specifically requests and directs that the user also disclose the limitations contained in this paragraph and in paragraph 4.

2. Data Interpretation

Skagit County data is developed and maintained solely for County business functions, and use or interpretation of data by the Requestor or others is the solely their responsibility. Most Skagit County projects are created from County created data sets or from data received from other agencies. Skagit County shall not supply any data that the County has received from other agencies due to license agreements and data currency issues. This includes data from agencies, such as, FEMA, Fish and Wildlife, DNR, USGS, or other agencies. The requestor shall obtain this information directly from the source.

3. Spatial Accuracy

Map data can be plotted or represented at various scales other than the original source of the data. The Requestor 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 County Liability

Skagit County shall not be liable to the Requester (or transferees or vendees of Requester) 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 Requester shall have no remedy at law or equity against the County in case the data provided is inaccurate, incomplete or otherwise defective in any way. Skagit County is providing this information in good faith and shall be held harmless for any liability incurred. All digital map information is intended as a general geographic representation and should not be used for precise measurements or calculations.

5. Requester's Warranty Against Commercial Use of Lists

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 employees, agents, transferee(s) or vendee(s). "Commercial purposes" means to facilitate any profit expecting activity.

6. Secondary Data Dissemination

Requesters may not secondarily disseminate (give Skagit County data to other entities) without prior written permission from Skagit County Geographic Information Services.

8. Cost of Providing Digital Data

Many data sets are available at no cost via the Skagit County Web site. However, in the event that the requestor chooses to purchase data from the County, the requestor shall be charged the amount necessary to reimburse the agency for its actual costs (In accordance to RCW 42.17.300, relating to charges for copying). The cost is the actual cost to prepare the requested data files from the County GIS database. These costs will be paid by check or money order before data is delivered to the requester. Checks shall be made out to the Skagit County Treasurer's Office.

9. Data Shift

The County will be shifting GIS data to improve the geographic accuracy. Any data the requestor builds on top of the County data may require adjustment. The Requestor assumes responsibility for aligning and registering data to the County data, if necessary.

I have read the above information and understand its content:

Firm: _____
(Please print)

Authorized Agent; _____

Date: _____